

Planning Report

Tract

Combined Planning Scheme Amendment and Planning Permit Application Wangaratta Planning Scheme

Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta

Prepared for Bislake Pty Ltd

Overview

Background

Applicant / Owner	Bislake Pty Ltd
Address	Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta
Lot Description	Lot 2 /PS 744661

Relevant Planning Controls

State Planning Policy Framework	Clause 11 – Settlement Clause 12 – Environmental and Landscape Values Clause 13 – Environmental Risks and Amenity Clause 14 – Natural Resource Management Clause 15 – Built Environment and Heritage Clause 16 – Housing Clause 18 – Transport Clause 19 – Infrastructure
Zone	Low Density Residential Zone – Schedule 1
Overlays	Design and Development Overlay – Schedule 6 (DDO6) Land Subject to Inundation Overlay (LSIO)
Strategic Planning Documents	Wangaratta Population and Housing Strategy (December 2013) Hume Regional Growth Plan (December 2014) Draft Wangaratta Low Density and Rural Residential Strategy (2020)

Amendment Details

Description of Amendment	<p>The request seeks to facilitate the residential development of the Site for conventional housing by a combined request for a planning scheme amendment and planning permit to:</p> <ul style="list-style-type: none">• Rezone the land at Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta from Low Density Residential – Schedule 1 to the General Residential Zone – Schedule 1 (GRZ1).• Rezone part of the land within Targoora Park (330 Wangaratta-Whitfield Road, Wangaratta) from the Public Park and Recreation Zone to the Public Use Zone 1 (Service and Utility).• Permit the subdivision of the land into 233 residential lots (including 3 superlots);• Permit the removal of native vegetation; and• Permit the creation/alteration of an access to a road in a Transport 2 Zone.
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Quality Assurance

Planning Report

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Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta

Project Number

321-0590-01-P-00-RP03

Revisions

Issue	Date	Description	Prepared By	Reviewed By	Project Principal
01	22/12/2021	Planning Report	Matthew Crisfield	Nevan Wadeson	Nevan Wadeson
02	06/05/2022	Planning Report	Matthew Crisfield	Nevan Wadeson	Nevan Wadeson
03	19/10/2022	Planning Report	Matthew Crisfield	Nevan Wadeson	Nevan Wadeson
04	28/11/2022	Planning Report	Matthew Crisfield	Nevan Wadeson	Nevan Wadeson
05	06/06/2023	Planning Report	Matthew Crisfield	Nevan Wadeson	Nevan Wadeson

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Contents

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Executive Summary

This planning report accompanies a combined request to amend the Wangaratta Planning Scheme and approve a planning permit to facilitate the residential development of the land at Clarkes Lane, Wangaratta for a new residential neighbourhood that will deliver housing to address existing and forecast housing demand. Specifically, the accompanying combined request for a planning scheme amendment and planning permit seeks to:

- Rezone the land at Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta to the General Residential Zone – Schedule 1 (GRZ1);
- Rezone land within Targoora Park (330 Wangaratta-Whitfield Road, Wangaratta from the Public Park and Recreation Zone to the Public Use Zone (Service and Utility);
- Permit the subdivision of the land into 233 residential lots (including 3 superlots);
- Permit the removal of native vegetation; and
- Permit the removal / variation of an easement; and
- Permit the creation/alteration of an access to a road in a Transport 2 Zone.

The combined planning scheme amendment and planning permit and associated wastewater treatment plant provides a unique opportunity to deliver:

- a critical supply of additional housing within Wangaratta including (approximately):
 - 250 dwellings on the land identified as Lot 2 PS744661D Wangaratta-Whitfield Road; and
 - 100 dwellings within the Wangaratta South Growth Area.
- a network of landscaped public open space and active transport pathways through southern Wangaratta; and
- a sustainable source of Class A recycled water to irrigate sporting fields within Targoora Park and Cathedral College.

Wangaratta (like many regional cities) is facing a housing shortage caused by a combination of a constrained supply of residential lots and population growth. To date, the Rural City of Wangaratta has been reliant on the development of housing in the nominated North West Growth Area and South West Growth Area to meet the forecast demand for housing. Unfortunately, both of the nominated growth areas face significant sewerage constraints until significant, system-wide upgrades to the City's sewerage infrastructure are implemented by North East Water.

North East Water has advised:

- There is very limited sewerage capacity to service new lots in the North West Growth Area.
- There is no sewerage capacity to service new lots in the Southern Growth Area.

Due to the sewerage constraints, Wangaratta faces a scenario whereby the planned North-West and Southern Growth Area can provide 15 years supply of residentially zoned land in the long term but cannot deliver housing in the short to medium term. As a result, a severe shortage of titled lots to manage existing and forecast population growth has resulted in a severe housing shortage in both the homeowner and rental market segments. Worryingly, this housing crisis is expected to continue in the absence of system-wide capacity upgrades or the implementation of strategies that optimise the capacity of the existing network.

The land at Lot 2 PS744661D Wangaratta-Whitfield Road (currently in the Low Density Residential Zone) offers a unique opportunity to deliver strategically supported housing to meet the current shortfall through a site-specific, Integrated Water (IWM) servicing strategy. The Site has the scale, proximity to open space, and an applicant willing to finance a site-specific wastewater treatment infrastructure, such that it can be developed to deliver housing in the short-medium term (before wider upgrades of the sewerage network are delivered by North East Water).

In addition to addressing the current housing shortage facing Wangaratta, the proposed planning scheme amendment and planning permit represents a strategically supported change to the Wangaratta Planning Scheme which will:

- Provide additional housing on land located within the Wangaratta Regional City urban area which is identified as a 'Key residential growth front' under the Hume Regional Growth Plan (2014) and identified as a 'zoned greenfield

housing site... (to target 10 dwellings per net developable hectare)' under the Housing and Population Strategy (2013).

- Accommodate population growth on land which enjoys excellent access to existing services that immediately adjoins Cathedral College (1,100 student prep-12 school), Wenhams Lane reserve/Targoora Park (passive and active open space) and is proximate to public transport services (402 bus route and Wangaratta Railway Station) employment and commercial areas (including Wangaratta Central Activity Area, industrial areas, and the planned Wangaratta South Activity Centre) in accordance with the provisions of the Planning Policy Framework.
- Prevent the long-term underdevelopment of the land for low-density housing in a manner that is contrary to the provisions of the Planning Policy Framework.
- Reinforce Clarkes Lane as the southern boundary of the Wangaratta Regional City urban area.
- Provide a planning framework to ensure the development of the land is undertaken in a coordinated manner which will deliver a high amenity and sustainable neighbourhood that provides new connections and greenspaces between Clarkes Lane, Cathedral College, Wenhams Lane Reserve/Targoora Park and existing residential areas.
- Appropriately apply the General Residential Zone y to facilitate the development of the land at a scale and density that respects the established character of southern Wangaratta in accordance with Planning Practice Notes 90 and 91.
- Delivers a high amenity, residential subdivision which provides an appropriate transition between the urban areas to the north and the rural areas to the southern side of Clarkes Lane.
- Retains native trees within public open space and larger residential lots.
- Provides landscaped north-south and east-west, landscaped pedestrian and cycling paths through the Site.
- Facilitate the delivery of an Integrated Water Management strategy to provide capacity within North East Water's sewerage network to facilitate the delivery of additional housing in southern Wangaratta and provide a sustainable irrigation water source for Targoora Park and Cathedral College.
- Allow for the potential of widening and realignment of Clarkes Lane.

1 Introduction

1.1 Purpose

This report has been prepared by Tract Consultants Pty Ltd upon the instructions of **Bislake Pty Ltd** (the 'Proponent'). The purpose of the report is to provide a summary of relevant planning considerations in relation to a combined planning scheme amendment and planning permit application applying to the land located at Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta and land within Targoora Park (330 Wangaratta-Whitfield Road, Wangaratta).

1.2 Limitations

This report has considered the following documents:

- *Wangaratta Planning Scheme*
- *Wangaratta Population and Housing Strategy (2013)*
- *Hume Regional Growth Plan (May 2014)*
- *Wangaratta North West Structure Plan (2019) / Wangaratta South West Structure Plan (2019)*
- *Wangaratta Freight and Land Use Strategy (July 2016)*
- *Draft Wangaratta Low Density and Rural Residential Strategy (2020)*
- *Planning Practice Note 30; Potentially contaminated Land*
- *Planning Practice Note 46 Strategic Assessment Guidelines*
- *Planning Practice Note 90 Planning for housing*
- *Planning Practice Note 91 Using the residential zones*

1.3 Background

This Planning Report is submitted in conjunction with a request for a combined planning scheme amendment and planning permit submitted under Section 96A of the Planning and Environment Act 1987. The combined planning scheme amendment and planning permit request has been subject to multiple meetings between the Proponent's consultant team (including Tract) and representatives of Council and North East Water throughout 2021, 2022 and 2023.

During this period Council has expressed that it would consider a combined planning scheme amendment and planning permit application to facilitate the residential development of the Site. Similarly, North East Water has expressed support for the implementation of an Integrated Water Management wastewater servicing strategy for the Site.

Tract has also liaised with representatives of the Department of Environment, Land, Water and Planning (DELWP) which expressed a willingness to consider the authorisation of an amendment if requested by Council.

1.4 Vision

The vision for the future development of the land is to provide a vibrant and sustainable residential community that is integrated with the existing community and provides desperately needed residential land supply to cater for forecast population growth. This vision seeks to respond to housing demand, opportunities and constraints of the land and the needs of Council and the community in delivering a neighbourhood character that responds appropriately to the established neighbourhood character of southern Wangaratta.

1.5 Report Structure

This report has already provided an overview of the proposal (Chapter 1). The report goes on to provide the context of the land affected by the proposed amendment, including an analysis of the existing site conditions and the surrounding urban Context (Chapter 2). The proposed amendment and permit application is summarised in (Chapter 3). The existing planning controls are outlined in Chapter 4, followed by a summary of relevant planning policy and provisions (Chapter 5). The report then goes on to assess the proposed planning scheme amendment and planning permit application against the various policies and decision guidelines outlined within planning framework (Chapter 6 and Chapter 7) before presenting its conclusions (Chapter 8).

1.6 Supporting Documentation

This Planning Report should be read in conjunction with the following information:

- Draft Amendment Documentation (Explanatory Report, Instruction Sheet, Map Sheets and Amendment Checklist) prepared by Tract Consultants
- Certificates of Title
- Concept Development Plan prepared by North East Survey Design
- Stormwater Management Plan prepared by North East Survey Design
- Services Report prepared by North East Survey Design.
- Landscape Masterplan prepared by Tract Consultants.
- Bushfire Planning Report prepared by Nature Advisory
- Biodiversity Assessment prepared by EcoLink
- Traffic Impact Assessment Prepared by One Mile Grid
- Letter regarding residential land and housing demand in the Rural City of Wangaratta prepared by Garry Nash & Co.
- Arborist report by Oldmeadow Arboriculture
- IWM Sewerage Servicing Strategy prepared by Integral Delta
- Cultural Heritage Management Plan prepared by Red-Gum Environmental Consulting

2 Site Context Review

The combined amendment/permit application principally affects the land at Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta (referred to as the 'Site')

The Site is formally known as Lot 2 on Plan of Subdivision 744661.

The amendment/permit application also affects a small section of land within Targoora Park (330 Wangaratta-Whitfield Road).

2.1 Site Analysis (Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta)

The Site is 24.34ha in area. The site has a frontage of 865m frontage to Clarkes Lane, a 100m frontage to Laceby-Targoora Road and a limited frontage to Wangaratta-Whitfield Road.

The Site is generally cleared/vacant other than patches of native vegetation in the south-east corner and along the southern boundary. The native vegetation present on the Site principally consists of native gum trees.

The Site is generally flat.



Figure 1 Aerial Plan (Site identified in red, Targoora Park and identified in blue)



Figure 2. Site Photo (eastern section)



Figure 3. Site Photo (south-western section)

2.2 Encumbering Easements (Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta)

The Site is affected by an encumbering easement identified as E-1 on Plan of Subdivision 744661D. E-1 is an electricity supply easement in favour of the land in LP17871, generally measures 11-metres in width and irregularly bisects the south-eastern portion of the Site.

'Easement E-1 protects an existing overhead (north/south) electricity transmission line and a previously proposed (south-west/north-east) transmission line that has not been constructed. It is understood that the proposed (south-west/north-east) transmission line is no longer required to service the school while the existing (north/south) electricity transmission lines are likely to be rerouted underground (to an existing pole at the front of the Cathedral College) as a part of the development of the Site. As such, Easement E-1 is not considered to impact the potential development of the Site and will likely be removed prior to the commencement of development.

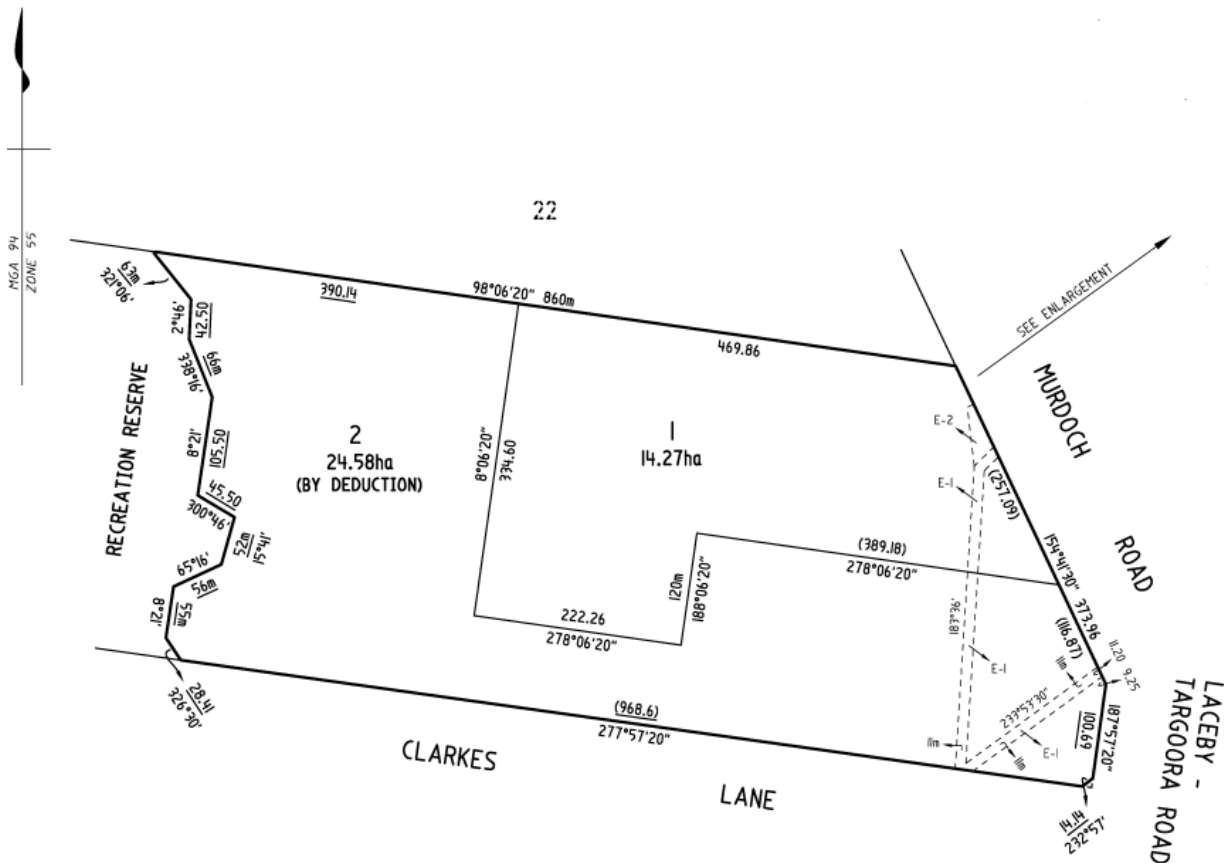


Figure 4. Plan of Subdivision 744166D

2.3 Site Context (Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta)

The Site forms the southern edge of the Wangaratta Regional City urban area. Wangaratta Regional City is identified as the principal urban centre for the central Hume region, providing a range of housing, employment, commercial, recreational, education and healthcare services and facilities for residents of the city and the wider region.

The Wangaratta Central Activity Area (CAA) is located in the north-east corner of the city, with residential, and industrial development generally extending to the west and south and constrained by the Ovens and King rivers to the north and east.

The Site is located:

- Immediately to the south of Cathedral College, Targoora Park (sporting fields), and Wenhams Lane Reserve (passive open space).
- 3km to the south-east of Wangaratta Common.
- 3.2km to the south-east of the Wangaratta industrial areas.
- 3.5km to the south of the Wangaratta Central Activity Area (CAA) and railway station.

The Site has the following interfaces:

- **North** – Immediately to the north of the eastern section of the Site is the Cathedral College. Cathedral College is a 1,100-student Prep-12 school orientated towards Wangaratta-Whitfield Road. Further north of Cathedral College is Targoora Park (sporting fields). Immediately to the north of the western section of the Site are Wenhams Lane Reserve and a recently developed residential sub-division surrounding Milnes Creek Drive. The alignment of Milnes Creek Drive extends to the northern boundary of the Site.
- **South** – The Site is bordered by Clarkes Lane to its south, a two-lane local road that forms the southern boundary of the Wangaratta Regional City. Land to the south of Clarkes Lane is used for grazing in accordance with the Farming Zone applying. It is noted that this land has been identified as a possible future location for low-density housing.
- **East** – The Site is bordered by Laceby-Targoora Road and Wangaratta-Whitfield Road to its east. Laceby-Targoora Road is a two-lane local road, while Wangaratta-Whitfield Road is a two-lane arterial road in a Road Zone Category 1. Land further to the east is used for grazing in accordance with the Farming Zone.
- **West** – One Mile Creek forms the western lot boundary. Substantial vegetation exists on the land immediately adjoining the creek. Land to the west of One Mile Creek has been developed for low-density housing in accordance with the Low Density Residential Zone applying. Further west is the nominated 'South West Growth Area' which is being used for grazing.

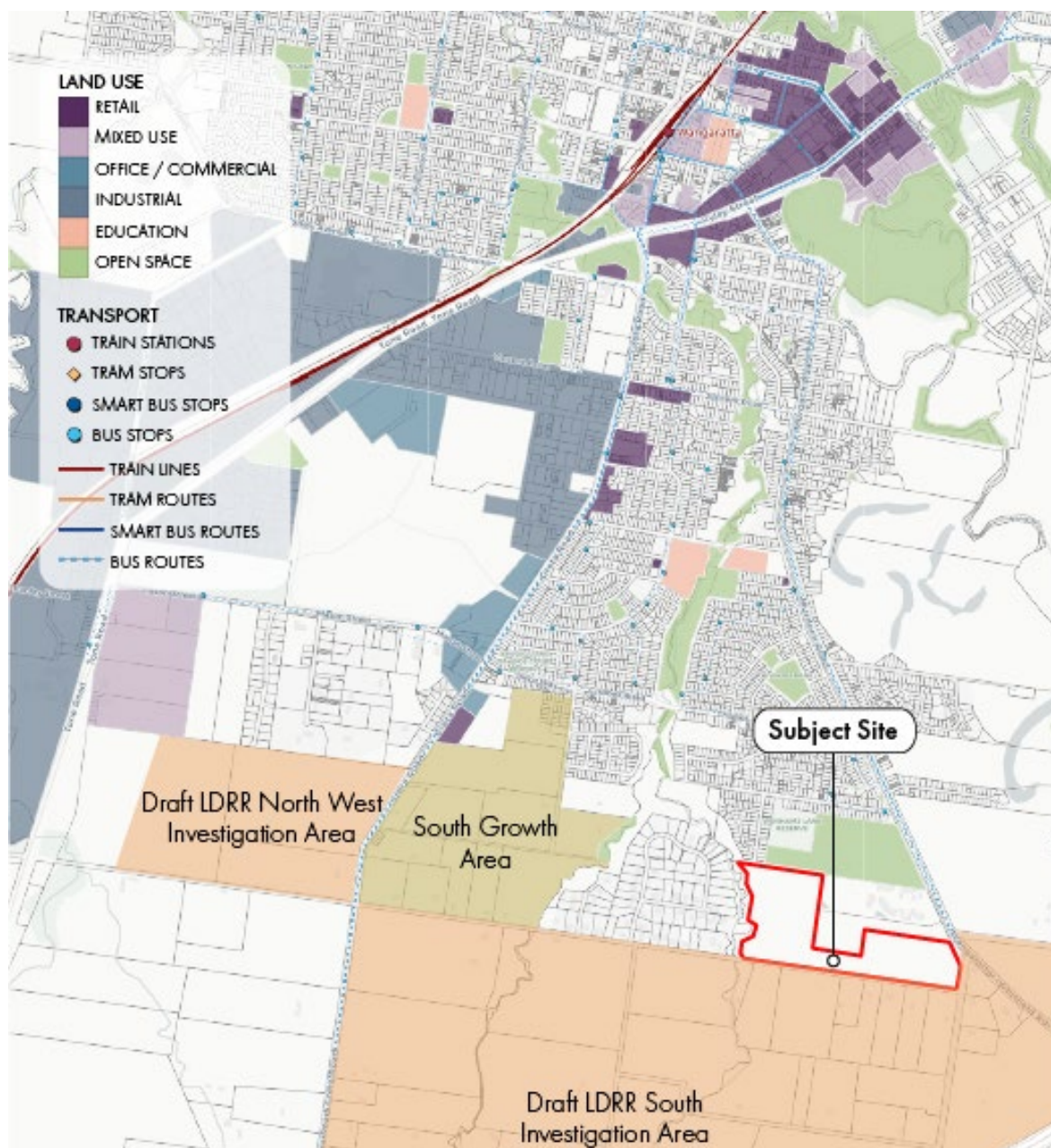


Figure 5 Context Plan

2.4 Site Details (Targoora Park)

The amendment will affect approximately 15,550m² within Targoora Park.

Targoora Park is not affected by any easements or covenants.

The section of Targoora Park affected by the proposed amendment is generally centrally located within the wider Targoora Park/Wenhams lane Reserve open space area.

Targoora Park is approximately 14.25ha is principally occupied by active open space four baseball diamonds surrounded by informal landscaped areas/passive open space.

