



Rural City of
Wangaratta

Low Density and Rural Residential Strategy (Wangaratta)

Draft Additional Investigations Report
Oct 2023



Acknowledgement of Country:

We acknowledge the traditional owners of the lands of the Rural City of Wangaratta and pay our respects to their Elders past, present and emerging and commit to building a brighter future together.

Abbreviations:

Abbreviation	Term
BAO	Buffer Area Overlay
C1Z	Commercial 1 Zone
C2Z	Commercial 2 Zone
CFA	Country Fire Authority
DDO	Design and Development Overlay
EAO	Environmental Audit Overlay
ESD	Environmentally Sustainable Design
LDRZ	Low Density Residential Zone
MUZ	Mixed Use Zone
NECMA	North East Catchment Management Authority
PUZ	Public Use Zone

Version Control		
Version	Date	Purpose
V1	October 2023	Draft for Community Consultation

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1 Background

1.1 Strategy history

Council's Low Density and Rural Living Strategy (The Strategy) was prepared by Urban Enterprise, TGM and Nexus Planning to achieve:

- An analysis of the future needs for low density (LDRZ) and rural residential (RLZ) zoned land and respond with long term strategies and actions.

The Strategy was partially adopted by Council in December 2021 with the exception of all components relating to urban Wangaratta.

Council resolved that additional investigations should be undertaken into alternative areas around urban Wangaratta.

1.2 Action on the Adopted Strategy

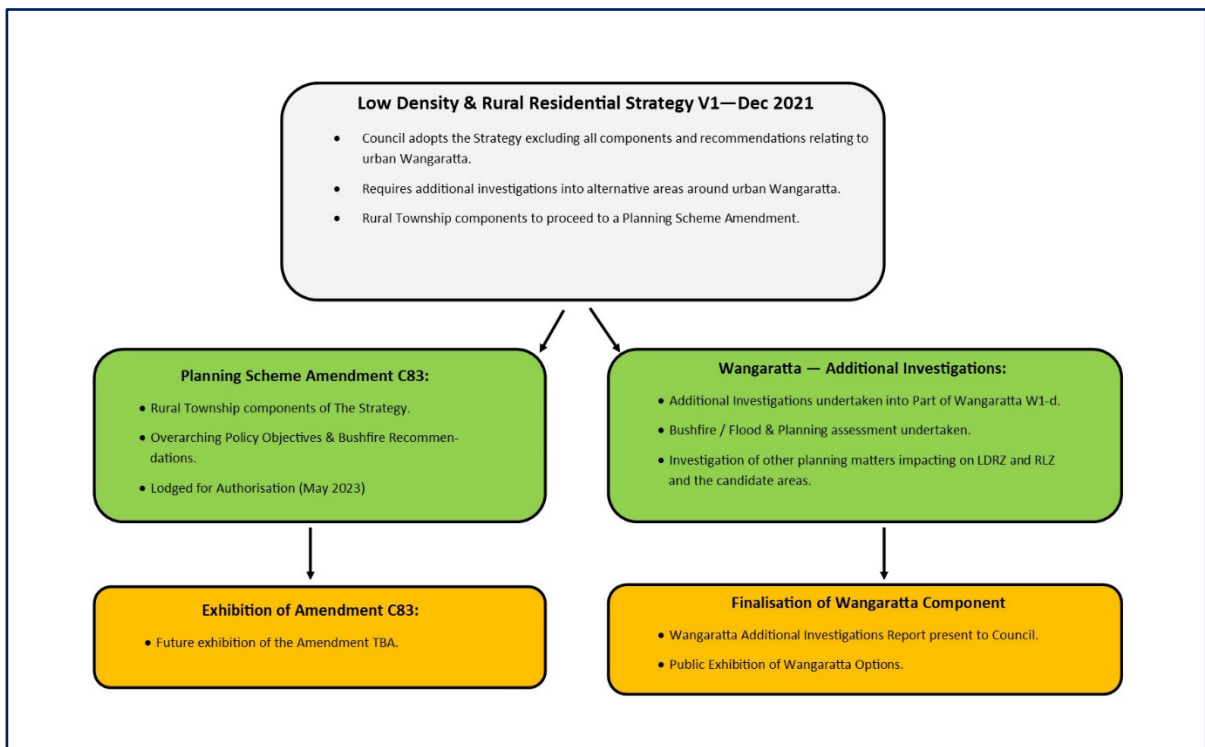
The adopted components of the Strategy which relate to the townships of Glenrowan, Milawa, Moyhu, Oxley and Springhurst have been drafted into a planning scheme amendment request. This request has been lodged for Authorisation with the Minister for Planning and proposes to:

- Make general policy changes to incorporate key elements of the LDRR.
- Rezone land in Oxley / Milawa and apply overlays as required.
- Update Local policy in relation to the Glenrowan / Milawa / Oxley township plans.