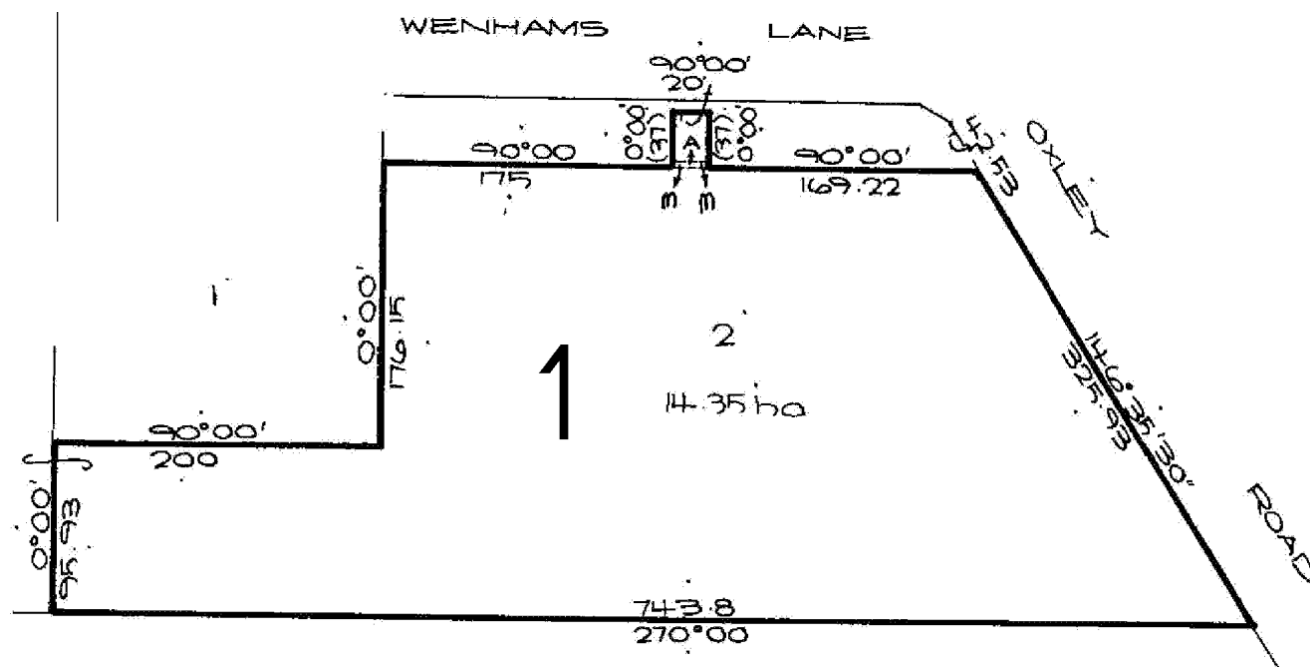


Figure 6. Title Plan 084150U

2.5 Site Context (Targoora Park)

With the exception of a small section of land which will provide a vehicle access route between the wastewater treatment plant and Wenhams Lane Reserve, the affected land principally affects land which is located in the south-eastern portion of Targoora.

The portion of the Targoora Park affected by the proposed amendment has the following interfaces:

North – Land to the north of the affected land is currently occupied by grassland which does not form part of a sporting field. The grassland is bounded to its north by the rear fences of Wenhams Lane residential lots. With the exception of the vehicle access track, the affected portion of Targoora Park is a minimum of 100m from the rear fences of the Wenhams Lane residential lots.

South – Land to the south of the affected land is occupied by a portion of Targoora Park occupied by native trees and the Site.

East – Land to the west of the affected land is occupied by the western two baseball diamonds which are used for training purposes.

West – Land to the west of the affected land is occupied by Wenhams lane Reserve (tree planting area) and portions of Targoora Park also occupied by native trees.

2.6 Local Transport Infrastructure (Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta)

The 402 bus route operates along Wenhams Lane, approximately 400m to the north of the Site. The 402 bus route connects the Site to the Wangaratta Central Activity Area and the Wangaratta Railway Station (approximately 3km to the north of the Site).

Wangaratta Railway Station provides V-line railway services to Melbourne and Albury.

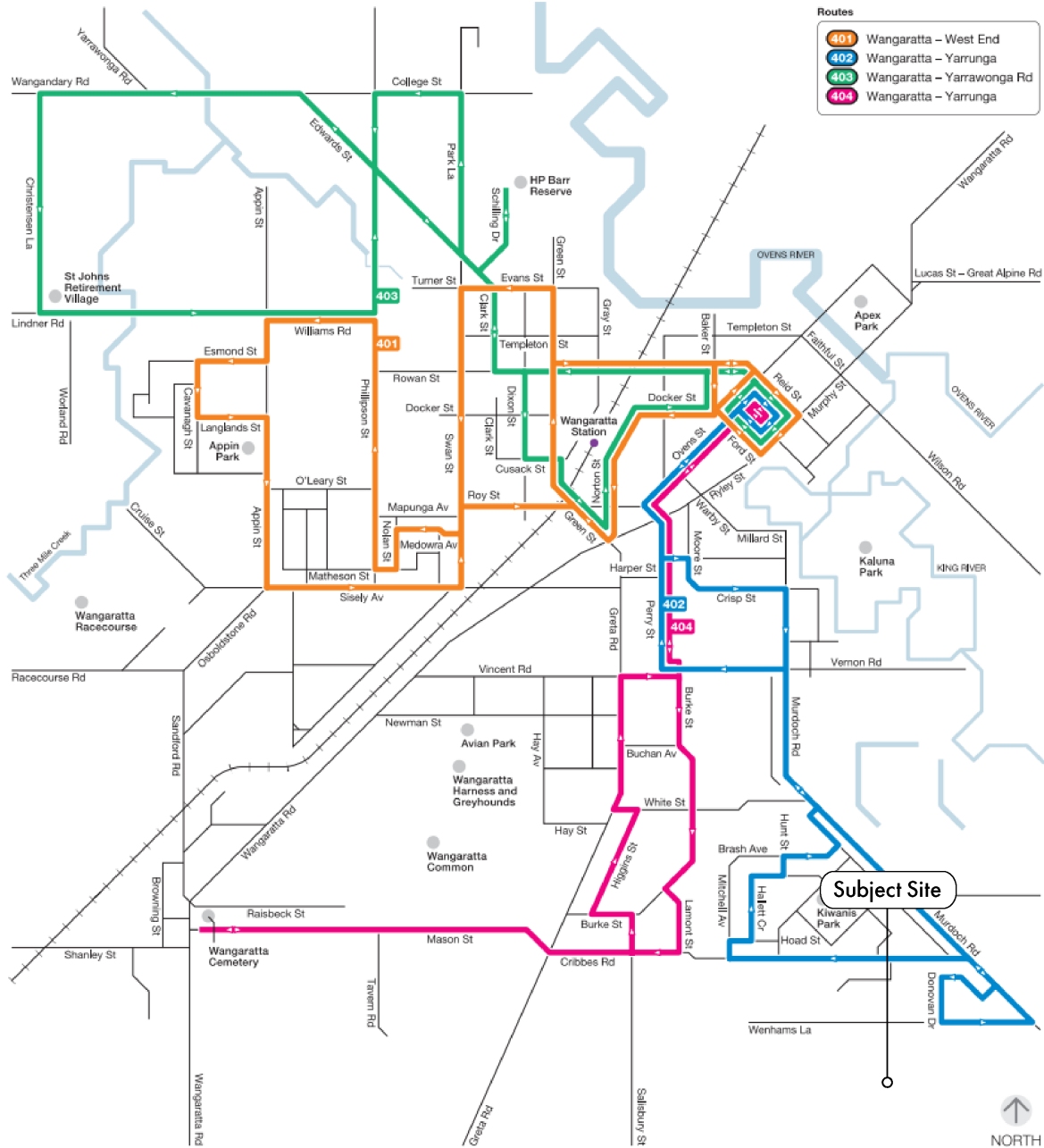


Figure 7. Wangaratta Public Transport Network Map (PTV)

3 Proposal

The proposal consists of a combined planning scheme amendment (the 'Amendment') and planning permit application (the 'Application') under Section 96A of the *Planning and Environment Act 1987*.

The Amendment and Application are each detailed in Sections 3.1 and 3.2 respectively.

3.1 Proposed Amendment

The Amendment will facilitate the coordinated development of an amenable, sustainable, and connected residential neighbourhood on the Site to provide housing in response to forecast population growth and associated housing demand.

The Amendment seeks to make the following changes to the Wangaratta Planning Scheme:

- Rezone the Site to the General Residential Zone – Schedule 1 (GRZ1).
- Rezone land within Targoora Park to the Public Use Zone 1 (Service and Utility)

The Amendment does not seek to amend or remove either of the existing overlays applying to the Site or make any changes to the Planning Policy Framework.

The proposed controls provide a planning framework to facilitate the development of a high-quality residential neighbourhood with integrated landscaping, wetlands and shared paths and an associated waste water treatment plant.

3.1.1 Proposed General Residential Zone – Schedule 1 (GRZ1)

To allow the Site to be developed to deliver housing at conventional densities, it is proposed to rezone the Site to the General Residential Zone – Schedule 1 (GRZ1).

The purpose of the General Residential Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly 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.*

Under Clause 32.08-3 a permit is required to subdivide land. Clause 32.08-3 also requires:

- *An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area.*

3.1.2 Proposed Public Use Zone 1 - Service and Utility (Service and Utility)

The purpose of the Public Use Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

A permit is not required to use or develop land for land listed in Clause 62.01 (Uses Not Requiring a Permit), including the used and development of land for a minor utility installation.

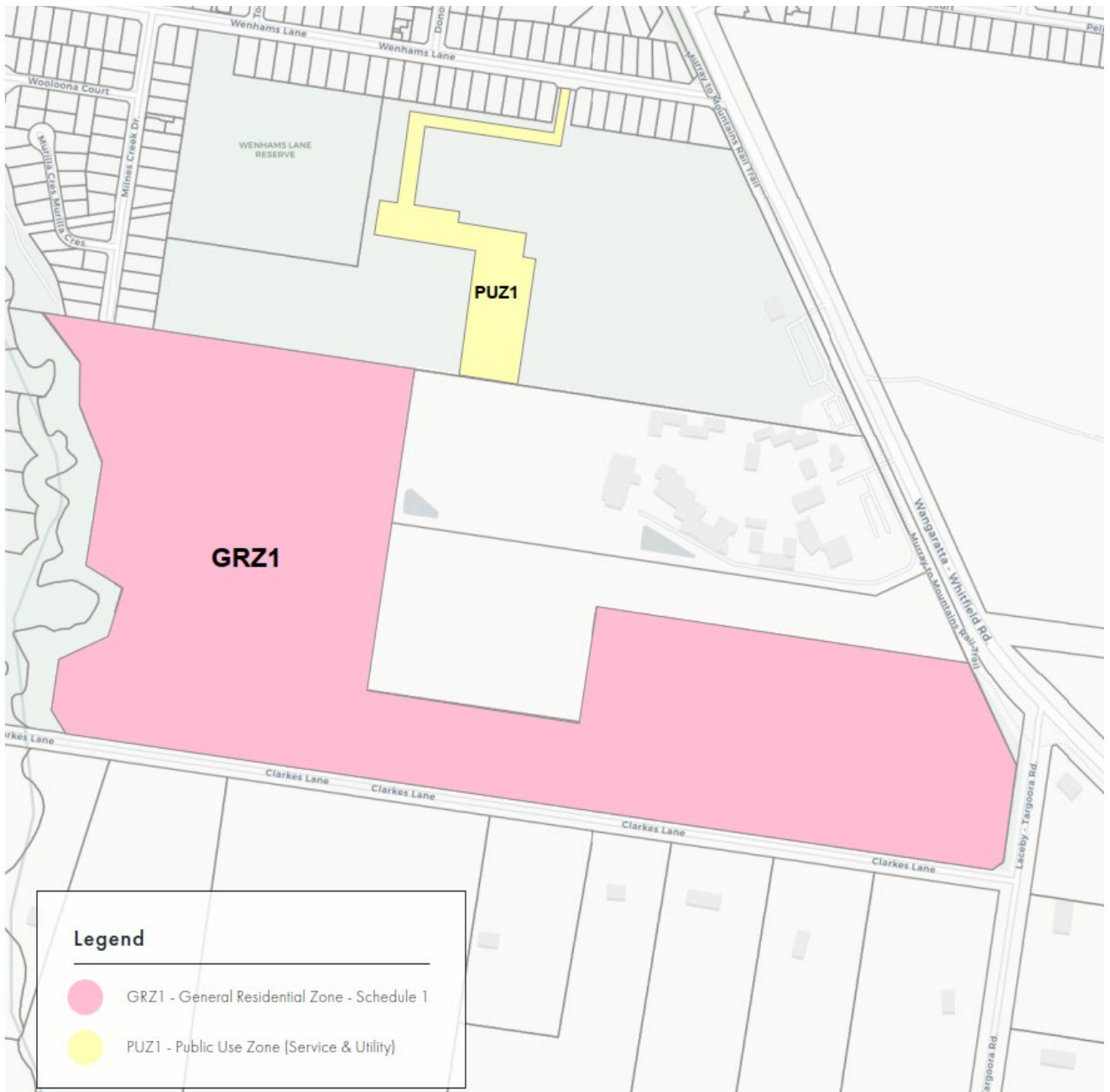


Figure 8. Proposed Zoning

3.2 Permit Application

In accordance with the planning controls included in the Amendment, the Application seeks a permit to subdivide the Site into 233 residential lots (including three superlots) with associated public open space, remove native vegetation and create/alter an access to a road in Transport 2 Zone (Figure 9).

The proposed subdivision of the Site provides for:

- 233 conventional residential lots ranging from 328 m² to 801 m².
- Three medium-density 'superlots' ranging from 1,960 m²-2,349 m². The development of the superlots for multiple dwellings will be managed via further permit application in accordance with Clause 55 of the Wangaratta Planning Scheme.
- Landscaped north-south pedestrian/cycling links along the One Mile Creek reserve.
- Landscaped east-west pedestrian/cycling links along Clarkes Lane and connecting to existing shared paths along Wangaratta-Whitfield Road.
- The retention of native vegetation within the proposed open space network, street design and larger residential lots.
- A single retention basin adjoining the One Mile Creek reserve.

The Application does not seek a planning permit to use or develop land for a purpose with a potential amenity impact as the use of land for minor utility installation does not require a planning permit under *Clause 62.01 (Uses Not Requiring a Planning Permit)* and *Clause 62.02 (Buildings and Works)* respectively.

As a minor utility installation, the wastewater treatment plant will be assessed by the EPA under Part 4.3 of the *EPA Act 2017 (General Provisions Relating to Permissions)*.



Figure 9. Proposed Plan of Subdivision

3.2.1 Public Open Space/Pedestrian and Cycling Connectivity

The Application provides 2.47ha of unencumbered passive open space (10% of the total open space). The public open space is principally located in three main areas, being:

- A new park located in the south-east corner of the Site that will facilitate the retention of the majority of native vegetation present on the Site.
- A park along the southern boundary that will facilitate the retention of native trees and is connected park in the south-east corner of the Site.
- A widening of the One Mile Creek reserve along the western boundary of the Site that will allow a new north-south shared path to be located within the (widened) One Mile Creek reserve and ensure that native vegetation within the One Mile Creek reserve is not impacted by the development of the Site.
- Landscaping adjoining pedestrian/bicycle paths throughout the proposed subdivision to allow for additional planting and provide improved amenity for residents.

The streetscapes will be designed around the provision of tree canopy cover, with a mix of indigenous and native tree species to complement the waterway and wetlands. The existing native trees will be retained and enhanced within a renewed landscape setting.



Figure 10. Landscape Masterplan

3.2.2 Access

Vehicle access will be provided via two new intersections (one to Wangaratta-Whitfield Road/Laceyby Targoora Road and one to Clarkes Lane) and the extension of Milnes Creek Drive into the Site.

Within the Site, the Application includes a grid layout predominantly consisting of local access streets (14m-22m) in addition to 10m laneways to service smaller rear-loaded lots fronting public open space network.

The Application provides a wider collector road (30m) width extending to the west of the proposed Wangaratta-Whitfield Road/Laceyby Targoora Road intersection.



Figure 11. Street Network Diagram

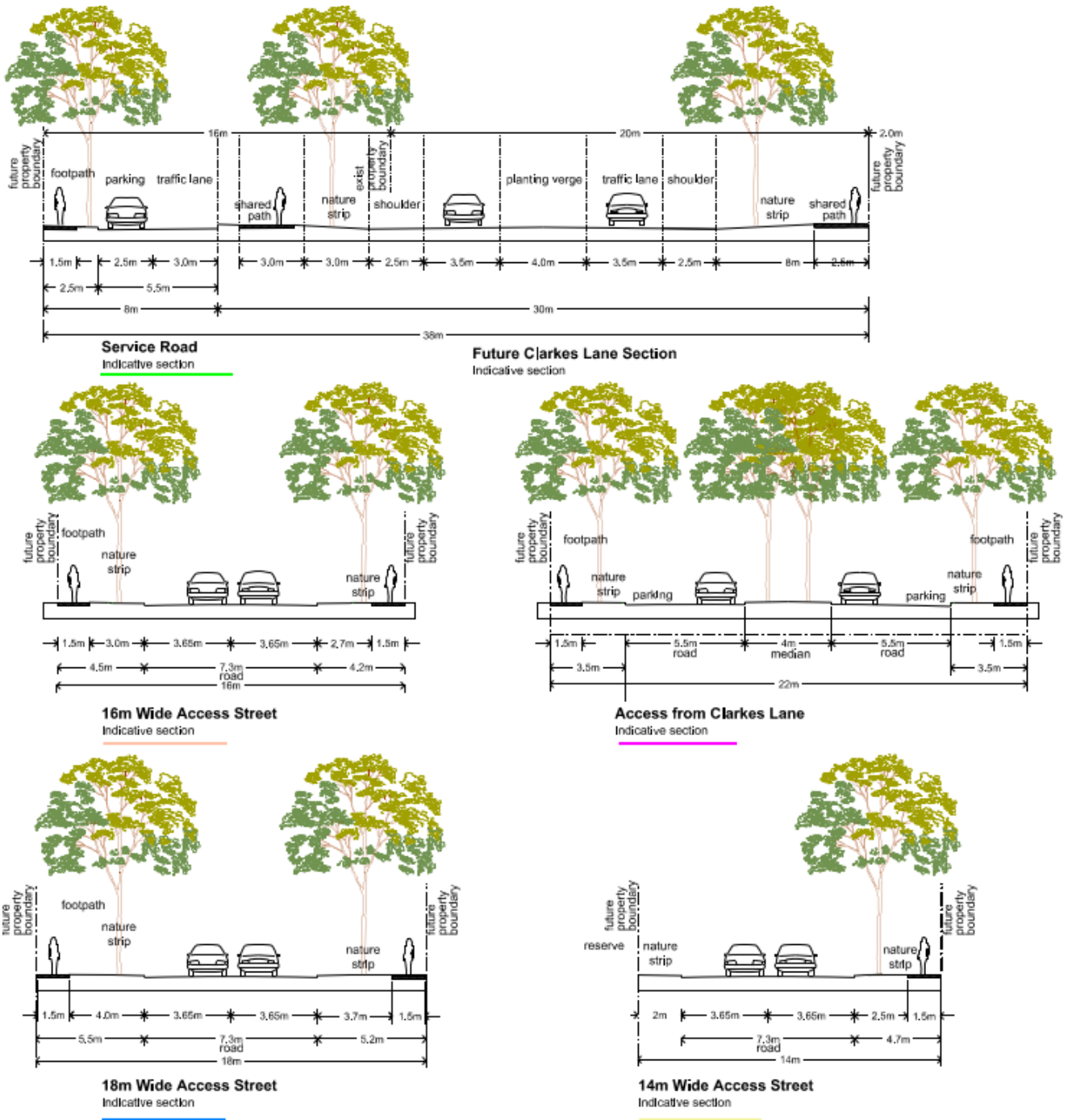


Figure 12. Proposed Road Sections

3.2.3 Proposed Integrated Water Management Infrastructure

It is proposed to service the residential lots via an Integrated Water Management (IWM) strategy incorporating the following minor utility installation to be constructed within Targoora Park:

- A Class A treatment plant, which treats the wastewater from the proposed residential lots and the Wangaratta South Growth Area.
- An 18-day detention of wastewater and storage for Class A recycled water.
- Connections to facilitate the irrigation of Targoora Park and Cathedral College.
- Brushed fence and landscaping surrounding the wastewater treatment plant and detention basin.

The proposed minor utility installation has been prepared in response to the requirements of North East Water. The wastewater treatment plant will be an integrated element of NEW's sewerage infrastructure servicing strategy for Southern Wangaratta, including the Site, the Wangaratta South Growth Area and existing urban areas. The wastewater treatment plant will provide sufficient capacity to treat the wet weather flows from an equivalent of 350 lots to facilitate the development of dwellings within the Site and the Wangaratta South Growth Area.

The detailed design and operational parameters of the system will be subject to further approvals and contractual arrangements between North East Water (as the lessee/operator), Council (as the land owner) and the Environmental Protection Authority (as the regulator for prescribed permit activities under the *Environmental Protection Act 2017*).

A detailed summary of the proposed IWM Strategy and associated infrastructure is provided in the Wastewater Services Strategy submitted as a part of the Application.

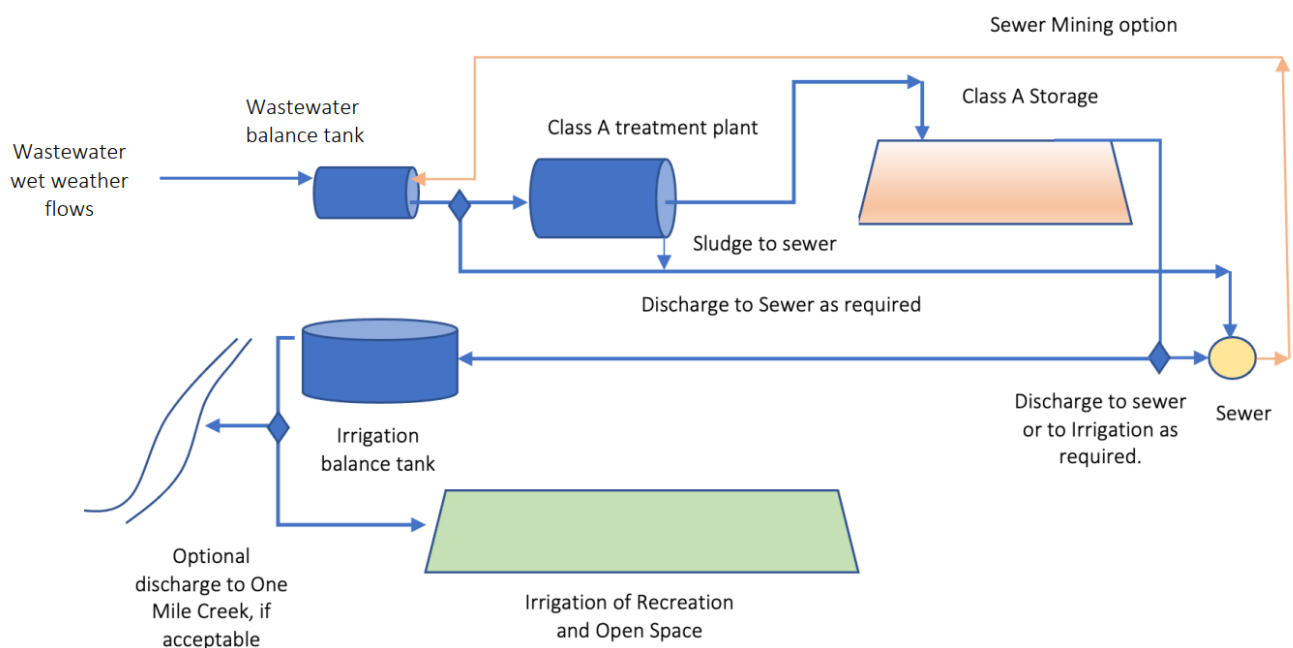


Figure 13. Integrated Water Management Strategy - Operational Diagram



Figure 14. Integrated Water Management Treatment Plan and Water Storage Concept Plan

Indicative Wastewater Treatment Plant Layout

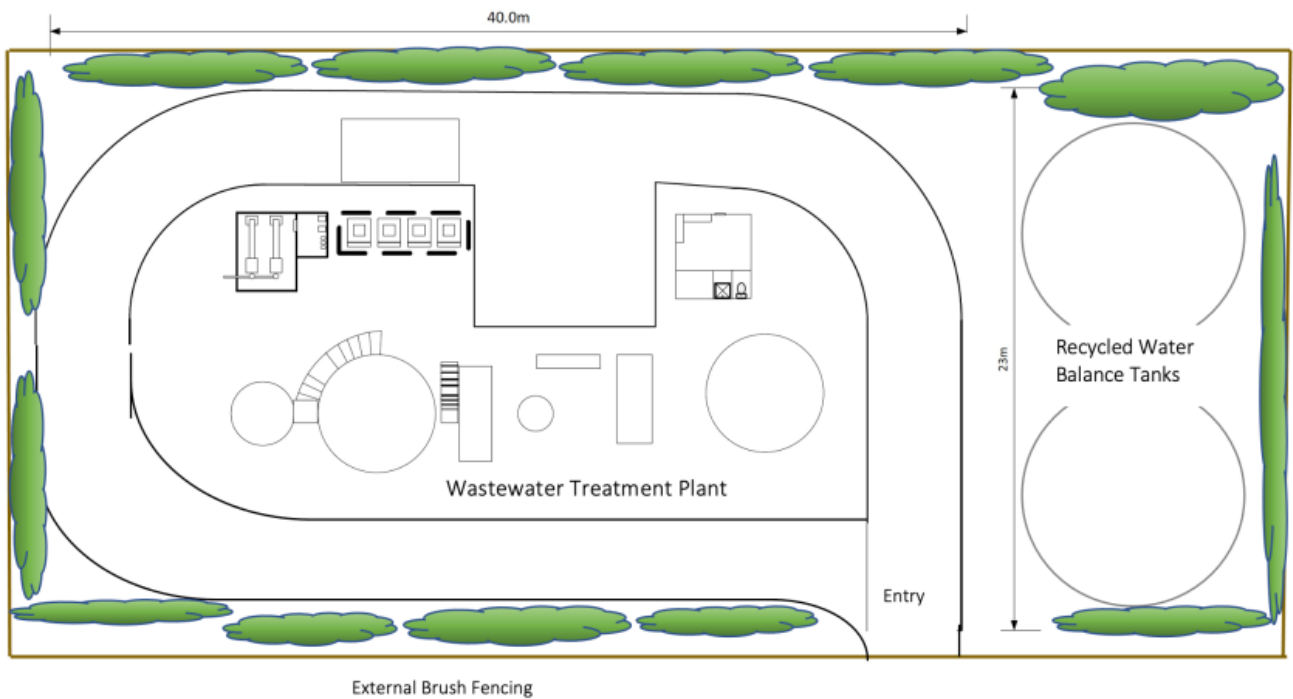


Figure 15. Indicative Wastewater Treatment Plant Layout

3.2.4 Staging

The Application proposes to develop the Site over five stages (approximately 50 lots per stage) extending from the east to west.

The stages are identified on the concept development plan and will ensure that the majority of the proposed public open space is delivered within the first development stage.

Subject to receiving the necessary approvals from the Environmental Protection Authority (EPA) and reaching a leasing agreement with Council, North East Water could commence the tender and construction process for the wastewater treatment plant immediately following the approval of the Amendment.

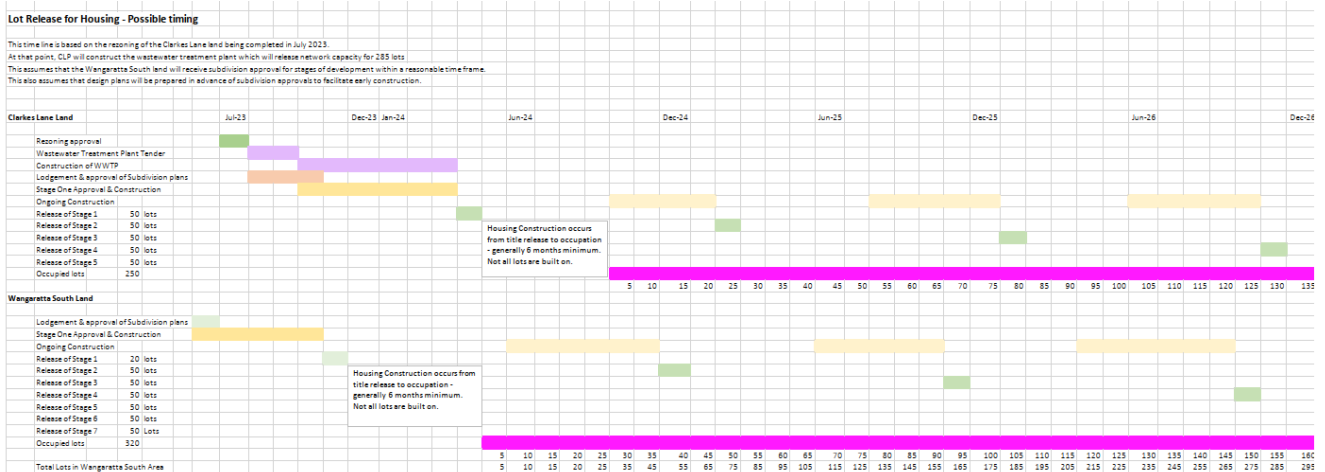


Figure 16. Development Timeline

3.2.5 Retention/Removal of Native Vegetation

The Application seeks a permit to remove 0.179ha of native vegetation including:

- A small portion of Patch 1 for the creation of the entrance into the Site from Wangaratta-Whitfield Road
- Small impacts to Patch 4 (but the retention of the Large Trees within that patch); and
- Three dead scattered trees along the southern boundary of the Site (Trees AV, AW and AX).

4 Existing Planning Controls

The Site is zoned Low Density Residential Zone and affected by the Design and Development Overlay – Schedule 6 (DDO6) and the Land Subject to Inundation Overlay (LSIO).

4.1 Existing Zones

4.1.1 Low Density Residential Zone – Schedule 1 (LDRZ1)

The Site is currently zoned Low Density Residential Zone – Schedule 1 (LDRZ1). The purpose of the LDRZ is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater*

A permit is required to subdivide land in the LDRZ1. An application to subdivide land in the LDRZ must provide a minimum lot area of:

- 1.0 hectare for each lot where reticulated sewerage is not connected; and
- 0.2 hectare for each lot which is connected to reticulated sewerage.

4.1.2 Public Park Recreation Zone

Targoora Park is located in the Public Park and Recreation Zone (PPRZ).

The purpose of the PPRZ is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas for public recreation and open space.*
- *To protect and conserve areas of significance where appropriate.*
- *To provide for commercial uses where appropriate.*

The use and development of land for a minor utility installation does not require a planning permit under the PPRZ.

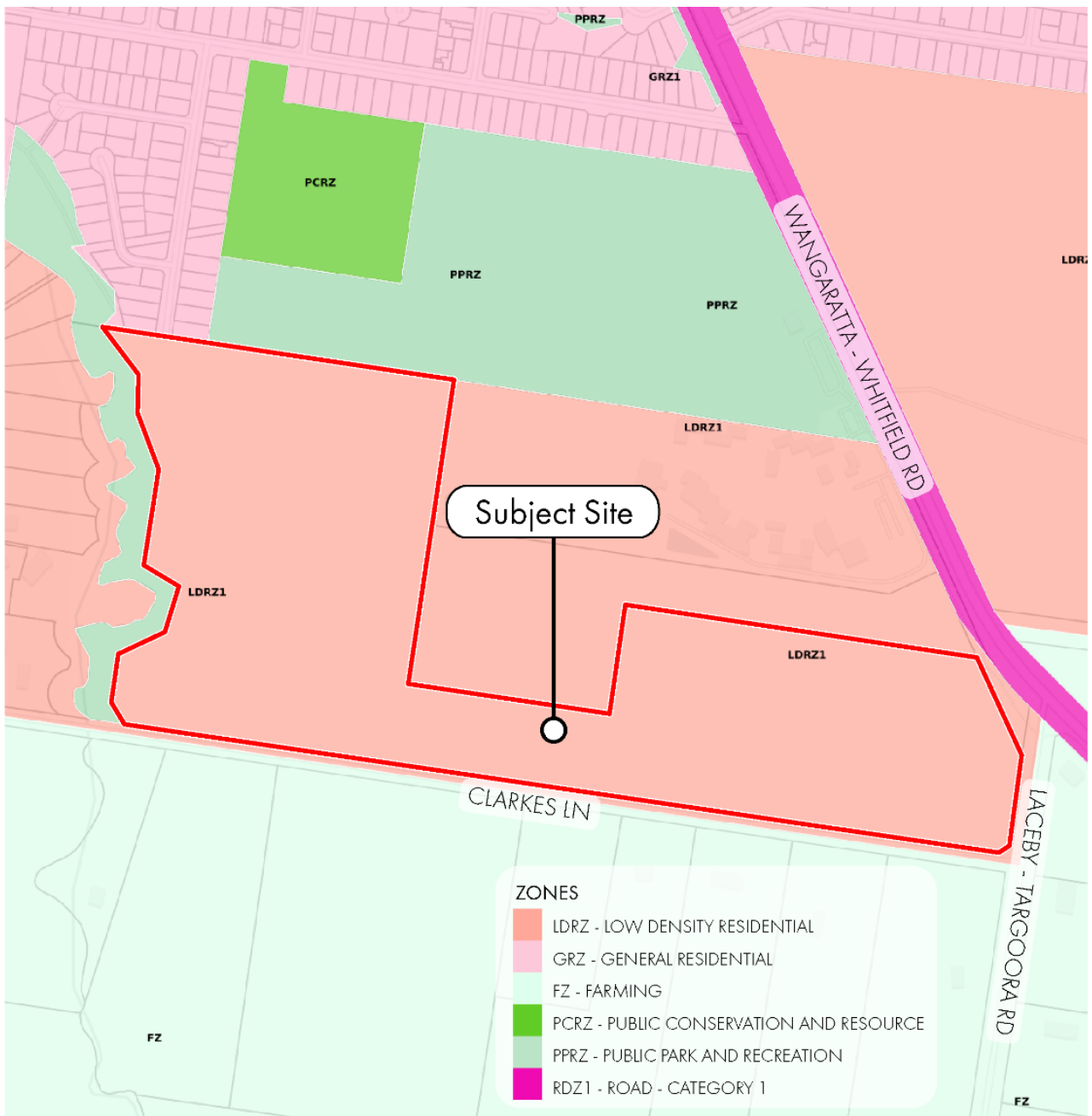


Figure 17. Existing Zoning Plan

4.2 Existing Overlays

4.2.1 Design and Development Overlay – Schedule 6 - Wangaratta Aerodrome Obstacle Height Area 1, 2 and 3 (DDO6-A3)

Design and Development Overlay – Schedule 6 (DDO6) applies to land in proximity to the Wangaratta Aerodrome, including the Site. The Site is located within Obstacle Height Area 3.

A Permit is required under DDO6 for a building that exceeds 196 metres Australian Height Datum in Obstacle Height Area 3. As such, the provisions of DDO6 are not considered to have a material impact on the potential of the Site to provide housing in accordance with the mandatory height limits of the General Residential Zone (11 m).

The purpose of the DDO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas that are affected by specific requirements relating to the design and built form of new development.

The design objectives of the DDO6 are:

- To ensure that all buildings and works are within specified height limits.
- To ensure that appropriate external building materials are used, to avoid creating a hazard to aircraft flight paths in the vicinity of the airport.
- To ensure that flight paths associated with the airport are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the airport.

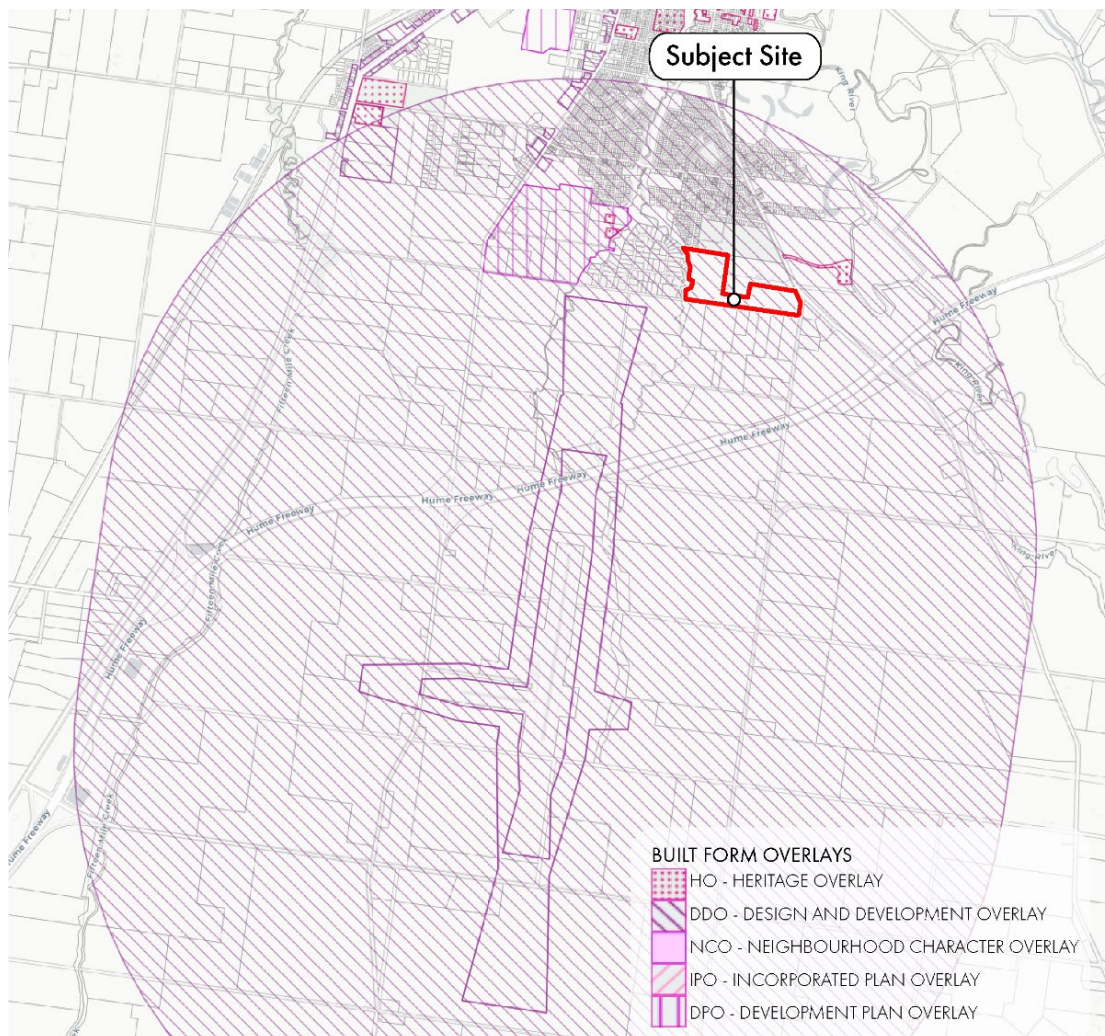


Figure 18. Built Form Overlays

4.2.2 Land Subject to Inundation Overlay (LSIO)

The Land Subject to Inundation Overlay (LSIO) applies to a small section of the site along the western lot boundary, adjoining One Mile Creek. Given the small amount of the Site that is affected by the LSIO, the requirements of the LSIO do not materially impact the potential of the Site to be developed at standard residential densities.

A Permit is required for buildings and works and to subdivide land affected by the LSIO.

The purpose of the LSIO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

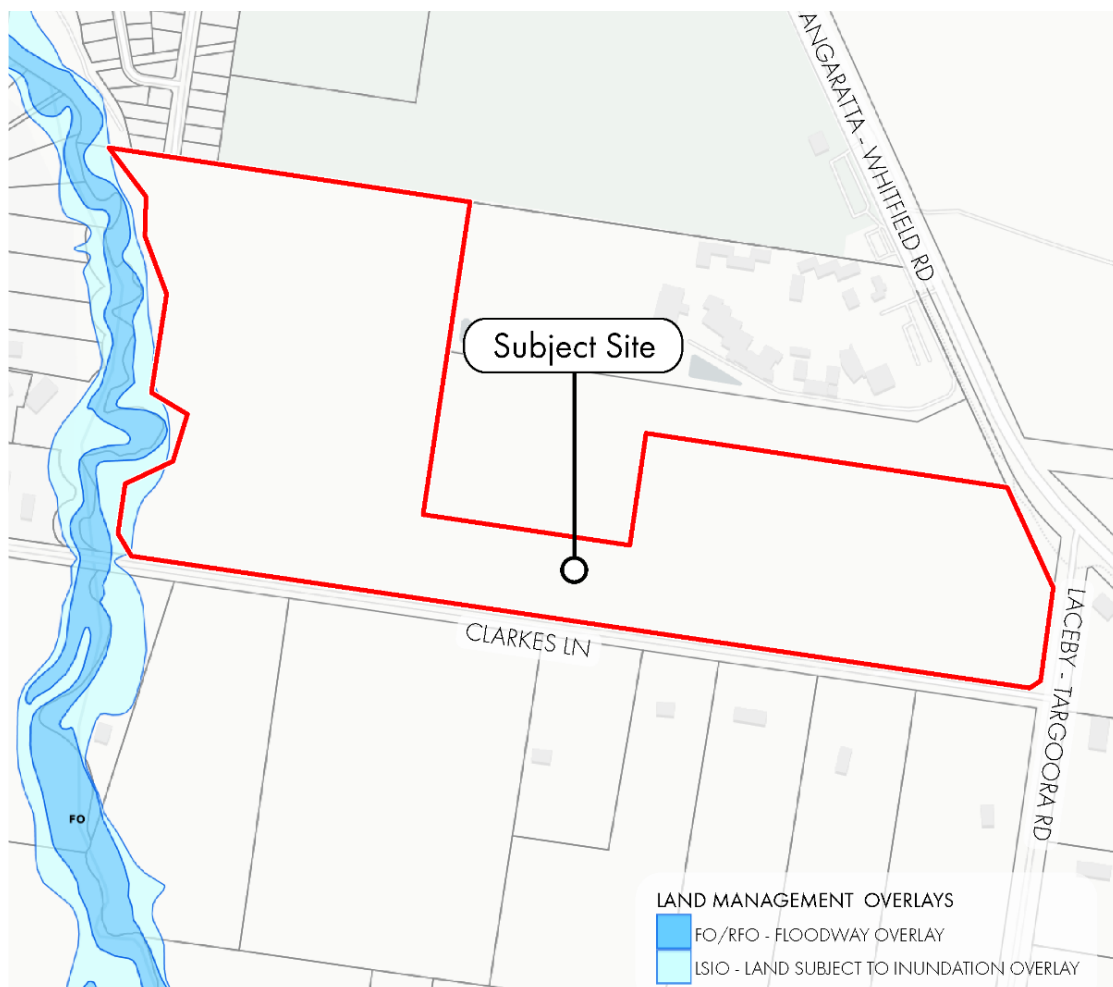


Figure 19. Land Management Overlays

5 Planning Framework

The following policy and planning provisions are considered relevant to the proposed Amendment.

5.1 Ministerial Directions

A Planning Scheme Amendment must respond to any relevant Ministerial Direction. The following Ministerial Directions are relevant to this amendment:

5.1.1 Ministerial Direction 1 – Form and Content of Planning Schemes

The direction sets formatting and structure requirements regarding the form and content of all planning schemes prepared under Part 3 of the Planning and Environment (Planning Schemes) Act 1996 and any amendment to those planning schemes.

5.1.2 Ministerial Direction No. 11 – Strategic Assessment of Amendments

The purpose of this direction (as amended July 2018) is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces is undertaken.

5.1.3 Ministerial Direction No. 15 – The Planning Scheme Amendment Process

Ministerial Direction No.15 (as amended 28 October 2013) sets times for completing steps in the planning scheme amendment process.

5.1.4 Ministerial Direction No. 19 – The Environmental Protection Authority

Ministerial Direction No.19 required the planning scheme amendment to be referred to the Environmental Protection Authority (EPA) prior to authorisation.

5.2 Planning Policy Framework

The following Clauses of the Planning Policy Framework are considered relevant to the Amendment:

- Clause 11 – Settlement
- Clause 12 – Environmental and Landscape Values
- Clause 13 – Environmental Risks and Amenity
- Clause 14 – Natural Resource Management
- Clause 15 – Built Environment and Heritage
- Clause 16 – Housing
- Clause 18 – Transport
- Clause 19 - Infrastructure

A summary of the objectives relevant to the Amendment and Application is provided below.