- Insert a local policy for LDRZ and RLZ for subdivision.

At the time of the preparation of this report, authorisation has not been granted to proceed with the proposed amendment for these rural components.

The flowchart below outlines the progress of the Strategy to date and the process adopted for each part following Councils Dec 2021 Adoption Decision.



1.3 Further Investigations and the role of this Report

This report has been designed to function as an addendum to the adopted Strategy and must be read in conjunction with the Strategy to provide the full background, context and directions pursued within this report.

Additional matters relating to Low Density and Rural Living land uses have been investigated and are included in this report, due to their impacts on the potential candidate areas for rezoning and general planning matters relating to these land uses.

The role of this report is now too:

1. Present the further investigations into alternative areas for Low Density and Rural Living around urban Wangaratta.
2. Provide a comparison against previously recommended areas for rezoning and outline a final vision and direction.
3. Investigate other planning matters impacting on LDRZ / RLZ including:
 - Planning Practice Note 37 – Rural Residential Development May 2023
 - Sustainable Development & Vegetation
 - Mixed Use land on Tone Road.
 - South Wangaratta Industrial Framework and Strategic Buffers.
 - Outbuilding in LDRZ

1.4 Strategy (V1) recommendations for Wangaratta

Supply & Demand

The Strategy is designed to provide suitable supply to the following four key market segments, based on a 30 year planning time frame:

- Large lot urban fringe
- Commuter lifestyle (Oxley & Milawa)
- King Valley (Moyhu)
- Rural Living

The planning period adopted for the Strategy is 30 years to ensure the consistent delivery of land and overcome the unique challenges of land supply and delivery within regional Victoria, in particular around the supply of Low Density and Rural Living.

This longer planning period was selected to ensure that Council can meet its obligations under State planning policy to ensure a minimum of 15 years supply of residential land is available and, to reflect the unique challenges for regional Councils.

These challenges include:

- Strategies of this nature are generally undertaken relatively infrequently,
- Land ownership is generally fragmented and development intentions are varied,
- Demand for different housing types can change quickly.

Therefore, a longer period enables a strategic approach to identifying suitable housing supply and a clear action plan that can be progressively implemented.

Candidate areas on the urban fringe of Wangaratta

The Strategy investigated four candidate areas around Wangaratta including the ability for existing Low Density and Rural Living Zones to be further intensified through a change in the associated schedule governing the minimum lot size for subdivision.

The Strategy recommended that the areas known as Wangaratta W-1C (South and North West) be taken forward as the options for Wangaratta to supply both Low Density and Rural Living Zoned land, subject to applicable conditions and investigations.

Potential Projected Supply

The table below outlines the projected supply for the previously recommended areas, this level of supply is only for Wangaratta and forms part of the overall supply to be achieved across the Municipality under the Strategy:

Location	Areas designated for residential use.	Zone & Pref Lot Sizes	Indicative Lot Capacity	Indicative Timing
W-1C South	LDRZ preferred in eastern and northern sections. RLZ possible in the Western section, Airport Environs Overlay (AEO) and freeway interface subject to detailed planning.	LDRZ: 0.2ha RLZ: 2ha	LDRZ: 560 RLZ: 70	Short
W-1C North / West	All land outside of the Sth Wangaratta Strategic Buffer.	LDRZ: 0.2-0.4ha	LDRZ: 195	Short
		Total	LDRZ: 755 RLZ: 70	Short