5.2.1 Clause 11.01-1S Settlement

The Clause seeks *'To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

5.2.2 Clause 11.02-1S – Supply of urban land

The Clause seeks *'To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.'*

5.2.3 Clause 11.02-2S – Structure planning

The Clause seeks *'To facilitate the orderly development of urban areas.'*

5.2.4 Clause 11.03-6S – Regional and local places

The Clause seeks *'To facilitate integrated place-based planning.'*

5.2.5 Clause 12.01-1S Protection of biodiversity

The Clause seeks *'To assist the protection and conservation of Victoria's biodiversity.'*

5.2.6 Clause 13.01-1S Natural hazards and climate change

The Clause seeks *'To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.'*

5.2.7 Clause 14.01-1S Protection of agricultural land

The Clause seeks *'To protect the state's agricultural base by preserving productive farmland.'*

5.2.8 Clause 15.01-1S Urban design

The Clause seeks *'To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.'*

5.2.9 Clause 15.01-3S Subdivision design

The Clause seeks *'To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.'*

5.2.10 Clause 15.01-4S Healthy Neighbourhoods

The Clause seeks *'To achieve neighbourhoods that foster healthy and active living and community wellbeing.'*

5.2.11 Clause 15.01-5S Neighbourhood character

The Clause seeks *'To recognise, support and protect neighbourhood character, cultural identity, and sense of place.'*

5.2.12 Clause 15.02-1L Energy and resource efficiency

The Clause includes the following strategies to support improved energy and resource efficiency within the municipality:

- *'Encourage the use of passive sustainable design principles including road and housing orientation, solar access, shading, natural ventilation, thermal mass and insulation within development.'*
- *'Support passive solar design.'*
- *'Support innovative and new approaches to achieving environmentally sustainable development outcomes.'*

5.2.13 Clause 16.01-1S Housing supply

The Clause seeks *'To facilitate well-located, integrated and diverse housing that meets community needs.'*

5.2.14 Clause 16.01-1L Housing supply

The Clause includes the following strategies regarding the supply of housing within the municipality:

- *'Locate the majority of residential development in Wangaratta Regional City.'*
- *'Support infill development in the Low Density Residential Zone areas of Waldara and south of Mason Street.'*
- *'Direct detached housing and low-density residential development to greenfield residential development areas.'*

5.2.15 Clause 18.01-1S Land use and transport planning

The Clause seeks *'To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.'*

5.2.16 Clause 18.01-2S Land use and transport planning

The Clause seeks *'To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.'*

5.2.17 Clause 19.03-2S Infrastructure design and provision

The objective of the Clause is *'To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.'*

5.2.18 Clause 19.03-2L Infrastructure Design and Provision

The Clause includes the following strategies regarding provision of infrastructure within the municipality:

- *'Provide a consistent approach to the design and construction of infrastructure across the municipality.'*
- *'Require development infrastructure to be provided as part of any rezoning or development that would result in intensification of development.'*
- *'Require connections to reticulated water and sewerage in townships and rural townships, as necessary.'*

5.2.19 Clause 19.03-3S Integrated water management

The Clause seeks *'To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.'*

5.2.20 Clause 19.03-3L Integrated Water Management

The Clause includes the following strategies regarding the use of integrated water management to service development within the municipality:

- *Support the renewal and upgrading of existing sewerage, water supply and stormwater management networks to address current problems and meet emerging needs in the regional city, townships and rural townships.*
- *Facilitate the design, construction and upgrade of reticulated sewerage and water supply schemes and the installation of EPA approved package treatment plants in rural townships and rural living zone areas.*
- *Support the development of stormwater treatment facilities.*
- *Support water sensitive urban design and the treatment and re-use of stormwater and grey water.*

5.3 Wangaratta Population and Housing Strategy (December 2013)

The *Wangaratta Population and Housing Strategy* was adopted by Council on 10 December 2013 ('the Strategy').

The purpose of the Strategy is to:

- *Define different types of population and housing growth to be planned for the Rural City.*
- *Retain consistency with the current and future regional direction/s for residential land and housing.*
- *Examine existing and future regional and local conditions (physical, environmental and social) that may affect the delivery of residential land and housing in the Rural City.*
- *Establish a charter to guide housing sustainability initiatives within the Rural City.*
- *Identify key information gaps that will affect local planning for residential land and housing directions and delivery of infrastructure.*
- *Develop short, medium and long term priorities for residential land and housing.*
- *Identify delivery priorities and actions to initiate those priorities.*

The Strategy sets out low, medium and high population growth scenarios. The 2020 population of 29,200 (Regional Development Victoria) is most consistent with the high growth scenario which forecasts a population of 29,840 in 2021.

5.4 Hume Regional Growth Plan (2014)

The Hume Regional Growth Plan is a 'Policy Document' under Clause 11.01-1S (Settlement) and a 'Background Document' under Clause 72.08 of the Wangaratta Planning Scheme.

The Hume Regional Growth Plan was prepared by the Victorian State Government with input from Wangaratta Rural City Council to provide a regional approach to land use planning in the Hume Region (including Wangaratta) to identify opportunities to encourage and accommodate growth and to manage change in the region over the next 30 years.

5.5 Wangaratta Low Density and Rural Residential Strategy (2020)

The draft Wangaratta Low Density and Rural Residential Strategy (LDRR) was prepared by the Rural City of Wangaratta *'to identify the future need for low density and rural living zoned land and to respond with a strategy to ensure this need can be met in order to provide current and future residents with a diverse range of housing options.'*

The draft LDRR does not make any recommendations pertaining directly to the Site. However, the draft LDRR land recommends land on the southern side of Clarkes Road (opposite the Site) to be rezoned to the Low Density Residential Zone and Rural Residential Zone.

It is noted at its meeting of 14 December 2021, the Rural City of Wangaratta resolved to adopt the LDRR with the exception for the parts of the strategy that apply to Wangaratta and request Council officers to undertake a further investigation into the potential re-zoning of land in Wangaratta.

5.6 Other Planning Matters

5.6.1 Areas of Cultural Heritage Sensitivity

A western portion of the Site (adjacent to One Mile Creek) is identified as an area of Cultural Heritage Sensitivity.

The Proponent has prepared a Cultural Heritage Management Plan (CHMP) which has been approved by the Yorta Yorta Registered Aboriginal Party. The CHMP is submitted as a part of the Application.



Figure 20. Areas of Cultural Heritage Sensitivity Plan

5.6.2 Bushfire Prone Areas

The Site is identified as a Bushfire Prone Area.

A Bushfire Planning Report is submitted as a part of the Application.

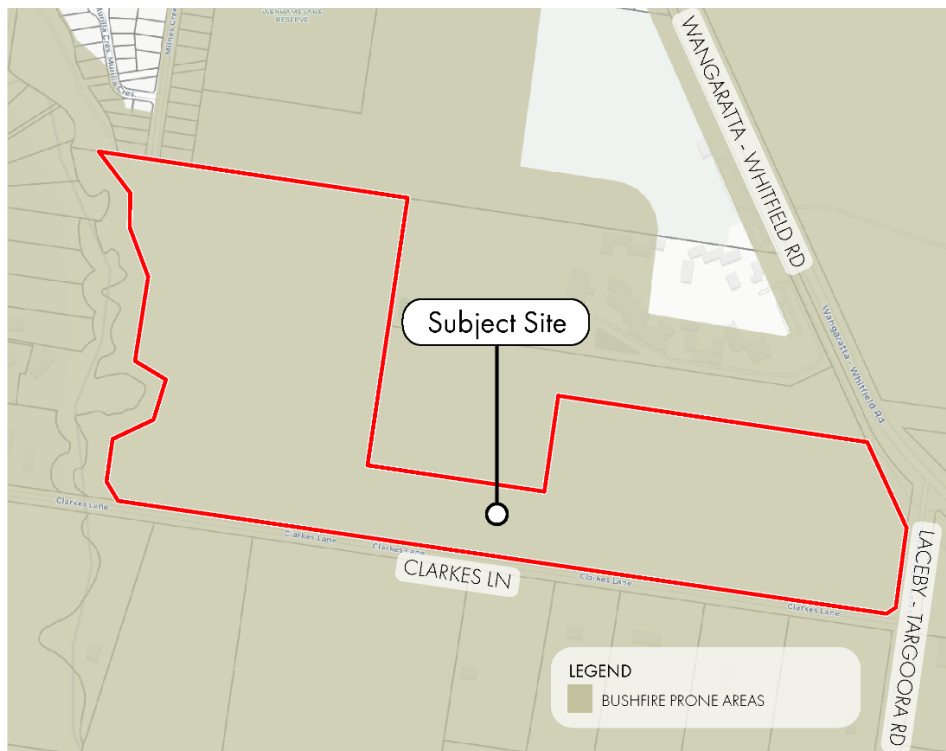


Figure 21. Bushfire Prone Areas Plan

5.7 Practice Notes

5.7.1 Planning Practice Note 30 – Land uses with potential to contaminate land

The preparation of the Amendment has considered Planning *Practice Note 30 – Land uses with potential to contaminate land (PPN30)*.

In accordance with PPN30, *'most agricultural land is not likely to be contaminated, the potential for specific contaminating activities to have occurred over time should be considered.'* (PPN30, pg.5).

PPN30

5.7.2 Planning Practice Note 46 – Strategic Assessment Guidelines (PPN46)

The Amendment has been prepared in accordance with the requirements of PPN46 (Strategic Assessment Guidelines).

Per PPN46, *'The Strategic Assessment Guidelines provide a consistent framework for preparing and evaluating a proposed planning scheme amendment and its outcomes.'* (PPN46, pg. 1).

Given that the current and previous use of land the land has been limited to pasture for the grazing of livestock, the land has not been subject to contaminating activities that would lead the Site to be considered potentially contaminated under PPN30. As such, an environmental audit is considered to be required.

5.7.3 Planning Practice Note 90 – Planning for housing (PPN90)

The Amendment has been prepared in accordance with the requirements of PPN90 (Planning for housing).

PPN90 provides information and guidance regarding *'how to plan for housing growth and protect neighbourhood character to ensure a balanced approach to managing residential development in planning schemes.'* (PPN90, pg. 1).

PPN90 divides the planning for future housing into three change areas (minimal, incremental, and substantial).

PPN90 emphasises that the classification of housing change areas will vary according to the context of the Site.

'Substantial change areas will reflect a different degree of change in different built form contexts. For example, a substantial change area in an outer urban and regional context may more closely resemble an incremental change area in an inner urban context.' (PPN90, pg. 12).

Per Practice Note 90, substantial change areas:

- *'are close to jobs, services, facilities or public transport*
- *facilitate housing growth that takes advantage of their proximity to jobs, services, and public transport*
- *make the most of strategic development areas or opportunity sites that either exist or are identified from time to time*
- *promote housing diversity*
- *result in a new built form and neighbourhood character.'* (PPN90, pg. 12).

The Site is considered to most accurately be categorised as a substantial change area within the context of Wangaratta, given:

- it forms part of the Wangaratta urban area;
- is proximate to jobs, services, schools and public open space; and
- has the scale to provide a diversity of housing types which will complement but not replicate existing residential areas developed over previous decades.

5.7.4 Planning Practice Note 91 – Using the residential zones (PPN91)

The Proposal has been prepared in accordance with the requirements of PPN91 (Using the residential zones).

PPN91 provides information and guidance regarding:

- *'use the residential zones to implement strategic work*
- *use local policies and overlays with the residential zones*
- *make use of the key features of the residential zones.'* (PPN91, pg. 1)

Per PPN91 the General Residential Zone is to be ‘applied to areas where housing development of three storeys exists or is planned for in locations offering good access to services and transport.’ (PPN91, pg. 1)

PPN91 identifies the General Residential Zone, Residential Growth Zone Mixed Use Zone as the appropriate residential zone for incremental and substantial housing change areas (as defined in the PPN90). It is noted that the PPN91 does not support the application of the Neighbourhood Residential Zone to substantial change areas (Figure 22).

Of the three residential zones considered appropriate for a substantial change area under PPN91, it is considered that General Residential Zone provides the most appropriate controls to facilitate the delivery of housing on the Site while ensuring that key characteristics include garden area requirements and building heights are appropriately managed.

Table 2: Aligning the housing change areas and the residential zones

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

Figure 22 Aligning the housing change areas and the residential zones (PPN91 pg. 5)

6 Strategic Planning Assessment (Planning Scheme Amendment)

The proposed planning scheme amendment (The 'Amendment') seeks to rezone the land to the General Residential Zone – Schedule 1 (the 'Amendment') to facilitate the residential development of the Site. The Amendment is strategically justified given:

- The Amendment will deliver housing in the short-medium term required to meet Wangaratta's forecast population growth and partially alleviate Wangaratta's housing crisis.
- The Amendment will not result in the loss of rural zoned land and or an expansion of the boundaries of the Wangaratta Regional City urban area.
- The Amendment implements *the Housing and Population Strategy (2013)* and the *Hume Regional Growth Plan (2014)* by facilitating the development of an identified residential growth area.
- The Amendment is consistent with the objectives and strategies of the Planning Policy Framework.
- The Amendment will prevent the underdevelopment of residentially zoned land with excellent access to Cathedral College, Wenhams Lane Reserve/Targoora Park, public transport services and employment opportunities.
- The Amendment utilises appropriate VPP tools that have successfully facilitated the delivery of greenfield housing within Wangaratta.
- The Amendment is consistent with the Strategic Assessment Guidelines.

6.1 The Amendment will deliver housing in the short-medium term required to meet Wangaratta's forecast population growth and partially alleviate Wangaratta's housing crisis.

Wangaratta is facing a housing shortage caused by both a supply shortage of residential lots and population growth pressures. This lack of supply has resulted in both a steep decrease in the supply of titled residential lots and dwellings (in both the homeowner and rental markets) and an associated increase in the cost of housing and residential lots (Figure 23). Given the changes in consumer habits resulting from COVID-19 and the lack of deliverable housing supply in the short-medium term, this housing crisis is likely to intensify unless additional greenfield land can be developed and serviced prior to major infrastructure upgrades being undertaken by North East Water.



Figure 23. Wangaratta Land Sales Data (REIV and Pricerfinder)

The 2020 municipal population of 29,200 (Rural Development Victoria) is consistent with the 'high growth scenario' set out in the Wangaratta Population and Housing Strategy (2013) which forecasts a population of 29,840 in 2021. Under the high growth scenario, the Strategy forecasts that 1,700 additional dwellings will be required to be constructed within the municipality between 2011 and 2021. The strategy nominates that 79% of the forecast growth is to be located within the Wangaratta Regional City urban area, requiring an additional 1,343 dwellings between 2011-2021 and a further 1,430 dwellings between 2021-2031 (Figure 24 and Figure 25).

To meet this demand the Strategy acknowledges the importance of greenfield land (including the Site) to provide housing to meet the forecast population growth. The Strategy notes:

'Increased higher density infill and greenfield development promoting housing diversity within the Wangaratta City to support the increasing demand for new housing due to increase in population. Potential growth and revitalisation of the surrounding townships is anticipated.' (Wangaratta Population and Housing Strategy, December 2013 pp. 71).

The Strategy anticipates that population growth can be managed via greenfield land including the North West Growth Area and the South Growth Area. However, each of these areas is currently constrained by Wangaratta's sewerage infrastructure. Specifically:

- North East Water has advised there is sewerage capacity in the North West Growth Area for approximately 250 lots, 75 of which is for lots that are currently under construction.
- North East Water has advised that there is no capacity in the existing sewer system to accommodate any further development in the South Growth Area (108 residential lots have been approved of which 64 have been developed).

Importantly, the Site (due to its scale and location) can be developed to deliver new housing lots before the wider upgrades of the sewerage network through the implementation of Integrated Water Management (IWM) strategies. North East Water is supportive of an IWM services strategy for the Site. However, the existing planning controls prohibit the subdivision of the Site for conventional housing.

While the nominated North-West and South-West Growth Area can provide the 15 years supply of residentially zoned land in the long term, these growth areas cannot deliver housing in the short-medium term (until major sewerage infrastructure upgrades are completed). As such, the Rural City of Wangaratta faces a shortage of housing supply in the short-medium term which results in the current housing supply not meeting the strategies or objectives of Clause 11.02-1S which seek to ensure a sufficient supply of land is available to accommodate the projected population growth over at least a 15-year period.

Due to the Site's scale and proximity to open space, an option exists to deliver a site-specific, Integrated Water Management servicing solution utilising wastewater reuse. As such, the Site can be developed to deliver housing in the short-medium term to meet forecast housing demand before wider upgrades of the sewerage network are delivered by North East Water. Specifically, additional housing supply could be delivered on the Site through the implementation of an integrated water management system including sewer mining, on-site treatment, and the irrigation of adjoining fields of Cathedral College and Targoora Park.

By rezoning the Site, the Amendment allows greenfield residential lots to be delivered to meet forecast supply through an IWM servicing strategy prior to major infrastructure upgrades to be undertaken by North East Water.

High Scenario Population Forecasts, 2011-2031					
Town	2011	2021	2031	2011-2031 Growth	2011-2031 AAGR
Wangaratta	18,475	20,975	23,755	5,280	1.3%

Figure 24. High Scenario Population Forecasts (Wangaratta Population and Housing Strategy)

Wangaratta (RC) Housing Demand, High Scenario						
		2011	2021	2031	2011-2031 Change	AAGR 2011-2031
Dwellings	Low density separate house	2,785	2,910	3,036	251	0.4%
	Urban separate house	8,060	9,390	10,804	2,744	1.5%
	Semi-detached/townhouse	450	545	650	200	1.9%
	Flat / unit / apartment	905	1,025	1,155	250	1.2%
	Other	185	215	250	65	1.6%
	Total Private Dwellings	12,385	14,085	15,895	3,510	1.3%

Table 13 | Wangaratta (RC) Housing Demand, High Scenario

Figure 25. High Scenario Housing Demand (Wangaratta Population and Housing Strategy)

6.2 The Amendment will not result in the loss of rural zoned land or result in an expansion of the boundaries of the Wangaratta Regional City urban area.

The Site is already in a residential zone (LDRZ) and geographically separated from rurally zoned properties by Clarkes Lane to the south, Laceby-Targoora Road to the east and residential development to the north and west. In contrast to previous amendments which rezoned the North West Growth Area and South West Growth Area, the Amendment will not result in the rezoning of the land from a rural zone to a residential zone or an expansion of the Wangaratta Regional City's urban boundary.

Rather, the rezoning will reinforce Clarkes Lane as the southern urban boundary of Wangaratta Regional City in accordance with the Housing and Population Strategy (2013) and the boundary of the Wangaratta Regional City urban area identified in Clause 21.02 (Figure 27). And Action 30 of the Housing and Population Strategy (2013) which seeks to *'Limit the southern expansion of the Wangaratta urban area generally in-line with Clarkes Road, the current extent of urban zoned land to the north of Jordans Lane and the extent of Low Density Residential zoned land on the eastern side of Wangaratta-Whitfield Road.'* (Wangaratta Population and Housing Strategy, December 2013 pp. 98).

In addition, the draft Low Density and Rural Residential Strategy (2020) (LDRR) has subsequently recommended the commencement of a rezoning process to rezone the land on the southern side of Clarkes Lane to the Low-Density Residential Zone (LDRZ)/Rural Living Zone (RLZ) to increase low-density housing supply. Specifically, the draft strategy recommends the rezoning of land to the south of the site to LDRZ/RLZ, identified as Precinct W-1c (Figure 26).

In accordance with the 'Recommendations Map', Action 2.3 of the draft strategy is to *'commence a rezoning process for land in the Wangaratta 1c investigation area to the LDRZ and RLZ, including suitable planning controls to address the Airport Environs Overlay, freeway interface, drainage issues and local access requirements.'*

Given the recommendations of the draft Strategy, it is likely that in the future, the Site will be located between two residentially zoned areas (with no interfaces to rural zoned land). As such, the low-density residential development of the Site under the existing LDRZ1 will be further inappropriate in the medium to long term (noting that the draft LDRR recommendations have not been adopted by Council).

Noting the above, the residential development of the Site will not have a material effect on the operation of the surrounding rural areas, the expansion of the Wangaratta Regional City boundaries or the loss of agricultural land.

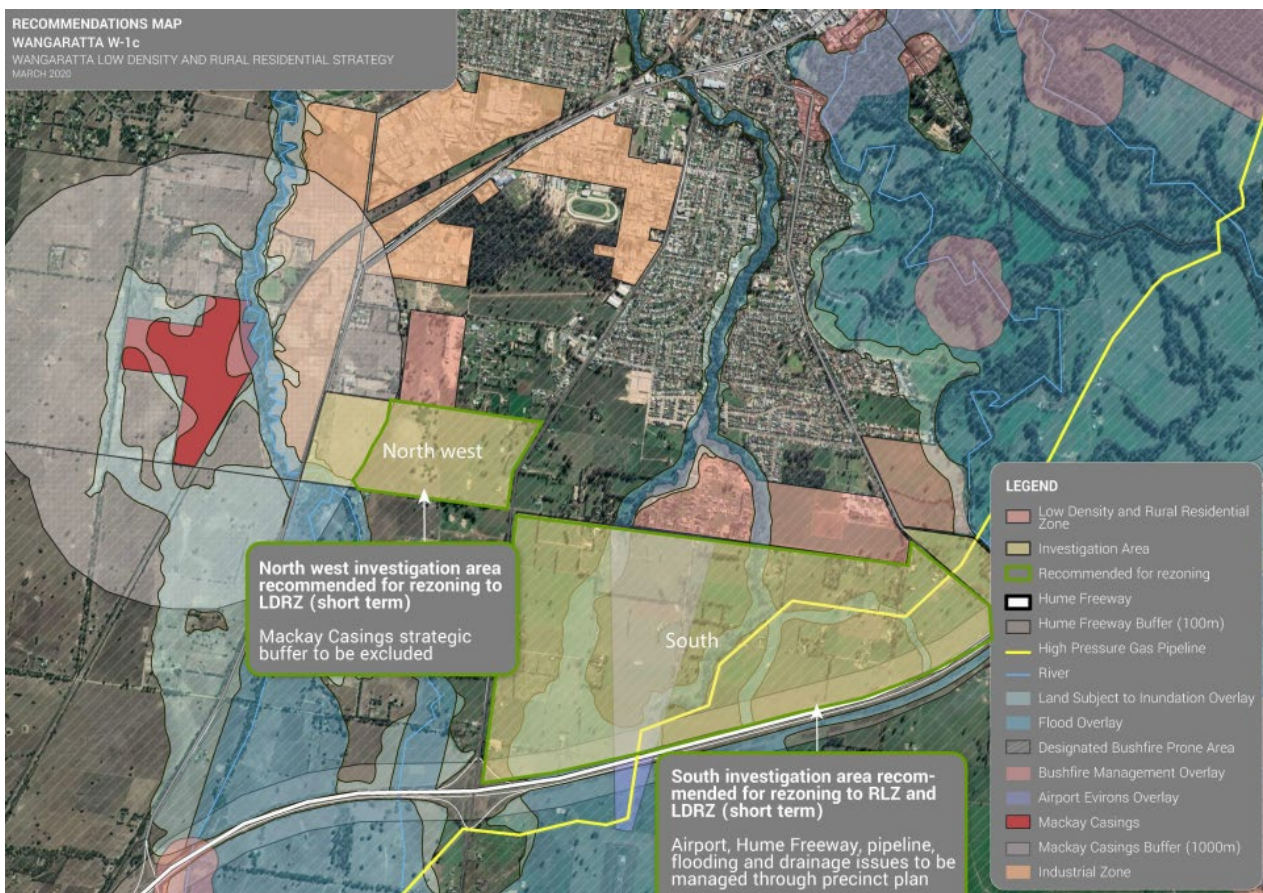


Figure 26. Recommendation Map W-1c (Draft Wangaratta Low Density and Rural Residential Strategy)

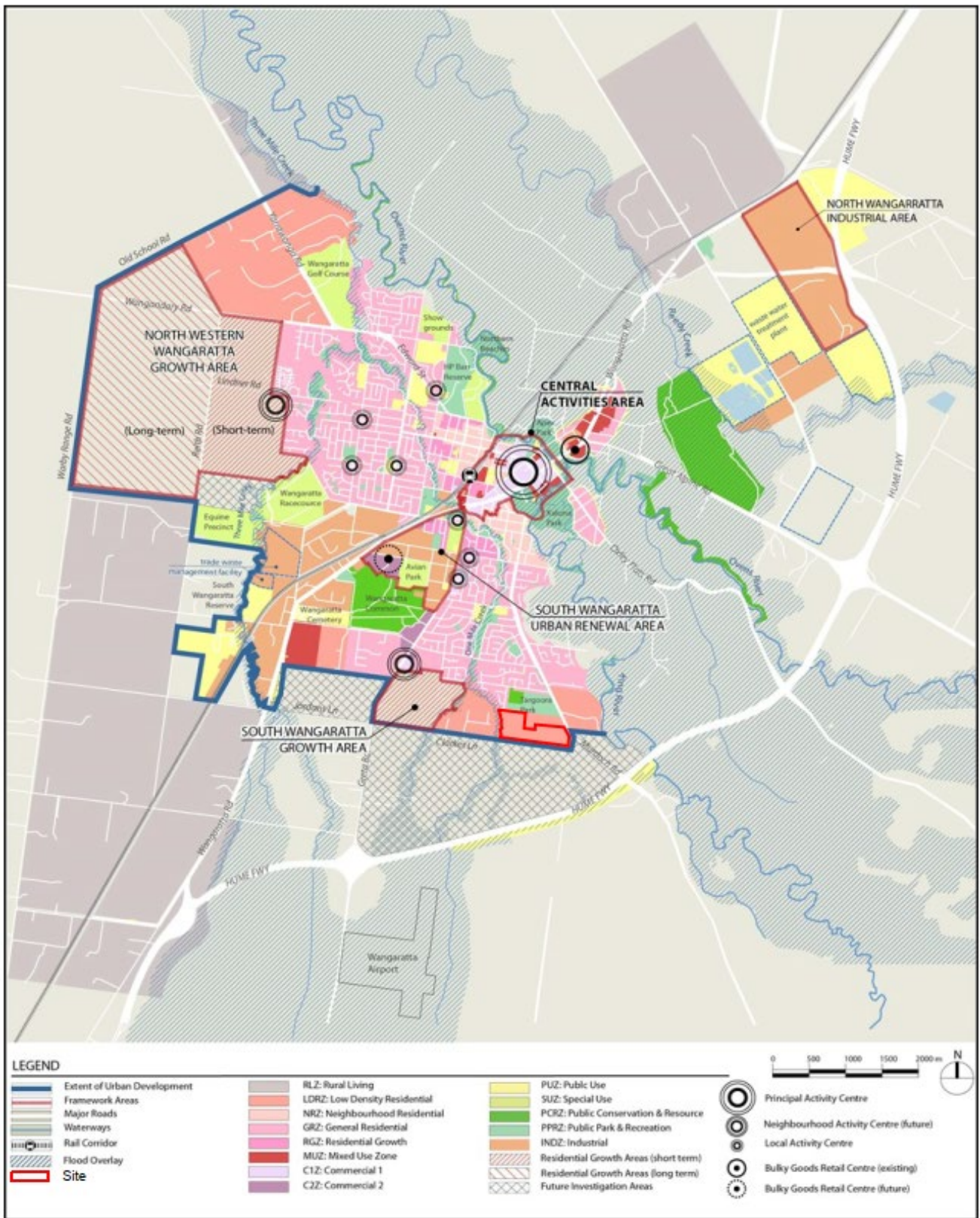


Figure 27. Residential Growth Areas in Wangaratta (Figure 4 - Clause 21.02 Settlement) – Site identified in red

6.3 The Amendment implements the *Housing and Population Strategy (2013)* and the *Hume Regional Growth Plan (2014)* by facilitating the development of an identified residential growth area.

The Site is identified as an area for housing growth under both the *Housing and Population Strategy (2013)* and the *Hume Regional Growth Plan (2014)*. The Amendment will ensure that the planning controls affecting the Site are aligned with the relevant objectives, strategies and actions of the Housing and Population Strategy (2013) and the Hume Regional Growth Plan (2014), both of which identify the Site as an area for residential growth/greenfield housing.

To this end, the Amendment will ensure that the planning controls applying to the Site are consistent and will help implement the strategic intentions for the land under the Housing and Population Strategy (2013) and the Hume Regional Growth Plan (2014).

An assessment of the Amendment against the strategic directions applying to the Site under each document is provided below.

6.3.1 Hume Regional Growth Plan

The Amendment implements the Hume Regional Growth Plan (2014) by:

- Facilitating the delivery of conventional housing on land identified as a ‘key residential growth front’ and ensuring the Site is not under-developed as low-density housing under the existing LDRZ (Figure 28).
- Providing for population growth within Wangaratta Regional City (identified as a ‘medium to high growth location’).

The Hume Regional Growth Plan is a ‘Policy Document’ under Clause 11.01-1S (Settlement) and a ‘Background Document’ under Clause 72.08 of the Wangaratta Planning Scheme.

Map 9 : Wangaratta Urban Growth Framework

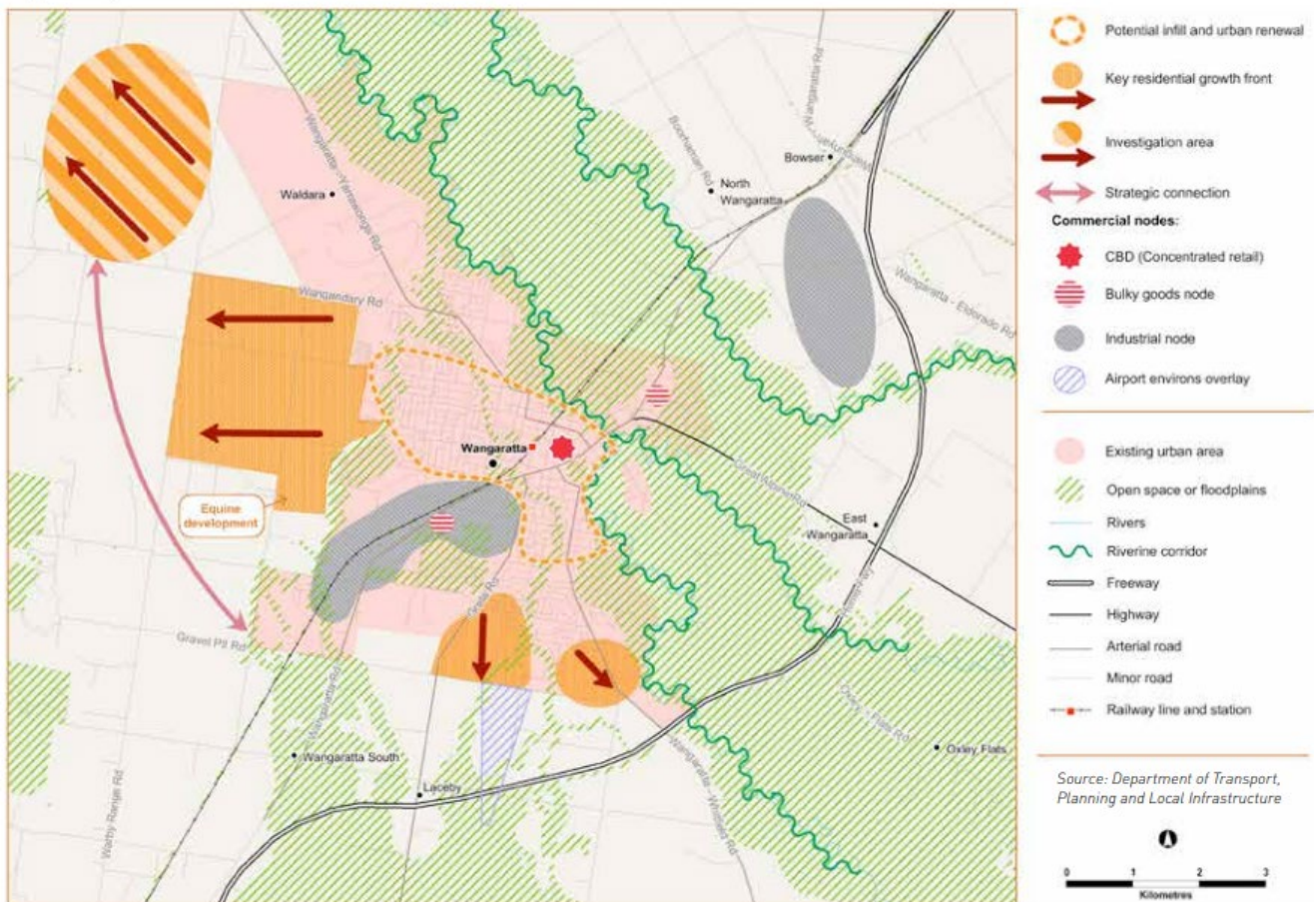


Figure 28. Wangaratta Urban Growth Framework (*Hume Regional Growth Plan (2014)* Page 43)

6.3.2 Housing and Population Strategy 2013

The Amendment will ensure that the planning controls affecting the Site are consistent with the *Housing and Population Strategy 2013* which identifies the Site as a location for ‘residential subdivision and development of undeveloped residential zoned land in the southern growth corridor’ ‘to implement housing density targets of 10 dwellings per net developable hectare’ (Figure 30 and Figure 31).

In addition, the Strategy identifies opportunities for the Site to:

- ‘consider planning controls to guide the layout/form and delivery of greenfield housing’ and
- combat housing affordability through a provision of housing types.’ (Figure 29)

The Amendment will facilitate the development of a large, residentially zoned parcel of land that is adjacent to a major school, active and passive open space and proximate to public transport services/infrastructure, employment areas and the Wangaratta CAA for a high amenity residential neighbourhood of varying densities. The Site will be serviced via an innovative, integrated water management system. Accordingly, the Amendment is consistent with the following objectives of the *Housing and Population Strategy 2013*:

- Objective 1: Facilitate sustainable communities by locating new housing within close location to existing infrastructure and services.
- Objective 2: Support Wangaratta City as a key regional centre in the Hume Region.
- Objective 3: Provide for a diversity of housing stock to meet the varying needs of the local population.
- Objective 4: Protect areas of environmental significance, landscape significance & high agricultural value from urban development.
- Objective 5: Manage locations targeted for residential development.
- Objective 6: Maintain neighbourhood character and residential amenity and protect heritage character areas.
- Objective 7: Create high quality residential environments.
- Objective 8: Provide affordable housing options.
- Objective 9: Coordinate new development with the timely provision of infrastructure.
- Objective 10: Facilitate sustainable development outcomes within new residential development.

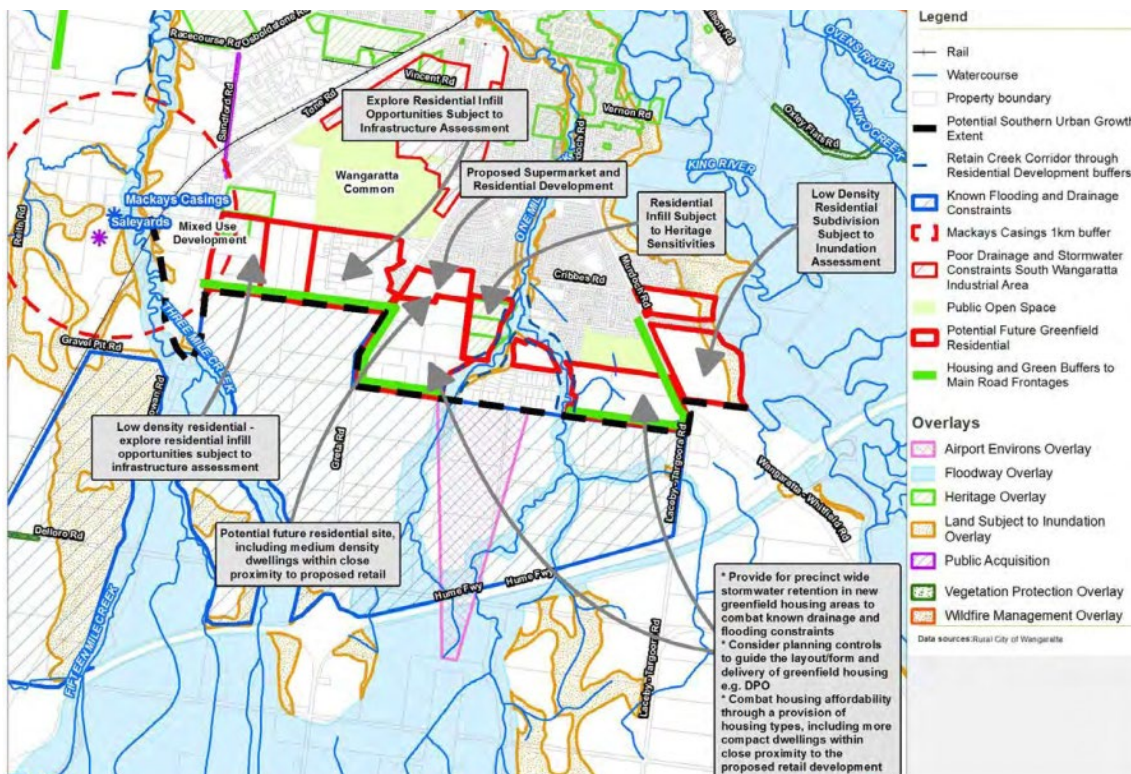
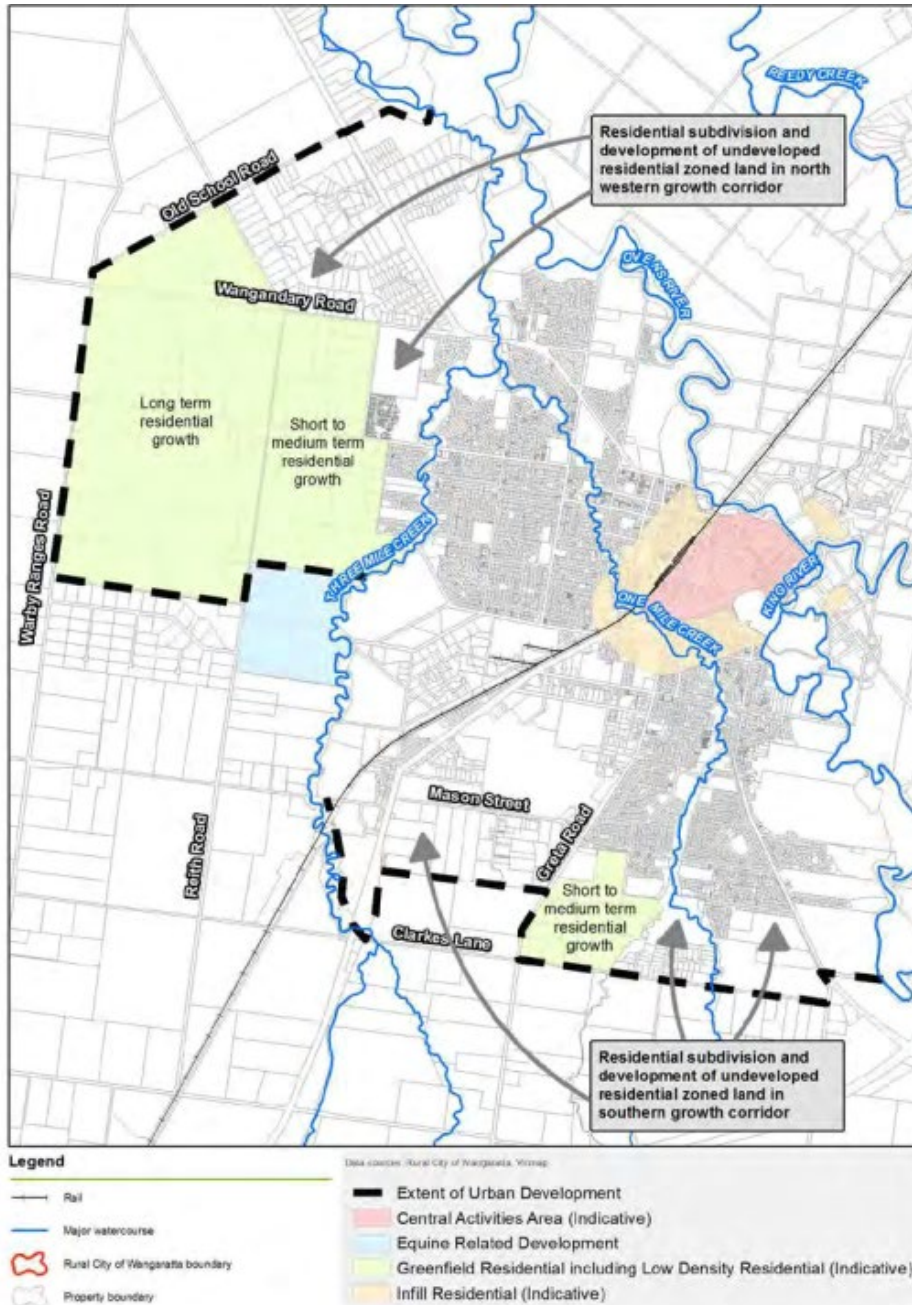


Figure 29. Opportunities and Constraints Plan (Wangaratta Population and Housing Strategy)



Wangaratta City Strategic Framework Plan

Figure 30. Wangaratta City Strategic Plan (Wangaratta Population and Housing Strategy)

New Housing Areas – Short Term Housing Priorities (0-3 years)		
Housing Site	Lead in times to address demand & supply	Infrastructure delivery & resourcing
<p>Wangaratta City Greenfield zoned land supply</p> <p><u>Zoned greenfield sites with planning approval</u></p> <p>Facilitate the subdivision of sites already within the planning process, or those which have obtained planning approval for subdivision.</p> <p><u>Zoned sites without subdivision approval</u></p> <p>Implement housing density targets (10 dwellings per net developable hectare) for zoned greenfield housing sites.</p>	<p>Immediate</p> <p>3 years</p>	<ul style="list-style-type: none"> Coordinated infrastructure delivery associated with future land subdivision and development. Consider application of DPO over existing residential zoned land to provide for infrastructure co-ordination and design, siting and density of future residential lots.

Figure 31. New Housing Areas Short Term Housing Priorities (Wangaratta Population and Housing Strategy)

6.4 The Amendment implements the objectives and strategies of the Planning Policy Framework.

A key policy outcome sought by the Planning Policy Framework is to increase the supply of housing on land within established townships and cities, proximate to public transport infrastructure, jobs, services, schools, and public open space.

Given, the Site's location within the existing Wangaratta Regional City boundary and its immediate proximity to Cathedral College and Targoora Reserve and its general proximity to the Wangaratta Central Activities Area, Wangaratta's industrial areas and the Wangaratta Railway Station, the Amendment is consistent with the relevant provisions of the Municipal Planning Strategy and Planning Policy Framework as it:

- Ensures that Wangaratta has sufficient serviced, residentially land to meet forecast demand (*Clause 11.02-1S and 11.01-1R*).
- Provides for additional supply of residentially zoned land within Wangaratta Regional City to reduce pressures on surrounding rural settlements (*Clauses 11.01-1R and 16.01-1L*).
- Facilitates the development of additional housing within the Wangaratta township boundaries on land that immediately adjoins Cathedral College and Wenhams Lane Reserve/Targoora Park, is within walking distance of the 402 bus route and is generally proximate to Wangaratta CAA, Railway Station and established industrial/employment areas (*Clauses 11.01-1S, 11.01-1R, 15.01-1S, 15.02-1S, 15.01-4S, 16.01-1S, and 16.02-1L*).
- Provides for increased housing choice that respects the built form character of Wangaratta's southern corridor and adjoining rural areas, to provide a diverse housing offering within the Site, Wangaratta Regional City, and the wider municipality (*Clause 16.01-3S, and Clause 16.02-1L*).
- Directs population growth to a low environmental risk area (*Clause 13.01-1S*).
- Allows the development of housing to accommodate population growth and the intensification of development on land which is within the Wangaratta Regional City urban area, at a scale and density that is respectful of the adjoining conventional residential areas to the north, the low-density residential areas to the west and the rural/(recommended) future low-density residential areas to the south. (*Clauses 11.02-1S, 11.03-2S, and 16.02-1L*).
- Contributes to a healthy and active neighbourhood in the southern corridor of Wangaratta by increasing housing supply within walking distance of Cathedral College, public transport, and Wenhams Lane Reserve/Targoora Park (*Clause 16.01-1S*).
- Facilitates a landscaped, well-considered, efficient, and responsive subdivision that will not result in any unreasonable amenity impacts to the surrounding public realm or adjoining properties. (*Clauses 15.01-1S, 15.01-2S and 16.02-1L*)
- Facilitates the delivery of pedestrian and bicycle connections between Clarkes Lane, Cathedral College, Wenhams Lane Reserve/Targoora Park, and existing residential areas (*Clause 15.01-4S and 18.01-2S*).
- Facilitates the development of land through controls that support higher housing densities on land identified for housing growth while respecting the surrounding neighbourhood character (*Clause 15.01-5S*).
- Facilitates the delivery of a sustainable, integrated water management servicing strategy to service the neighbourhood to optimise the efficiency and capacity of existing sewerage infrastructure (*Clause 19.03-3S and 19.03-3L*)

6.5 The Amendment will prevent the underdevelopment of residentially zoned land with excellent access to Cathedral College, Wenhams Lane Reserve/Targoora Park, public transport services and employment opportunities.

Noting the policy support for the provision of housing and strategic context of the Site, the existing LDRZ1 zoning risks the underdevelopment of the Site for low-density housing that would be inconsistent with Clause 11.02-1S (Supply of urban land) which seeks to (inter alia) *'Restrict rural residential development that would compromise future development at higher densities.'*

The LDRZ1 applying to the Site requires a minimum lot size of 0.2 hectares which reduces the potential housing supplied on the Site to approximately 80 residential lots (compared to 248 lots under a standard residential zone with a density of 10 lots per hectare). Noting the Site's proximity to jobs, services, public open space, and infrastructure (particularly

Cathedral College, Targoora Park and Wenhams Lane Reserve), the Site represents a strategically supported location to accommodate standard-density housing within the existing urban area of Wangaratta Regional City which should not be developed at low densities.

The subdivision/development of the land under the existing LDRZ1 will permanently compromise the delivery of standard/higher density housing on the Site as the minimum lot area of the LDRZ1 will reduce the supply of housing on the Site by approximately 170 dwellings; fragment the ownership of the Site; and result in the installation of service infrastructure designed for lower densities.