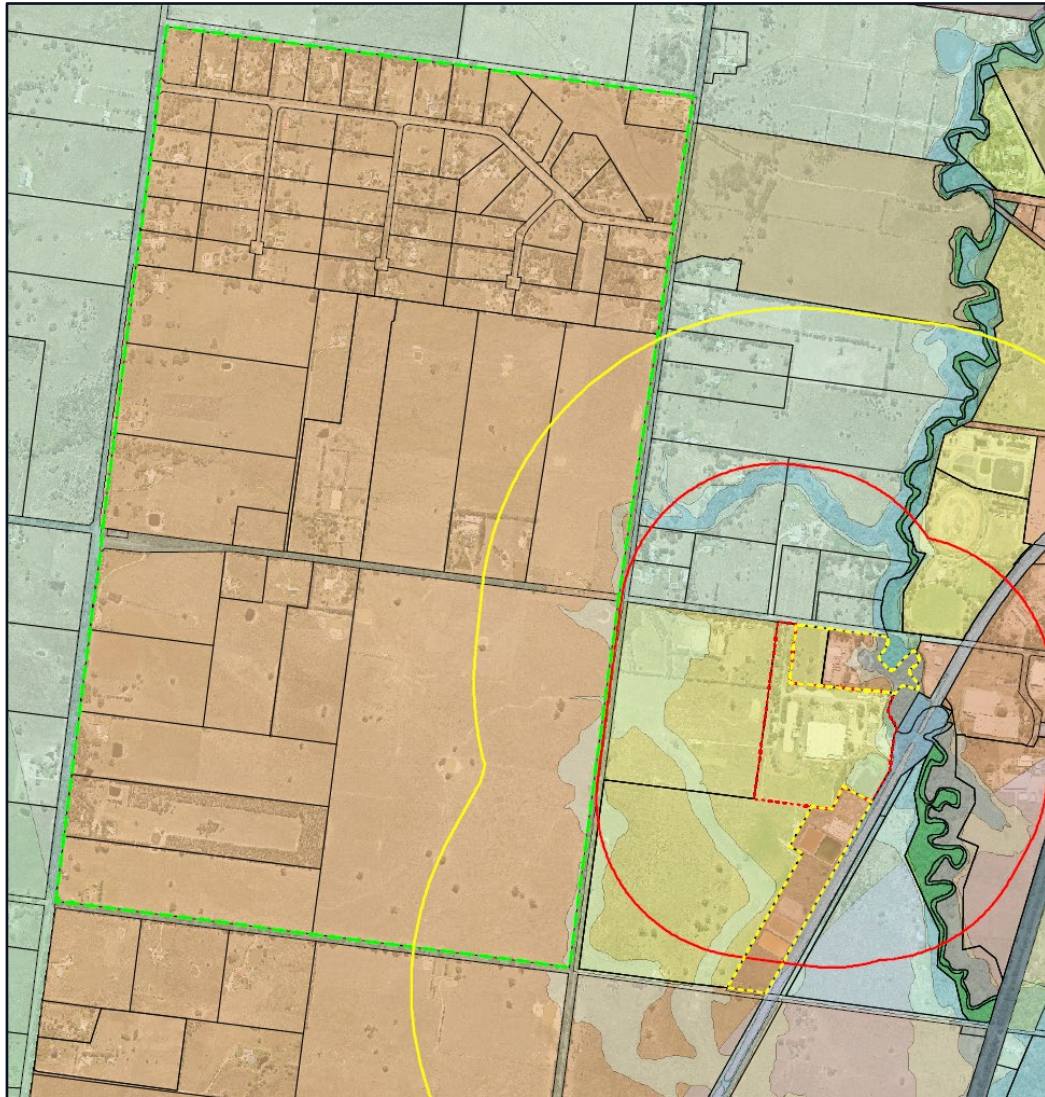
2. Wangaratta – (W-1D)

2.1 Area Description

Wangaratta W1-D was previously identified and investigated in V1 of the Strategy, but on balance the Strategy considered that the W1-C areas had stronger policy support to move forward as candidate areas.

This exercise has further investigated W-1D with a focus on a smaller position of the precinct as defined by the green outline below in map 1.

The area is generally bound by Warby Range Rd (West), Gravel Pit Road (South), Reith Road (East) and the Colson Drive RLZ subdivision (North).



Map 1: Wangaratta W1-D (green dashed line)

The area is currently a mix of a developed rural living subdivision (Colson Drive) to the north, characterised by lot sizes of around 2ha and generally developed with dwellings and associated outbuildings.