By rezoning the Site to GRZ, the Amendment will effectively remove the risk of the Site being underdeveloped in a way that would prevent a more dense level of housing from being provided in the future.

North East Water is responsible for the provision of sewerage outfall from the proposed development. North East Water (NEW) has advised that sewerage servicing with the Rural City of Wangaratta is heavily constrained by limited capacity within NEW's infrastructure.

6.6 The Amendment facilitates the delivery of a wastewater treatment plant will deliver a net community benefit to the Wangaratta community by increasing housing supply and providing a renewable and reliable source of irrigated water for Targoora Park and Cathedral College.

The wastewater treatment plant which will be in association with Amendment will deliver a net community benefit through the delivery of additional housing on the Site and the Wangaratta South Growth Area and by providing a sustainable irrigation source for the sporting fields of Targoora Park and Cathedral College.

North East Water has advised that the wastewater treatment and associated water storage will provide sewerage capacity to facilitate the release of 350 residential lots within southern Wangaratta, including 248 lots on the Site and 102 lots within the Wangaratta Southern Growth Area.

The wastewater treatment plant is defined as a minor utility installation servicing the southern Wangaratta neighbourhood. In accordance with the provisions of *Clause 62.01 (Uses Not Requiring a Permit)* and *Clause 62.02 (Buildings and Works)* the use and development of land for the purpose of a minor utility installation does not require a planning permit under the Wangaratta Planning Scheme. The relevant VCAT decisions concerning to the definition of minor utility installation are summarised in legal advice submitted as a part of the Amendment request.

While the use and development of land within Targoora Park for a wastewater treatment plant does not require a permit under the Wangaratta Planning Scheme, the Amendment rezones the land on which the wastewater treatment plant will be located on to the Public Use Zone. The rezoning of the land wastewater treatment plant to the Public Use Zone will ensure that the zoning of the land reflects the utility installation use of the land.

The released capacity resulting from the delivery of the wastewater plant will be available until approximately 2026. Further capacity may be released if EPA approval is granted for the discharge of Class A treated water into One Mile Creek during wet weather events.

In addition to the release of residential land within both the Site and the Wangaratta South Growth Area, the IWM strategy will deliver a net community benefit through the replacement of at-risk water sources (potable water and groundwater) with recycled water.

It is understood that the use of the sporting fields of both Cathedral College and Targoora Park is substantially constrained during dryer months due to the lack of irrigation options. During dry periods, the baseball club is limited to the use of a single basement diamond while Cathedral College is reliant on a limited ground water licence.

By providing a sustainable and unlimited supply of Class A water to irrigate these sporting fields, the wastewater treatment plant will allow all four baseball diamonds and all of Cathedral Colleges' sporting fields to be irrigated and used during all times of the year.

The proposed treatment and reuse of wastewater to irrigate the sporting fields of Targoora Park and Cathedral College is consistent with the following strategies of *Clause 19.03-3SI (Integrated Water Management)*:

- *Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:*
 - *Take into account the catchment context.*
 - *Protect downstream environments, waterways and bays.*

- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.
- Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.
- Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.



Figure 32. Wastewater Treatment Plan Sewer Mining Catchment

6.7 The Amendment facilitates the design/delivery of a wastewater treatment plant will not result in inappropriate amenity impacts on exiting/proposed dwellings, Targoora Park or Cathedral College.

The wastewater treatment plant will be assessed by the EPA under Part 4.3 of the *EPA Act 2017 (General Provisions Relating to Permissions)*. Clause 53.10 (*Uses and Activities with Potential Adverse Impacts*) of the Wangaratta Planning Scheme is not applicable as the Application does not seek permission to use land for a purpose with a potential amenity impact under the Wangaratta Planning Scheme.

EPA publication 1518 recommends a 100m separation distance for the plant. EPA Publication 1518 allows for the separation distances to be varied in accordance with the nominated criteria.

The location of the wastewater treatment plant provides a separation distance greater than 100m to existing and proposed residential lots and Cathedral College in accordance with *EPA publication 1518*. In relation to Targoora Park/Wenhams Lane Reserve, it is considered that given the sealed design, limited size and reduced environmental risk, the wastewater treatment will be able to satisfy the variation criteria set out in *EPA publication 1518*.

To ensure that the wastewater does not result in amenity impacts to surrounding dwellings, the sewerage servicing strategy identifies the following including the mitigation strategies/design parameters that will be applied through the detailed design of the wastewater treatment plant:

- The wastewater treatment plant will be a sealed system with no odour generation with all backwash and sludge going to the sewer. The plant will include scrubbers/activated carbon filters to manage odours.

- Noise attenuation systems are available to reduce noise to levels in accordance with EPA 1412 – SEPP N1. These include buildings over noise generating equipment and specifying low noise equipment. Council and the community will have input regarding these requirements and attenuation measures as a part of the EPA licence assessment of the wastewater treatment plant.
- The wastewater treatment will be visually screened by the proposed brush fencing and landscaping from the north and east and by the existing trees of Wenhams Lane Reserve/Targoora Park from the south and west (Figure 33).

While the detailed assessment of the wastewater treatment plant will be undertaken by the EPA in accordance with the *EPA Act 2017*, the wastewater servicing strategy establishing a framework to sure that the wastewater plant will not result in inappropriate odour, acoustic or visual impacts.



Figure 33. Integrated Water Management Treatment Plan and Water Storage Concept Sections/Elevations

6.8 The Amendment utilises appropriate VPP tools that have successfully facilitated the delivery of greenfield housing within Wangaratta.

Consistent with the zoning applied to Wangaratta’s North West and Southern Growth Areas, the Amendment will facilitate the residential development of the greenfield land through the application of the General Residential Zone – Schedule 1.

The Amendment makes proper use of the VPP’s through the application of the General Residential Zone to facilitate the supply of new housing in proximity to existing jobs, services, and public transport infrastructure which responds appropriately to the character of Wangaratta.

6.8.1 Proposed General Residential Zone – Schedule 1

The General Residential Zone is considered the most appropriate VPP to facilitate the development of land which meets the criteria of a substantial change area in accordance with Planning Practice Note 90 and 91.

The application of the General Residential Zone to a large greenfield site within an established regional city is fully in accordance with the following purpose of the General Residential Zone, being:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly 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.*

Noting the guidance provided by PPN91 and the surrounding context of southern Wangaratta, the Site is accurately described as a strategic development site given its single ownership, undeveloped current condition, and proximity to services, jobs a public open space and public transport infrastructure. In accordance with PPN 91, the General Residential Zone is the most appropriate VPP tool to manage the development of the Site, by providing for the development of the land as conventional dwellings generally of one-two storeys in height.

The application of the General Residential Zone will ensure the future development:

- Lots provide a minimum garden area of 25%-35% of the lot area to provide a landscape setting for future dwellings.
- The development of future dwellings will not have an inappropriate amenity impact on existing or future dwellings through the application of Clause 54 requirements.
- No lots will be developed for dwellings or residential buildings above three storeys in height.

6.8.2 Proposed Public Use Zone

The application of the Public Use Zone to land that is to be developed for a public utility owned by State government agency (such as a North East Water wastewater treatment plant and associated recycled water storage) is fully consistent with the purpose of the Public Use Zone, being:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

6.9 The Amendment is consistent with the Strategic Assessment Guidelines

As established in Sections 6.1-6.7 the Amendment is strategically justified at both the State and local level in accordance with the Strategic Assessment Guidelines.

An assessment of the Amendment against the Strategic Assessment Guidelines is provided in Appendix A.

7 Statutory Planning Assessment (Planning Permit)

In addition to the strategic support for the residential development of the Site detailed in Chapter 6 of this report, the proposed subdivision of the Site into 233 lots, removal of native vegetation and alteration of an access to Transport 2 Zone Road is considered to be in accordance with the relevant existing and proposed provisions of the Wangaratta Planning Scheme as it:

- is consistent with the relevant provisions of the Planning Policy Framework of the *Wangaratta Planning Scheme*;
- does not result in the creation of residential lots on land subject to the Land Subject to Inundation Overlay (LSIO);
- does not result in the development of any buildings that could impact the safe operation of the Wangaratta Aerodrome;
- meets the requirements of Clause 56 (Residential Subdivision);
- provides an integrated public open space network that exceeds the requirements of *Clause 53.01 (Public Open Space Contribution and Subdivision)*;
- avoids, minimises and offsets the removal of Native Vegetation in accordance with *Clause 52.17 (Native Vegetation)*;
- provides safe and effective active and vehicular access arrangements;
- will not prejudice the potential realignment and widening of Clarkes Lane;
- will not impact Aboriginal cultural heritage;
- effectively manages bushfire risk by removing an existing risk and not creating any residential lots with a rating above BAL-12.5; and
- provides appropriate and innovative servicing and drainage arrangements.

7.1 The Application is consistent with the Municipal Planning Strategy and Planning Policy Framework of the Wangaratta Planning Scheme.

In addition to the strategic support for the development of housing on the Site at standard residential densities (Chapter 6), the proposed subdivision of the Site is consistent with the relevant planning policy provisions of the Municipal Planning Strategy and Planning Policy Framework as it:

- Provides for increased housing choice through the creation of lots ranging from 315m² rear-loaded lots to 1,216m² conventional lots. The range of lot sizes will allow housing to be facilitated a landscaped neighbourhood character by fronting smaller lots to public open spaces and providing for the retention of native trees within larger lots. The range of lot sizes will also provide a diverse housing offer (including smaller, more affordable lots) within the Site allowing the Application to provide increased housing supply and choice within the Wangaratta township and the wider municipality (*Clause 02.03, 16.01-2R, 16.01-3S and 16.01-1L*).
- Is a landscaped, well-considered, efficient, and responsive subdivision that will not result in any unreasonable amenity impacts to the surrounding public realm or adjoining properties. (*Clauses 02.03, 15.01-1S, and 15.01-2S*).
- Provides safety through design via passive surveillance by orientating lots to face public open space and the proposed street network (*Clauses 15.01-1S, 15.01-2S, and 15.01-5S*).
- Integrates landscaping, including the retention of high-value native trees and the planting of substantial street trees into the public open space network, garden areas of larger lots and the road design (*Clause 15.01-1S*).
- Optimises solar access and energy efficiency by orientating the lots north-south and east-west and delivery new housing in proximity to existing services (*Clause 15.01-1S, 15.01-2L and 16.01-2S*).

- Provides landscaped streets, passive open space, and a range of lot sizes to complement the existing supply of housing within Wangaratta and provide a high level of amenity for future residents (*Clause 15.01-3S*). An assessment of the proposed plan of subdivision against the strategies of Clause 15.01-3S is provided in Table 1.
- Provides new passive open space which is accessible via integrated pathways (*Clause 15.01-4S*).
- Promotes the use of active transport by delivering new, separated pedestrian and bicycle connections via an integrated pedestrian/bicycle path along Clarkes Lane (east-west) and between Clarkes Lane and Milnes Creek Drive (north-south) (*Clause 15.01-4S and 18.01-2S*).
- Provides a logical, direct, and safe street network that will integrate with the existing street network at the northern, southern, and eastern boundaries of the Site (*Clause 15.01-4S and 18.01-2S*).
- Retains high-value native trees within an integrated landscape design, which includes substantial street planting and an extensive open space network to provide a landscaped setting for future dwellings to reinforce a sense of place and protect significant elements of the existing vegetation and landscape character (*Clause 15.01-5S*)
- Incorporates defendable open space within the road reserve and public open space network areas to ensure that no lots will have more than a BAL12.5 rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009)*(*Clause 13.02-1S*).

Table 1. Clause 15.01-3S Subdivision Design - Assessment

Clause 15.01-3S Subdivision Design - Strategies	Assessment
<i>In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:</i>	
<ul style="list-style-type: none"> • <i>Creating compact neighbourhoods that have walkable distances between activities.</i> 	The Application will facilitate the development of a new residential neighbourhood that neighbours Cathedral College and Wenhams Lane Reserve/Targoora Park, allowing future residents to these key services and open space by foot.
<ul style="list-style-type: none"> • <i>Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.</i> 	Not Applicable The Application does not include the development of any activity centres or the introduction of commercially zoned land.
<ul style="list-style-type: none"> • <i>Creating neighbourhood centres that include services to meet day to day needs.</i> 	Not Applicable The Application does not include the development of any neighbourhood centres nor does the Application introduce any commercially zoned land.
<ul style="list-style-type: none"> • <i>Creating urban places with a strong sense of place that is functional, safe and attractive.</i> 	The Application delivers a landscaped residential character through the retention of native trees within the public open space network, road design and private open space of larger residential lots and the planting of street trees.
<ul style="list-style-type: none"> • <i>Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.</i> 	The Application provides a range of lot sizes varying from 328m ² to 801m ² and 3 medium density superlots to provide for a genuine diversity of housing options to be developed on the Site.
<ul style="list-style-type: none"> • <i>Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.</i> 	The Application includes substantial street tree planting (approximately 1 per lot frontage) to create a network of landscaped streets.

	In addition, the application will deliver a new pedestrian/cycling link connecting Clarkes Lane and Wenhams Lane Reserve (via One Mile Creek).
<ul style="list-style-type: none"> • <i>Protecting and enhancing native habitat.</i> 	The Application maintains all native trees within the proposed public open space network, road reserves and the private open space of larger residential lots.
<ul style="list-style-type: none"> • <i>Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.</i> 	The Application results in a logical subdivision within the established southern boundary of Wangaratta Regional City (Clarkes Lane).
<ul style="list-style-type: none"> • <i>Reduce car dependency by allowing for:</i> <ul style="list-style-type: none"> ◦ <i>Convenient and safe public transport.</i> ◦ <i>Safe and attractive spaces and networks for walking and cycling.</i> ◦ <i>Subdivision layouts that allow easy movement within and between neighbourhoods.</i> ◦ <i>A convenient and safe road network.</i> ◦ <i>Being accessible to people with disabilities.</i> 	<p>The Application reduces car dependency by:</p> <ul style="list-style-type: none"> • Providing additional housing opportunities within walking distance of the existing 402 bus service operating along Wenhams Lane. • Allowing for the upgrading of Clarkes Lane to a collector road capable of supporting public bus services. • Providing pedestrian and cycling networks through the Site.
<ul style="list-style-type: none"> • <i>Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.</i> 	<p>The Application:</p> <ul style="list-style-type: none"> • Orientates the proposed lots to generally optimise solar access. • Manages stormwater via an integrated approach including landscaped detentions basin/wetland adjoining One Mile Creek.

7.2 The Application does not result in the development of any buildings that could impact the safe operation of the Wangaratta Aerodrome.

The Application does not include the approval of any buildings. Furthermore, it is noted that the 11 m height limit of the proposed General Residential Zone prohibits the development of dwellings on the Site that could trigger a permit requirement under Obstacle Height Area 3 of *Design and Development Overlay – Schedule 6 (DDO6)*.

7.3 The Application does not result in the creation of residential lots on land subject to the Land Subject to Inundation Overlay (LSIO).

As detailed in Section 4.2.1, the LSIO only applies to a small section of the Site (adjoining One Mile Creek). The Application incorporates the land that is subject to the LSIO within the widened One Mile Creek Reserve. Accordingly, the Application is not considered to result in the subdivision of land that is subject to the LSIO.

7.4 The Application meets the requirements of *Clause 56 (Residential Subdivision)*.

The subdivision of the Site sought by the Application achieves all the relevant objectives of Clause 56 of the Wangaratta Planning Scheme.

In general, relevant matters of Clause 56 have been outlined in the sections above. For completeness, a comprehensive assessment against the objectives and standards of Clause 56 is provided in Appendix B of this report.

7.5 The Application provides an integrated public open space network that exceeds the requirements of *Clause 53.01 (Public Open Space Contribution and Subdivision)*.

The Application provides 2.21 ha of unencumbered public open space resulting in a contribution of 9% of the total site area and almost double the statutory open space contribution of 5 percent of the total site area of 1.229ha under clause 52.01 of the Wangaratta Planning Scheme.

The generous provision of public open space has facilitated the delivery of landscaped, separated pedestrian/cycling connections and parks in both the eastern and western sections of the Site. In combination with the proposed street tree planting and the retention of native trees within the landscaped public open space, the Application will deliver a landscaped neighbourhood character that will provide an appropriate transition between the conventional residential areas to the north and the rural areas on the southern side of Clarkes Lane.

The proposed passive open space has been primarily located along the One Mile Creek corridor, Clarkes Lane, and the south-east corner of the Site. The location of the public open space areas maximises the retention of native vegetation and facilitates the delivery of landscaped, separated pedestrian/cycling paths along Clarkes Lane (east-west) and between Clarkes Lane and Milnes Creek Drive (north-south).

7.6 The Application avoids, minimises and offsets the removal of Native Vegetation in accordance with *Clause 52.17 (Native Vegetation)*.

Despite largely retaining the native vegetation with and surrounding the Site, the Application required a permit to remove approximately 0.179ha of native vegetation.

In accordance with the requirements of *Clause 52.17*, the Application:

- Avoids the removal, destruction or lopping of native vegetation by retaining the majority of existing native vegetation within the conservation areas located in the south-east corner of the Site, the southern boundary of the Site and adjoining One Mile Creek along the western boundary of the Site.
- Minimises impacts from the removal, destruction or lopping of native vegetation by designing the internal road layout to maximise the retention of native vegetation and trees.
- Provides an offset of 0.056 general habitat units to compensate for the biodiversity impact for the native vegetation classified as lost under the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation*.

It is noted that the reconfiguration of the Wangaratta-Whitfield Road intersection to a form that allows for the potential realignment and widening of Clarkes Lane, has resulted in unavoidable native vegetation loss. This loss of vegetation was considered unavoidable if the road layout was to allow for the future widening and realignment of Clarkes Lane.

By incorporating native vegetation within the proposed open space areas and setting back development from the northern and western boundaries of the Site, the Application retains:

- All native vegetation associated with Targoora Reserve and its surroundings, including remnant native vegetation, a timber plantation and an actively managed offset area (Patches 6 and 7);
- Trees 10, 11, 17 and 18 within the Clarkes Lane road reserve, although Tree 10 is already dead;
- All of Patch 3 and most of Patch 4 in a park connected to the reserve containing Patch 1 in the south-eastern corner of the study area. The avoided area includes all the Large Trees in these patches, inclusive of their Tree Protection Zones;
- Patch 2, by moving works away from the study area boundary, to ensure both the dripline of Patch 2, and a distance of 15 metres, to cover all Tree Protection Zones that may extend into the study area; and,
- The majority of the remnant native vegetation in the south-eastern corner of the study area (Patch 1) including all large trees within this patch.

By avoiding and minimising the impact on native vegetation impacts, the revised subdivision concept limits residual native vegetation loss to:

- A small portion of Patch 1 for the creation of the entrance into the Site from Wangaratta-Whitfield Road

- Small impacts to Patch 4 (but the retention of the Large Trees within that patch); and
- Three dead scattered trees (Trees AV, AW and AX).

While the wastewater treatment plant does not form part of the Application, a plant capable of servicing 350 lots in accordance with the requirements of North East Water can be delivered within Targoora Park without requiring the removal of native vegetation (in accordance with the plant footprint and location shown on the subdivision concept plan).



Figure 34. Native Vegetation Survey Assessment Plan

7.7 The Application provides safe and effective active and vehicular access arrangements.

Appropriate vehicle access to and from the lots in the subdivision will be provided via three access points to Wangaratta-Whitfield Road/Lacey-Targoora Road, Clarks Lane and Milnes Creek Drive respectively.

The subdivision layout forms a coherent and logical movement network, allowing for safe and convenient access between Clarks Lane and Wangaratta-Whitfield Road to the south and east and adjoining residential subdivision and Wenhams Lane Reserve/Targoora Park to the north and the proposed One Mile Creek rail/reserve to the west.

The neighbourhood street network design enhances personal and property safety with appropriate street widths which provide for a low-speed environment as well as direct and convenient access around the development. The subdivision layout has been designed to facilitate high levels of circulation and permeability, encouraging walking and bicycle trips within and through the Site.

The subdivision layout has been designed to ensure the proposed road network is generally consistent with the road cross-sections nominated in Table C1 of Clause 56.06-7 and VPA standards. The proposed traffic management devices to reduce traffic speed include a strategically designed road layout that removes potentially 'rat-running' between Milnes Creek Drive and Clarks Lane.

In relation to the proposed alteration to the Wangaratta-Whitfield Road/Lacey-Targoora Road intersection, a concept plan for the intersection has been prepared and incorporated into the Application. Traffic modelling for the intersection demonstrates that the proposed intersection will be sufficient to efficiently service the proposed neighbourhood. The Application also allows for Clarkes Lane to be rerouted via this Wangaratta-Whitfield Road/Lacey-Targoora Road in the event that Council seeks to alter the alignment of Clarkes Lane as a part of a future upgrade.

7.8 The Application will not prejudice the potential realignment and widening of Clarkes Lane.

The *Wangaratta Freight and Land Use Strategy (July 2016)* includes a strategy to 'Investigate feasibility of a southern east-west bypass route along Clarkes Lane, Jordans Lane and Gravel Pit Road.'

While it is not known whether Clarkes Lane will be widened/realigned to deliver an additional east-west bypass route, the Application will not prejudice the delivery of such changes to the role, width or alignment of Clarkes Lane as it:

- sets back lots and internal roads to allow Clarkes Lane to be widened to a 38m width (Figure 37); and
- allows for Clarkes Lane realigned through the south-eastern section of the Site to connect to the proposed Wangaratta-Whitfield Road intersection (Figure 38).

It is not proposed to undertake the widening/realignment as a part of the Application.