South of the Colson Drive subdivision the area can be defined as a mix of rural living lots generally between 5 to 16ha, intermixed with larger properties up to 96ha in size that are supporting some level of agricultural activity.

2.2 Bushfire Assessment and Response to Clause 13.02-1

The Strategic Bushfire Assessment undertaken by Nexus Planning as part of LDRR Strategy V1 concluded that:

“For this reason it is important to understand that in the case of Wangaratta there is the potential for one or more of these precincts to be identified as a lower bushfire risk location at the landscape/settlement scale but then not be identified as a suitable or preferred location following completion of the localised assessment.

It is important to note that in the case of Wangaratta the identification of the W-1a, W-1c and W-1d precincts as being lower bushfire risk locations at the landscape scale does not necessarily mean that each of these precincts are suitable for rezoning for rural lifestyle development.

In particular the hierarchical approach to settlement planning adopted in Clause 13.02-1S requires a consideration of which of those precincts is best suited to accommodating this form of development.

Specifically the assessment into W-1d advised that:

Landscape Assessment:

Lower bushfire risk township – refer to Table 1 for risk development rezoning for rural lifestyle suitable for consideration for factors. The township is suitable for consideration for rezoning for rural lifestyle developments.

Localised Assessment

This sub-precinct is located to the south-west of the township which is within the highest bushfire risk aspect for the town.

Conclusion

Further subdivision of this land is not recommended having regards to the advice of the CFA about the impact of rural lifestyle development on restricting fire suppression

activities when compared to larger open farming lots.

The closer assessment of Wangaratta found that the Wangaratta 1d precinct and surrounding area is “located in the highest bushfire risk aspect of the town” and that “further subdivision is not recommended having regard to the advice of the CFA...” (p.41).

As a result, the Wangaratta 1d precinct and nearby areas at the south-western interface to the town are not suitable for further consideration given there are lower risk alternatives to provide land supply at the periphery of the Wangaratta urban area.”

This further investigations report, seeks to re-visit this precinct as an alternative to the previously recommended Wang W1-C (South & North West).

For this exercise additional in-depth investigations have been undertaken into the bush fire risks around this precinct and Practical Ecology have been engaged to undertake this exercise.

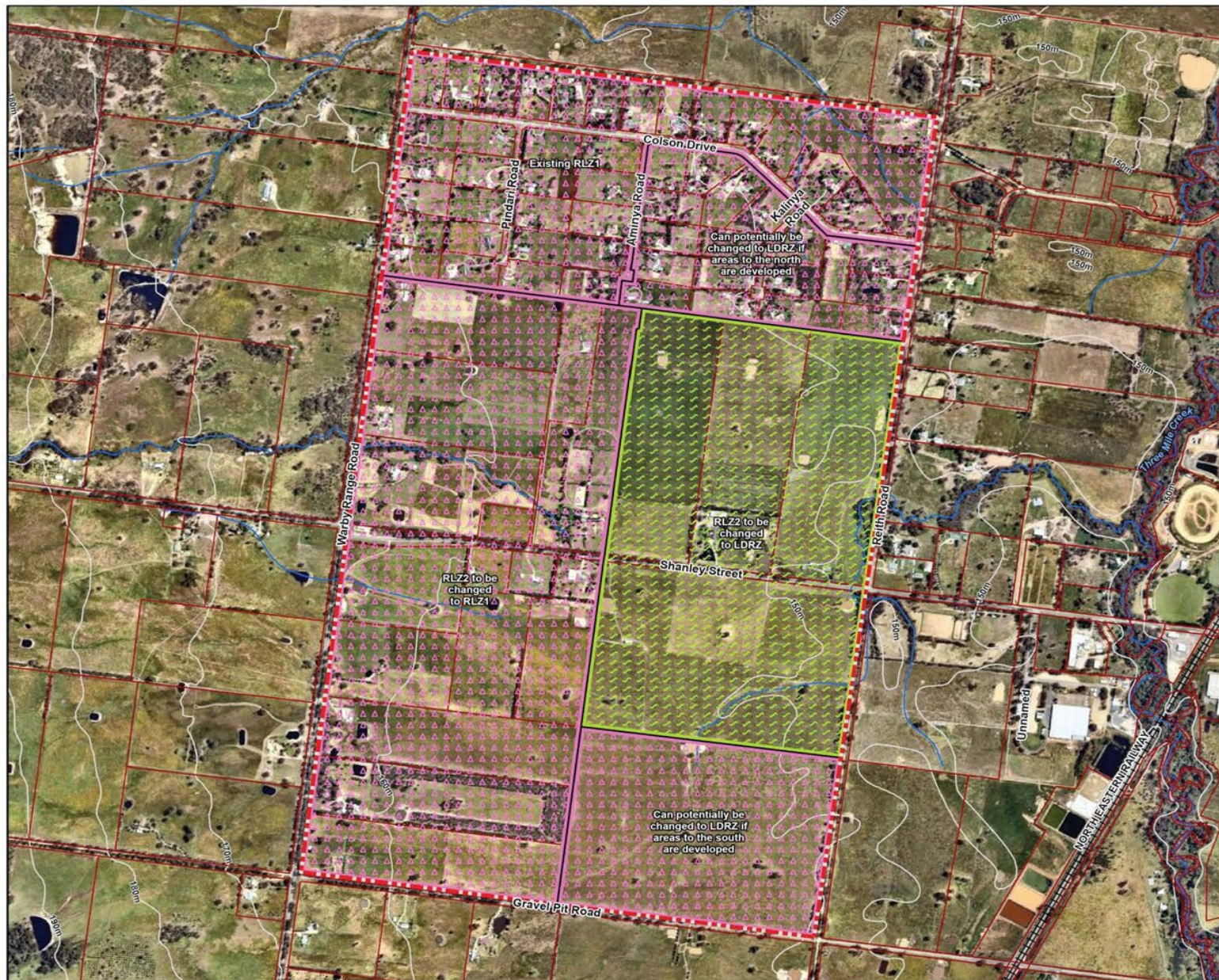
The full report can be found at Appendix A. In summary the report concludes that:

A mix of RLZ 1 and LDRZ could be accommodated with some specific design requirements:

- *48m setback from forest classified vegetation in the roadsides of Warby Range, Gravel Pit and Reith Rd and Shanley Street.*
- *Larger lots can be located on the western interface (RLZ1 (min 2ha).*
- *Perimeter roads are required, including perimeters between zone changes..*

The recommended zoning layout from a bushfire perspective is contained below (Map 2):

Map 2: Bushfire report –
Recommended zoning layout



Legend

- Subject Site
- Parcels
- Contours (10m)
- Natural watercourse
- Railways

Recommended zoning layout

- Rural Living Zone – Schedule 1 (RLZ1)
- Low Density Residential Zone (LDRZ)

Details

Mapping by: Ali Nia
 Date: 10/01/2023
 Version: 1
 Aerial photography from Nearmap (Nov. 2021).
 Data Source: Base layers courtesy of VicMap,
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Scale: 1:11,936 (Page size A3)

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Disclaimer
 Practical Ecology bears no responsibility for the accuracy and completeness of this information and any decisions or actions taken on the basis of the map. While information appears accurate at publication, nature and circumstances are constantly changing.

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2.3 Agency Review – Bushfire & Flooding

Bushfire:

The report and findings has been reviewed by the Country Fire Authority (CFA) who provided no objection to the report.