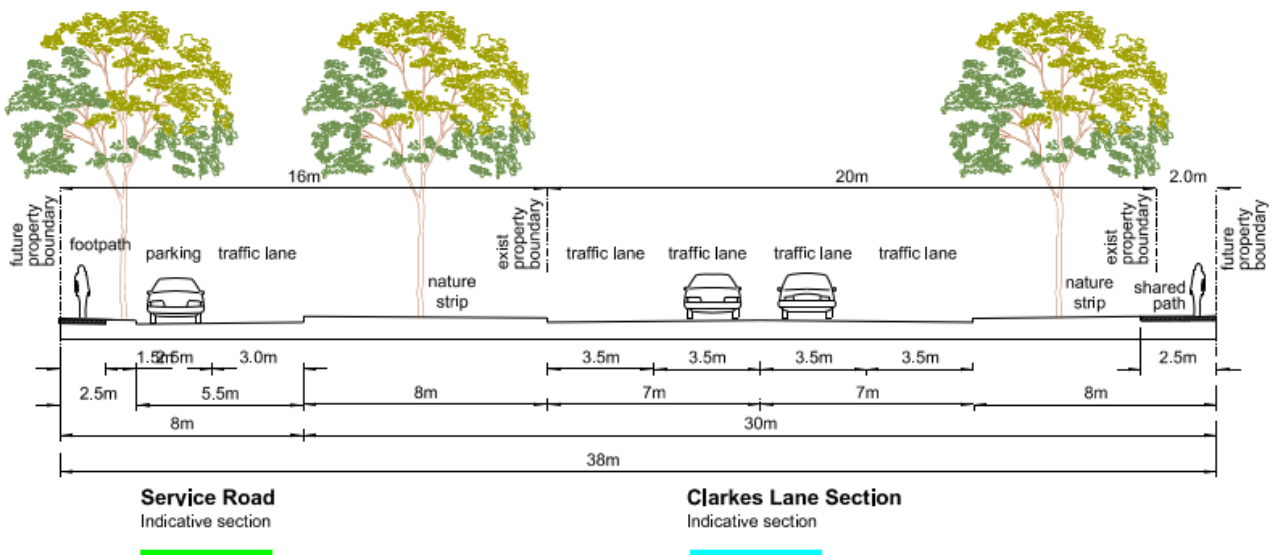


Figure 35. Potential Clarkes Lane Section

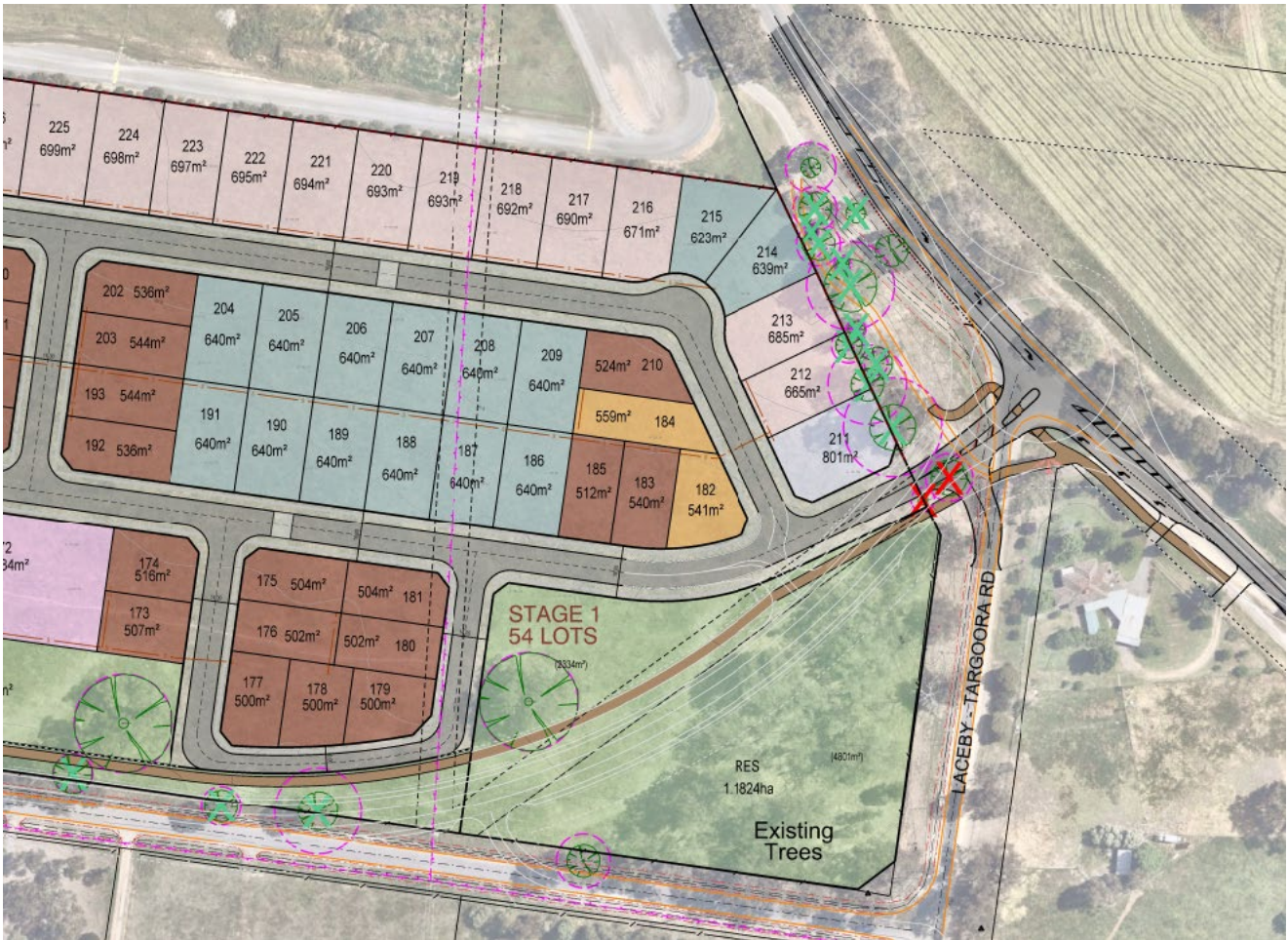


Figure 36. Potential Clarke Lane Realignment (shown in blue)

7.9 The Application will not impact Aboriginal cultural heritage.

A Cultural Heritage Management Plan has been approved by the Yorta Yorta Registered Aboriginal Party in association with the Application.

The CHMP does not require any actions to be undertaken as there was no Aboriginal cultural heritage found within the Site/activity area.

7.10 The Application effectively manages bushfire risk by removing an existing risk and not creating any residential lots with a rating above BAL-12.5.

The Application is supported by a Bushfire Planning Report which identified that the only bushfire risks applicable to the Site that required mitigation were the forest environs of the One Mile Creek Reserve and woodland environs of Wenhams Lane Reserve.

By incorporating walking paths and public open space along the northern and western Site boundaries, the proposed lots have a rating higher than BAL-12.5 (Figure 39).

By ensuring that no lots will have more than a BAL-12.5 rating and removing the existing bushfire risk resulting from the existing grasses on the Site, the Application is consistent with the following strategies of Clause 13.02-1S (Settlement Planning):

- *Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*

- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall,.
- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).

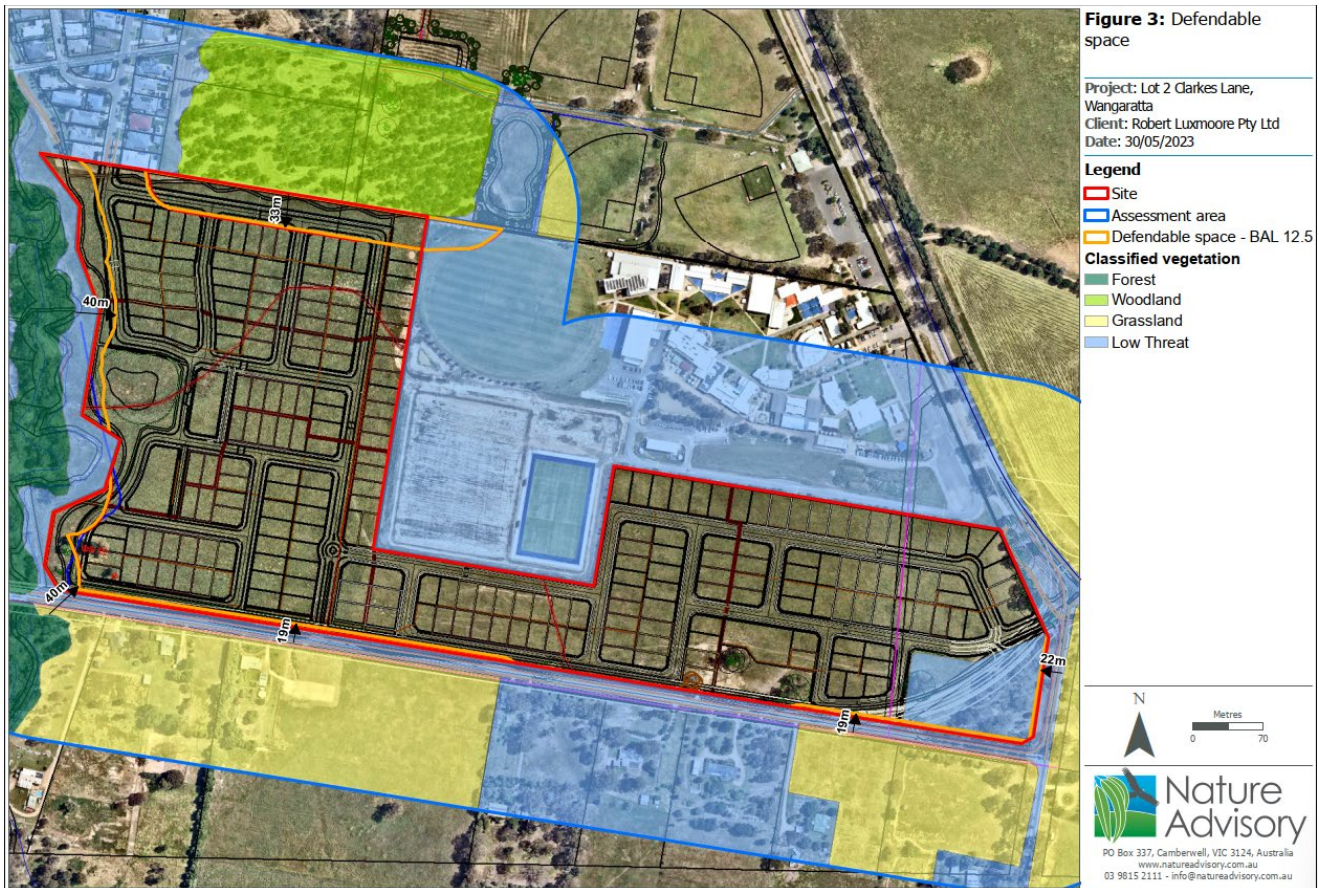


Figure 37. Defendable Open Space Plan

7.11 The Application provides appropriate and innovative servicing and drainage arrangements.

Preliminary servicing investigations concerning drainage, sewerage, water, electricity, and gas supply along with telecommunications have been undertaken and are detailed in the report prepared by North East Survey Design submitted with this application. The key findings resulting from these investigations are summarised below.

7.11.1 Drainage

Stormwater will be managed per the Stormwater Management Strategy included as a part of the Application. In accordance with the Stormwater Management Strategy, best practice water quality treatment objectives for the Site will be achieved via a single bioretention basin within the Site (adjoining the One Mile Creek Reserve) that will be delivered as a part of the first development stage.

7.11.2 Water Supply

North East Water is responsible for the provision of water supply to development in the Wangaratta area.

There is an existing 150ø UPVC reticulated water main that services the land along Wangaratta-Whitfield Road and Milnes Creek Drive. There is also an existing 100ø UPVC main that runs along Clarkes Lane.

North East Water has advised that there are likely to be no issues with the serving of the land if it was to be rezoned.

7.11.3 Electricity and Gas

Through the use of substations, power supply can be pulled from the high voltage electrical services crossing the eastern boundary of the Site. In addition, there is access to underground power lines in Milnes Creek Drive.

The Site has access to a 63ø gas main in Clarkes Lane and Milnes Creek Drive. However, the application will be electric only and is not proposed to be connected to the adjoining gas mains.

7.11.4 Telecommunications

Telstra / NBN operate telecommunication infrastructure in the vicinity of the development. The provision of a telecommunications and fibre optic service to the site is the responsibility of NBN Co. and will be supplied to the subject land in accordance with normal Victorian land development practice

The developer of the Site will be required to install pit and pipe networks in accordance with NBN requirements.

7.11.5 Sewerage Reticulation

Sewerage servicing will be provided by the IMW strategy and associated wastewater treatment plant detailed in Sections 6.6-6.9 of this report.

8 Conclusion

This report has detailed and assessed a combined planning scheme amendment request and planning permit application made under Section 96A of the Planning and Environment Act 1987 to:

- Rezone the Site to the General Residential Zone – Schedule 1 (GRZ1);
- Rezone land within Targoora Park to the Public Use Zone 1 (Service and Utility)
- Subdivide the Site into 230 residential lots and 3 superlots;
- Remove native vegetation; and
- Create/alter an access to a road in a Transport 2 Zone.

The combined Amendment and Application is supported by the provisions of the Planning Policy Framework, the *Hume Regional Growth Plan (2014)* and the *Wangaratta Housing and Population Strategy (2013)* and will deliver a net community benefit to Wangaratta by:

- Providing new and diverse housing on land located within the Wangaratta Regional City urban area which has been nominated as an area to accommodate forecast population growth before system-wide upgrades being undertaken by North East Water.
- Optimising the supply of housing with access to existing services including Cathedral College, Wenhams Lane reserve/Targoora Park, and public transport services (402 bus route, jobs, and services).
- Preventing the long-term underdevelopment of the land for low-density housing.
- Reinforcing the Wangaratta Regional City urban area boundary and avoiding the rezoning of rural zoned land.
- Ensuring the development of the land is undertaken in a coordinated manner to deliver a high amenity and sustainable neighbourhood that provides new connections and greenspaces between Clarkes Lane, Cathedral College, Wenhams Lane Reserve/Targoora Park, and existing residential areas.
- Appropriately apply the General Residential Zone – Schedule 1 to facilitate the development of the land at a scale and density that respects and contributes to the character of Wangaratta’s southern corridor.
- Facilitating the delivery of an innovative and sustainable integrated water management approach to sewerage infrastructure and stormwater.
- Appropriately managing cultural heritage, native vegetation, and bushfire risk.
- Delivering landscaped public open space and separated pedestrian/cycling connections in southern Wangaratta.
- Providing safe and efficient vehicle access including alterations to the Wangaratta-Whitfield/Laceby-Targoora Road intersection.
- Retaining native vegetation within a new public open space network.

The combined Amendment and Application represent a unique opportunity to deliver a critical supply of additional housing to meet forecast population growth by facilitating a new residential neighbourhood in accordance with State and local planning policy.

Appendices

Appendix A Strategic Assessment Guidelines

Appendix B Clause 56 Assessment

Appendix A Strategic Assessment Guidelines

An assessment of the Amendment against the Strategic Assessment Guidelines is provided below.

8.1.1 Why is an Amendment Required?

The Amendment is required to facilitate the development of housing to meet the forecast requirements of the *Housing and Population Strategy (2013)* on land which has been identified for residential development under the *Hume Regional Growth Plan (2014)*.

Due to the sewerage constraints, Wangaratta faces a scenario whereby the nominated North-West and South-West Growth Area can provide the 15 years supply of residentially zoned land in the long term but cannot deliver housing in the short-medium term. As a result, a severe shortage of titled lots to manage existing and forecast population growth has resulted in a severe housing shortage in both the homeowner and rental market segments.

By facilitating the development of a wastewater treatment plant will deliver the amendment will provide sewerage capacity to facilitate the development of 350 new dwellings within southern Wangaratta including approximately 250 dwellings on the land at Lot 2 PS744661D Wangaratta-Whitfield Road, Wangaratta and 100 dwellings within the Wangaratta Southern Growth Area.

The amendment will also remove the risk of land which enjoys excellent access to existing jobs, schools, services and public transport infrastructure from being underdeveloped at low densities for low-density housing in a manner that is contrary to the Planning Policy Framework and would permanently compromise the delivery of conventional/higher density housing on the land.

The combined planning scheme amendment and planning permit and associated wastewater treatment plant will provide a net community benefit by facilitating the delivery of:

- a critical supply of additional housing within Wangaratta including (approximately):
 - 250 dwellings on the Wangaratta-Whitfield land
 - 100 dwellings within the Wangaratta South Growth Area
- a network of landscaped public open space and active transport pathways through southern Wangaratta; and
- a sustainable source of Class A recycled water to irrigate sporting fields within Targoora Park and Cathedral College.

8.1.2 How does the Amendment Implement the Objectives of Planning in Victoria?

The Amendment implements the following objectives of planning in Victoria, contained in Section 4(1) of the Planning and Environment Act 1987:

(a) To provide for the fair, orderly, economic and sustainable use and development of land, by:

- Allowing for the residential development of land within the existing urban boundary of Wangaratta Regional City in response to forecast population growth.
- Facilitating the development of new housing land which has been identified as a location for residential development and housing growth in the Wangaratta Housing and Population Strategy (2013) and the Hume Regional Growth Plan (2014).
- Preventing the underdevelopment of land which is capable of providing for higher density housing.

- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity:
 - Facilitating the efficient and appropriate use of established urban land, thereby reducing pressure on land outside Wangaratta Regional City urban area.
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria by:*
- Ensuring the scale, form and quantity of residential development responds appropriately to the surrounding context of Wangaratta and optimises access to existing jobs, services, schools and public transport infrastructure.
 - Facilitating the development of a secure and provide a pleasant, amenable, and safe living environment.
- (e) 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, by:*
- Applying the Public Use Zone to land that will be developed for a wastewater treatment plant and associated access ways and recycled water storage.
 - Facilitating the development of the land in a coordinated manner in accordance with a services strategy.
- (f) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e), by:*
- Facilitating the residential development of the land in a coordinated manner.
- (g) To balance the present and future interest of all Victorians, by:*
- Providing increased housing supply in an appropriate and strategically supported location and in a form and scale which will be consistent with the existing neighbourhood character of Wangaratta Regional City.
- The Amendment implements the following objectives of planning in Victoria, contained in Section 4(1) of the Planning and Environment Act 1987:

8.1.3 How does the Amendment Address the Environmental Effects & Any Relevant Social & Economic Effects?

The amendment positively addresses environmental effects by:

- Protecting the surrounding agricultural areas by maintaining clear township boundaries and not extending residential development into land currently zoned for agricultural purposes.
- Facilitating the development of housing on land with minimal native vegetation that can be largely maintained within the required public open space areas.
- Facilitating the delivery of wastewater treatment plant that will deliver Class A recycled water to irrigate surrounding open space.

The amendment positively addresses social effects by:

- Contributing to housing diversity by providing for a framework that can facilitate a variety of residential dwellings.
- Facilitating the delivery of a wastewater treatment plant that will facilitate the development of plant of approximately 100 lots within Wangaratta's Southern Growth Area.
- Providing additional housing supply including smaller lots to assist in the supply, diversity and affordability of housing in Wangaratta.
- Minimising the pressure on community services and infrastructure within surrounding townships by providing for additional residential development within an area that has access to existing services and infrastructure.
- Facilitating future housing in proximity to existing infrastructure, services and jobs.
- Increase the quantity of high quality, diverse and well-integrated open spaces within Wangaratta.
- Facilitating the delivery of high-quality new pedestrian and cycling networks through the Site that will encourage active lifestyles and facilitate improved access to existing communities.

The amendment positively addresses economic effects by:

- Increasing the supply of housing within Wangaratta to cater for forecast population growth and provide housing for workers.
- Providing housing in response to forecast population growth in Wangaratta to assist in the ongoing viability of existing services and schools
- Increasing the retail catchment within proximity of the Wangaratta Central Activities Area and the Wangaratta South Neighbourhood Activity Centre.

8.1.4 Does the Amendment Comply with the Requirements of Any Minister’s Direction Applicable to the Amendment?

The Amendment has been assessed against the requirements of *Ministerial Direction 1 – Potentially Contaminated Land*. Given that the current and previous use of land the land has been limited to pasture for the grazing of livestock, the land has not been subject to contaminating activities that would lead the Site to be potentially contaminated under *Planning Practice Note 30 (Land uses with potential to contaminate land)*. As such, the Amendment is considered to comply with the relevant requirements of Ministerial Direction 1.

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987 and meets the requirements of *Ministerial Direction No 11 Strategic Assessment of Amendments*.

The Amendment will follow timelines for authorisation, exhibition, arranging a panel if required in accordance with *Ministerial Direction No 15 – The Planning Scheme Amendment Process*.

The Amendment was referred to the Environment Protection Authority by the Planning Authority prior to the authorisation of the Amendment in accordance with *Ministerial Direction No 19 – Environmental Protection Authority*.

In response to comments received from the Environment Protection Authority the amendment documentation was revised to include an assessment against Ministerial Direction 1 – Potentially Contaminated Land and North East Water have provided written confirmation that it will be the owner and operator of the waste water treatment plant within the proposed Public Use Zone.

8.1.5 How does the Amendment support or implement the Planning Policy Framework and any adopted State Policy?

The Amendment is consistent with the objectives and strategies of the State Planning Policy Framework by enabling future residential development within the Urban Growth Boundary that can provide for increased housing supply in proximity to existing infrastructure, services and jobs while respecting the character of Wangaratta.

The Amendment is consistent with the following objectives of the Planning Policy Framework:

- *‘To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.’ (Clause 11.01-1S Settlement)*
- *‘To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.’ (Clause 11.02-1S – Supply of urban land)*
- *‘To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.’ (Clause 15.01-1S Urban design)*
- *‘To facilitate well-located, integrated and diverse housing that meets community needs.’ (Clause 16.01-1S Housing supply)*
- *‘To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport’ (Clause 18.01-1S Land use and transport planning).*
- *To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.’ (Clause 19.03-3S Integrated water management).*

At a local level, the Amendment is consistent with the following Strategies of the Planning Policy Framework

- *‘Locate the majority of residential development in Wangaratta Regional City.’ (Clause 16.01-1L Housing supply).*

- *'Support infill development in the Low Density Residential Zone areas of Waldara and south of Mason Street' (Clause 16.01- 1L Housing supply).*
- *'Support the renewal and upgrading of existing sewerage, water supply and stormwater management networks to address current problems and meet emerging needs in the regional city, townships and rural townships.'* (Clause 19.03-3L Integrated water management)

8.1.6 How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports the MPS by facilitating residential growth within Wangaratta which is acknowledged within the MPS 'Regional City' with an opportunity for significant residential growth.

8.1.7 Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the VPP's through the application of the General Residential Zone to facilitate the supply of new housing in proximity to existing jobs, services, and public transport infrastructure which responds appropriately to the character of the existing regional city.

The General Residential Zone is considered the most appropriate VPP to facilitate the development of land which meets the criteria of a substantial change area in accordance with Planning Practice Note 90 and 91.

The application of the General Residential Zone to a large greenfield site within an existing regional city is fully in accordance with the following purpose of the General Residential Zone, being:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly 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.*

In accordance with PPN90 and PPN91, the General Residential Zone is the most appropriate VPP tool to manage the development of a strategic development site, by providing for the residential development of the land as conventional dwellings generally of one-two storeys in height.

The application of the General Residential Zone will ensure the future residential development will:

- Provide a minimum garden area of at least 25% of the lot area to provide a landscape setting for future dwellings.
- Be developed in accordance with the requirements of Clause 54 of the Wangaratta Planning Scheme.
- Not be developed above three storeys in height.

The application of the Public Use Zone to land that is to be developed by a State Government authority for a wastewater treatment plant and associated recycled water storage is fully consistent with the purpose of the Public Use Zone, being:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

8.1.8 Does the Amendment address relevant bushfire risk?

The amendment is informed by Bushfire Planning Report which considered the risk of bushfire to people, property and community infrastructure.

In accordance with the Bushfire Planning Report the amendment appropriately addresses bushfire risk by

- *directing housing population growth into an area where bushfire risk can be appropriately managed through the subdivision design, there is access to water for firefighting purposes and multiple access points for emergency services; and*

- *setting back northern and western lots behind boundary roads and public open space to ensure that the amendment will not facilitate the residential development of land that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*

The Amendment does not result in any changes to the Bushfire Management Overlay or any bushfire risk assessments, nor is land within the Bushfire Management Overlay.

8.1.9 How does the Amendment Address the views of any relevant agency?

The exhibition of the amendment will provide a formal opportunity for all relevant stakeholders to provide comments on the proposal. The views of relevant agencies will be sought during the public exhibition process.

The views of the Country Fire Authority and North East Water has informed the preparation of the Amendment.

The views of North East Water have informed the design of the wastewater treatment infrastructure which is reflected on in the extent of land to be rezoned to Public Use Zone.

In response to the consultation with the Country Fire Authority, the proposed subdivision of the land was revised to ensure that no lots exceeded a BAL-12.5 rating under *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2018)*.

8.1.10 Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The Transport Integration Act 2010 establishes a framework for the provision of an integrated and sustainable transport system in Victoria. The Act provides for a system in which all transport activities and modes work together and recognises the interdependency of transport and land use.

The Amendment complies with the relevant requirements of the Transport Integration Act 2010, specifically Part 2, Division 2, 11 (Integration of transport and land use).

The Amendment will facilitate development that integrates with and promotes a sustainable transport system to better address transport accessibility, housing affordability and sustainable communities. This integration will ensure that the transport system can support the land-use outcomes as foreshadowed by this amendment and similarly that the proposed land use patterns support the use of an integrated transport system.

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

The consideration and implementation of the amendment and the future development are not anticipated to give rise to any unreasonable resource or administrative costs for Council.

Appendix B Clause 56 Assessment

Purpose

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
 - Metropolitan Melbourne growth areas.
 - Infill sites within established residential areas.
 - Regional cities and towns.
- To ensure residential subdivision design appropriately provides for:
 - Policy implementation.
 - Liveable and sustainable communities.
 - Residential lot design.
 - Urban landscape.
 - Access and mobility management.
 - Integrated water management.
 - Site management.
 - Utilities.

Application

These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation

The provisions of this clause contain:

Objectives – An objective describes the desired outcome to be achieved in the completed subdivision.

Standards – A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement

Requirement An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone

Certification of Standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.

Clause 56.02 – Policy Implementation

Clause 56.02-1 – Strategic Implementation

Objectives To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Achieved

Standard C1 An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.

Complies with the standard

Clause 56.02-1 – Strategic Implementation Assessment

The Application is consistent with the relevant State and local planning policies of the Wangaratta Planning Scheme as demonstrated in Section 7.1 of this report.

Clause 56.03 – Liveable and Sustainable Communities

Clause 56.03-1 – Compact and Walkable Neighbourhoods

Objectives To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.
To allow easy movement through and between neighbourhoods for all people.

Achieved

Standard C2 A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
 - Clause 56.03-2 Activity centres
 - Clause 56.03-3 Planning for community facilities
 - Clause 56.04-1 Lot diversity and distribution
 - Clause 56.06-2 Walking and cycling network
 - Clause 56.06-3 Public transport network
 - Clause 56.06-4 Neighbourhood street network
 - Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.
 - Shows the layout of the subdivision in relation to the surrounding area.
 - Is designed to be accessible for people with disabilities.
-

Complies with the objective

Clause 56.03-1 – Compact and Walkable Neighbourhoods Assessment

The Application is proximate (generally within 800m) to existing residential areas, public open spaces, public transport services and a 1,100 student P-12 school (Cathedral College).

In accordance with Clause 56.04-1, the Application provides a range of lot sizes to facilitate the development of single dwellings of varying sizes and rear-loaded, attached/semi-detached dwellings on smaller lots. All of the proposed lots are greater than 300m² within a permeable neighbourhood street network that integrates pedestrian and cycling infrastructure.

Accordingly, the Application achieves the objectives of Clause 56.04-1 Lot diversity and distribution, Clause 56.06-2 Walking and cycling network, Clause 56.06-3 Public transport network and Clause 56.06-4 Neighbourhood street network.

Clause 56.03-2 – Activity Centre

Objectives To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Not Applicable

Standard C3 A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
 - Served by public transport that is connected to the regional public transport network.
 - Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
 - Located on arterial roads or connector streets.
 - Of appropriate size to accommodate a mix of uses that meet local community needs.
 - Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
-

Not Applicable

Clause 56.03-2 – Activity Centre Assessment

The Application does not seek the development of a new activity centre as the Site is proximate to the future Neighbourhood Activity Centre identified in the Southern Growth Area Structure Plan and within 4km of the Wangaratta Central Activities Area.

Clause 56.03-3 – Planning for Community Facilities

Objectives To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Not Applicable

Standard C4 A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Not Applicable

Clause 56.03-3 – Planning for Community Facilities Assessment

The Application does not include community facilities. It is noted that the Southern Wangaratta Growth Area Structure Plan/Development Contributions Plan did not identify a requirement for additional communal facilities in Wangaratta's southern growth corridor.

Clause 56.03-4 – Built Environment

Objectives To create urban places with identity and character

Achieved

Standard C5 The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Complies with the standard

Clause 56.03-4 – Built Environment Assessment

The Application fosters a sense of place through the inclusion of landscaped open space network that integrates parkland, wetlands, waterways, pedestrian/active transport infrastructure and native trees.

The landscape character is reinforced through landscaped streetscapes with substantial street trees which will create identity throughout the proposed subdivision.

Clause 56.03-5 – Neighbourhood Character

Objectives To design subdivisions that respond to neighbourhood character

Achieved

Standard C6 Subdivision should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.

Complies with the standard

Clause 56.03-5 – Neighbourhood Character Assessment

The Application respects and complements the existing character of Wangaratta residential areas by maintaining all (living) native trees on the Site, providing a landscaped character incorporating street trees, facilitating the development of lots at a scale generally of 1-2 storeys.

Clause 56.04 – Lot Design

Clause 56.04-1 – Lot Diversity and Distribution

Objectives To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Achieved

Standard C7 A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:

- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.
Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Complies with the objective

Clause 56.04-1 – Lot Diversity and Distribution Assessment

Provides for increased housing choice through the creation of lots ranging from 328m² to 801m² conventional lots and three superlots (1,960m²-2,349m²) which will be developed for multiple dwellings in accordance with the requirements of Clause 55 of the Wangaratta Planning Scheme.

The range of lot sizes will facilitate a landscaped neighbourhood character by fronting smaller lots to public open space and providing for the retention of native trees within larger lots. The range of lot sizes will also provide a diverse housing offer within the Site, the Wangaratta township and the wider municipality.

The Site is within walking distance of the existing 402 bus stop on Wenhams Lane (approximately 400m to the north of the Site). Additionally, the Application does not prejudice the upgrading of Clarkes Lane to support a future bus services. If two future stops are provided along the Site's Clarkes Lane boundary in the future, all lots will be within 400m of a bus stop.

Clause 56.04-2 – Lot Area and Building Envelopes

Objectives To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Achieved

Standard C8 An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
- If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988 or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

Complies with the objective

Clause 56.04-2 – Lot Area and Building Envelopes Assessment

In accordance with the standard, the proposed lots are rectangular and orientated east-west or north-south to enable the appropriate siting and construction of a dwelling with good solar access, private open space, vehicle access and parking, water management, easements and planting of vegetation.

All of the proposed lots can contain a rectangular building envelope measuring 10 metres by 15 metres.

The proposed lots will be capable of being developed for buildings envelopes in accordance with the standard.

Clause 54.04-3 – Solar Orientation of Lots

Objectives To provide good solar orientation of lots and solar access for future dwellings.

Achieved

Standard C9 Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.
Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

Complies with the standard

Clause 54.04-3 – Solar Orientation of Lots Assessment

In accordance with the standard, the proposed lots are rectangular and orientated east-west or north-south.

Clause 56.04-4 – Street Orientation

Objectives To provide a lot layout that contributes to community social interaction, personal safety and property security.

Achieved

Standard C10 Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

Complies with the standard

Clause 56.04-4 – Street Orientation Assessment

All proposed lots and proposed dwellings of the subdivision are oriented to address either the proposed road network or the proposed open space network to maximise passive surveillance of public realm areas.

Clause 56.04-5 – Common Area

Objectives To identify common areas and the purpose for which the area is commonly held.
To ensure the provision of common area is appropriate and that necessary management arrangements are in place.
To maintain direct public access throughout the neighbourhood street network.

Not applicable

Standard C11 An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.

Not applicable

Clause 56.04-5 – Common Area Assessment

The Application does not propose the creation of common areas.

Clause 56.05 – Urban Landscape

Clause 56.05-1 – Integrated Urban Landscape

- Objectives**
- To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.
 - To incorporate natural and cultural features in the design of streets and public open space where appropriate.
 - To protect and enhance native habitat and discourage the planting and spread of noxious weeds.
 - To provide for integrated water management systems and contribute to drinking water conservation.
-

Achieved

- Standard C12**
- An application for subdivision that creates streets or public open space should be accompanied by a landscape design.
- The landscape design should:
- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
 - Create attractive landscapes that visually emphasise streets and public open spaces.
 - Respond to the site and context description for the site and surrounding area.
 - Maintain significant vegetation where possible within an urban context.
 - Take account of the physical features of the land including landform, soil and climate.
 - Protect and enhance any significant natural and cultural features.
 - Protect and link areas of significant local habitat where appropriate.
 - Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
 - Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
 - Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
 - Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
 - Provide for walking and cycling networks that link with community facilities.
 - Provide appropriate pathways, signage, fencing, public lighting and street furniture.
 - Create low maintenance, durable landscapes that are capable of a long life.
 - The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.
-

Complies with the objective

Clause 56.05-1 – Integrated Urban Landscape Assessment

The landscape masterplan identifies public open spaces and streetscapes that have been designed to enhance the pedestrian environment and the neighbourhood character through an integrated landscaping and planting approach. It is considered that a planning permit condition will be the most effective measure to manage the detailed design in accordance with the Landscape Masterplan.

Clause 56.05-2 – Public Open Space Provisions

- Objectives**
- To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.
 - To provide a network of public open space that caters for a broad range of users.
 - To encourage healthy and active communities.
 - To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.
 - To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.
-

Achieved

**Standard
C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.

Provide a network of well-distributed neighbourhood public open space that includes:

- Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
- Additional small local parks or public squares in activity centres and higher density residential areas.
- Active open space of at least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
 - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
 - Sufficient to incorporate two football/cricket ovals
 - Appropriate for the intended use in terms of quality and orientation
 - Located on flat land (which can be cost effectively graded)
 - Located with access to, or making provision for, a recycled or sustainable water supply
 - Adjoin schools and other community facilities where practical
 - Designed to achieve sharing of space between sports.
- Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
 - Be linked to existing or proposed future public open spaces where appropriate.
 - Be integrated with floodways and encumbered land that is accessible for public recreation.
 - Be suitable for the intended use.
 - Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
 - Maximise passive surveillance.
 - Be integrated with urban water management systems, waterways and other water bodies.
 - Incorporate natural and cultural features where appropriate.
-

Complies with the standard

Clause 56.05-2 – Public Open Space Provisions Assessment

The Application incorporates both encumbered and unencumbered areas of open space to provide all lots access to a park and linear trails within 400m.

Targoora Park provides active open space within 1 km of all proposed lots.

In accordance with the standard, the proposed public open space:

- connects to existing public open space and linear trails within Targoora Park, along One Mile Creek and the Wangaratta-Whitfield Road intersection;
 - is suitable for the intended use of passive recreation;
 - is located to facilitate passive surveillance from the proposed dwellings and public roads;
 - integrates the stormwater retention basin; and
 - incorporates native vegetation retention areas.
-

Clause 56.06 – Access and Mobility Management

Clause 56.06-1 – Integrated Mobility Objectives

Objectives To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.
To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.
To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Achieved

Standard C14 An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network
- Clause 56.06-4 Neighbourhood street network.

Complies with the standard

Clause 56.06-1 – Integrated Mobility Assessment

The subdivision design ensures that the site provides connectivity and facilitates a high level of movement through the development of an integrated public open space network extending north-south through the Site and the inclusion of footpaths and cycle lanes on both sides of proposed roads.

Clause 56.06-2 – Walking and Cycling Network

Objectives To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.
To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.
To reduce car use, greenhouse gas emissions and air pollution.

Achieved

Standard C15 The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

Complies with the standard

Clause 56.06-2 – Walking and Cycling Network Assessment

The proposed subdivision design is developed to promote walking and cycling to everyday services, amenities and open spaces.

Due to the impervious nature of the Site's northern boundary (due to Cathedral College) and western boundary (due to One Mile Creek), pedestrian/cycling connections to the Site are significantly constrained by the surrounding context of the Site.

Given the impervious nature of the Site's interfaces with Cathedral college and One Mile Creek, there are only three potential access points to the Site, being:

- Clarkes Lane along the southern boundary;
- Milnes Creek Drive/One Mile Creek path in the north-west corner of the Site;
- Wangaratta/Whitfield Road in the north-east corner of the Site.

In response to the Site's context the proposed subdivision concept plan prioritises the pedestrian/cycling paths which can connect to the available external access points. Given the irregular shape of the Site, the two priority routes, in combination with the low-speed road environment will provide appropriate pedestrian and cycling connectivity by providing:

- A north-south shared path along the western boundary of the Site (adjoining One Mile Creek) providing a connections between Clarkes Lane and Milnes Creek Drive.
- An east-west shared path along Clarkes Lane and extending to connect to the exiting cycle path along Wangaratta-Whitfield Road.

The internal road network provides for a safe and permeable network for pedestrians and cyclists and allows for easy access around the development.

Clause 56.06-3 – Public Transport Network

Objectives To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.
To encourage maximum use of public transport.

Achieved

Standard C16 The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
 - Safe and direct movement between activity centres without complicated turning manoeuvres.
 - Direct travel between neighbourhoods and neighbourhood activity centres.
 - A short and safe walk to a public transport stop from most dwellings.

Complies with the objective

Clause 56.06-3 – Public Transport Network Assessment

The Site does not directly adjoin any existing or planned public transport routes.

The Application sets back the residential lots to ensure that the Application does not prejudice the upgrading/widening of Clarkes Lane to a connector road standard capable of supporting a future bus service (if pursued by Council/the Department of Transport and Planning).

Clause 56.06-4 – Neighbourhood Street Network

Objectives To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

Achieved

**Standard
C17**

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation's arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
 - Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
 - Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
 - Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
 - Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
 - Provide an appropriate level of local traffic dispersal.
 - Indicate the appropriate street type.
 - Provide a speed environment that is appropriate to the street type.
 - Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
 - Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
 - Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
 - Minimise the provision of culs-de-sac.
 - Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
 - Facilitate solar orientation of lots.
 - Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
 - Contribute to the area's character and identity.
 - Take account of any identified significant features.
-

Complies with the objective

Clause 56.06-4 – Neighbourhood Street Network Assessment

The subdivision layout forms a coherent and logical movement network, allowing for safe and convenient access to points of interest and effective integration with surrounding residential developments.

The proposed road network will provide adequate clearances to cater for the access requirements of service and emergency vehicles and are generally in accordance with the requirements of Table C1.

The forecast daily traffic volumes for the internal road network are well within the recommended volume limits specified in Table C1 of Clause 56.06.

Clause 56.06-5 – Walking and Cycling Network Detail

Objectives To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.
To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Achieved

Standard C18 Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
 - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
 - Discharge of urban run-off.
 - Preservation of all-weather access.
 - Maintenance of a reasonable, comfortable riding quality.
 - A minimum 20 year life span.
- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

Complies with the objective

Clause 56.06-5 – Walking and Cycling Network Detail Assessment

The subdivision layout has been designed to facilitate high levels of circulation and permeability, encouraging walking and bicycle trips within the Site.

Proposed pedestrian paths are integrated with the street pattern and public open space network.

The road and path widths also enhance personal safety and provide for people with impaired mobility.

It is considered that detail design matters can be managed via permit conditions.

Clause 56.06-6 – Public Transport Network Detail

Objectives To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.
To provide public transport stops that are accessible to people with disabilities.

Not applicable

Standard C19 Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority. Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers. The design of public transport stops should not impede the movement of pedestrians. Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.
- Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.
- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

Not Applicable

Clause 56.06-6 – Public Transport Network Detail Assessment

The proposed roads do not form part of the existing or proposed Principal Public Transport Network. However, the Application allows for the widening of Clarkes Lane to a Collector Road standard (24m) capable of supporting future public transport services.

Clause 56.06-7 – Neighbourhood Street Network Detail

Objectives To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

Achieved

Standard C20 The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
 - Enable the carriage of vehicles.
 - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
 - Safe passage of pedestrians, cyclists and vehicles.
 - Discharge of urban run-off.
 - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
 - Perform the required integrated water management functions.
 - Delineate the edge of the carriageway for all street users.
 - Provide efficient and comfortable access to abutting lots at appropriate locations.
 - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.
- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
- Water sensitive urban design features.

- Location and species of proposed street trees and other vegetation.
- Location of existing vegetation to be retained and proposed treatment to ensure its health.
- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.

Complies with the objective

Clause 56.06-7 – Neighbourhood Street Network Detail Assessment

The proposed road designs are generally in accordance with Table C1 to accommodate 2-way traffic and footpaths on both sides. The neighbourhood street network design enhances personal and property safety with appropriate street widths which provide for a low speed environment as well as direct and convenient access around the development. The road network throughout the Site is designed to provide a high level of accessibility through a connective series of access streets.

A detailed assessment regarding the proposed road street network is provided in the Traffic Impact Assessment submitted as a part of the Application.

It is considered that detail matters including street furniture, lighting, mail boxes et cetera are managed via a permit condition.

Clause 56.06-8 – Lot Access

Objectives To provide for safe vehicle access between roads and lots.

Achieved

Standard C21 Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.
 Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.
 The design and construction of a crossover should meet the requirements of the relevant road authority.

Complies with the standard

Clause 56.06-8 – Lot Access Assessment

The Application does not propose direct vehicle access between the proposed lots and Clarkes Lane or Wangaratta-Whitfield Road. All lots will be accessed via the internal street network.

The Application does not propose any lots less from than 300m².

Clause 56.07 – Integrated Water Management

Clause 56.07-1 – Drinking Water Supply

Objectives To reduce the use of drinking water.
To provide an adequate, cost-effective supply of drinking water.

Achieved

Standard C22 The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Complies with the standard

Clause 56.07-1 – Drinking Water Supply Assessment

The proposed lots will be adequately serviced for drinking water in accordance with the requirements of North East Water.

Clause 56.07-2 – Reused and Recycled Water

Objectives To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Not Applicable

Standard C23 Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Not Applicable

Clause 56.07-2 – Reused and Recycled Water Assessment

Non-drinking water is not available to the subject property and is not expected to be required by North East Water. The proposed IWM infrastructure (to be operated by North East Water) will provide a new irrigation source for Targoora Park and Cathedral College to allow water to be recycled and prevent the uses of drinking water for irrigation purposes as currently occurs.

Clause 56.07-3 – Waste Water Management

Objectives To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Achieved

Standard C24 Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.
- Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Complies with the standard

Clause 56.07-3 – Waste Water Management Assessment

The proposed development will be serviced via an Integrated Water Management (IWM) strategy that will allow the Application to be serviced within the constraints of the existing wastewater infrastructure.

The design and operational details of the IWM infrastructure are currently being resolved with North East Water. Once agreed, the IWM strategy/infrastructure will require approval from the Environmental Protection Authority.

Clause 56.07-4 – Stormwater Management

- Objectives**
- To minimise damage to properties and inconvenience to residents from stormwater.
 - To ensure that the street operates adequately during major storm events and provides for public safety.
 - To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
 - To encourage stormwater management that maximises the retention and reuse of stormwater.
 - To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
-

Achieved

- Standard C25**
- The urban stormwater management system must be:
- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
 - Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
 - Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.
 - Designed to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.
- For all storm events up to and including the 20% Average Exceedance Probability (AEP) standard:
- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
 - Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.
- For storm events greater than 20% AEP and up to and including 1% AEP standard:
- Provision must be made for the safe and effective passage of stormwater flows.
 - All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
 - Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).
- The design of the local drainage network should:
- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
 - Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
 - Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up.
 - Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
 - Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.
- Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
-

Complies with the standard

Clause 56.07-4 – Stormwater Management Assessment

Stormwater will be managed in accordance with the Stormwater Management Strategy submitted as a part of the Application.

In accordance with the Stormwater Management Plan, the detention and treatment of stormwater associated with the Application is proposed to be managed by a bioretention basin with a volume of 4,689m³ located within the western boundary of the Site and Cathedral College.

Clause 56.08 – Site Management

Clause 56.08 – Site Management

Objectives To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Achieved

Standard C26 A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.

Complies with objective

Clause 56.08 – Site Management Assessment

During the subdivision works, the Site, surrounds and any drainage infrastructure will be protected. The development of the Site will be managed via the building permit process and conditions on the permit requiring a Construction Environmental Management Plan.

Clause 56.09 – Utilities

Clause 56.09-1 – Shared Trenching

Objectives To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

Achieved

Standard C27 Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Complies with the standard

Clause 56.09-1 – Shared Trenching Assessment

Reticulated services for water, electricity and telecommunications will be provided in shared trenching where practicable.

Clause 56.09-2 – Electricity, Telecommunications and Gas

Objectives To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Achieved

Standard C28 The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.
Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.
The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology.
The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.
Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Complies with the standard

Clause 56.09-2 – Electricity, Telecommunications and Gas Assessment

All lots will be provided with electricity and telecommunications connections. Lots will be electric only and not connected to the reticulated gas network.

Electricity and telecommunications connections will be made available by extensions to the existing supply network.

Clause 56.09-3 – Fire Hydrants

Objectives To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Achieved

Standard C29 Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

Complies with objective

Clause 56.09-3 – Fire Hydrants Assessment

The Application provides sufficient space and services to allow for the installation of fire hydrants in accordance with the standard. It is requested that the final location of the fire hydrants be managed via a permit condition.

Clause 56.09-4 – Public Lighting

Objectives To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy

Achieved

Standard C30 Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.
Public lighting should be designed in accordance with the relevant Australian Standards.
Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.

Complies with objective

Clause 56.09-4 – Public Lighting Assessment

The Application provides sufficient space and services to allow for the installation of public lighting in accordance with the standard. It is requested that the final design and location of public lighting infrastructure be managed via a permit condition.