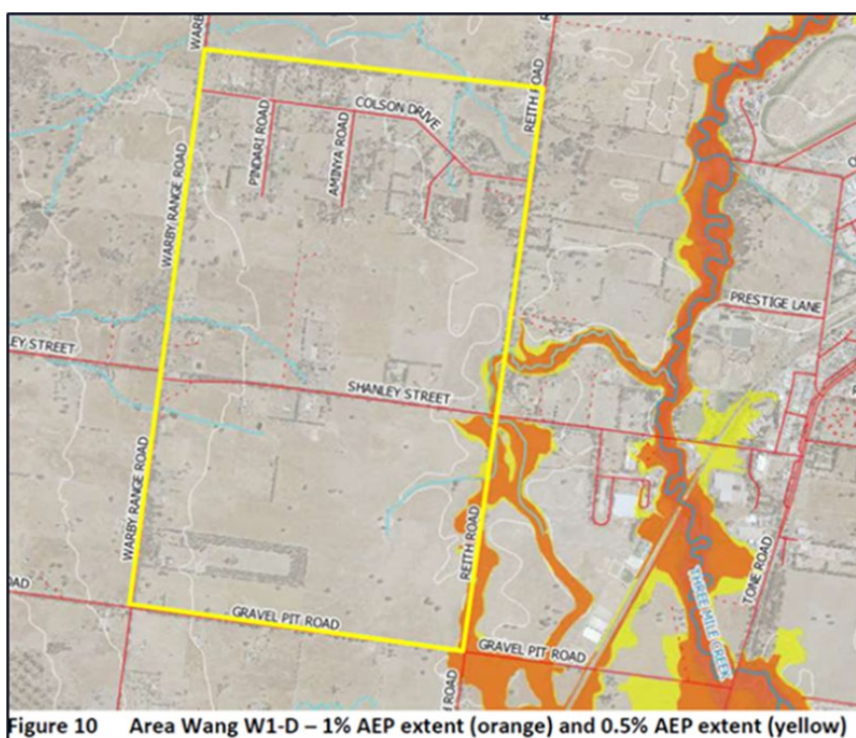
The CFA also confirmed the classification of the roadside vegetation being 'forest' was appropriate and that LDRZ lots could be established down to 0.2ha.

Overall, the above report and the review by the CFA demonstrates that the area can meet the requirements of Clause 13.02-1S subject to conditions.

The bushfire requirements provide a starting point for the precinct and further analysis must be considered against all other factors including the planning context.

This may result in an alternative outcome to that prescribed by the bushfire report but should not seek to intensify settlement in areas that are not suitable for intensification from a bushfire perspective.

Flooding:



Map 3: Flood Impacts – W1-D

The North East Catchment Management Authority (NECMA) have provided the following advice on the precinct and potential riverine flooding impacts.

NECMA have specifically advised:

- The existing LSIO on the southern part of Reith Road is based on the Wangaratta Flood Study 1% AEP mapping and reflects the breakout from Three Mile Creek near Glenrowan Road / Delloro Road (refer Figure 1).
- The western part of the area is relatively elevated terrain on the lower slopes of the

Warby Ranges (above approximate RL 151 m AHD) (refer Figure 2 and Figure 3).

- Lower lying land in the eastern part of W1-D (within approximately 500 m of Reith Road) is of low relief and is likely prone to impeded drainage and inundation from local runoff (refer Figure 3 and Figure 4).
- There is a drainage depression to the north of Colson Drive which is likely to experience poor drainage and seasonal inundation.
- Mapped waterways draining from the Warby Ranges terminate at the toe of the Warby Ranges slopes, just north and south of Shanley

Street and are likely to contribute to broader flooding in the eastern part of the site.

- *North East CMA holds no specific flood information or mapping in this area (beyond that in the Wangaratta Flood Study along Reith Road between Gravel Pit Road and Shanley Street).*
- *As a minimum it is recommended that any development in this area should give due consideration to local drainage paths and drainage conditions (which may be substantially altered by new roading and subdivision works).*
- *Inclusion of appropriate retardation and stormwater management measures, consistent with VPP Clause 56.07-4 Stormwater management objectives – Standard C25, to avoid detrimental impact on downstream waterways and properties would be required.*

- *A local flood assessment would be warranted to inform development planning, particularly for the eastern part of the area (i.e. within 500 m of Reith Road).*

NECMA have also included advice on the potential impacts of climate change on flooding which concludes that the best available representation is the 0.5% AEP event for the Wangaratta Urban Waterways. Further discussion of this issue is contained in Section 3.7 of this report including recommended actions for Council to undertake.

In relation to this precinct the 0.5 AEP extents are represented in yellow for comparison.

2.6 Wangaratta Planning Scheme Policy

The following section provides an assessment of the additional investigation area against the relevant requirements of the Wangaratta Planning Scheme.

Clause 11.03-6L South Wangaratta Strategic Directions Plan

The South Wangaratta Strategic Directions Plan and Buffer affects the eastern portion of precinct W-1D.

An in-depth discussion and consideration of the Sth Wangaratta Strategic Buffer is provided at Section 3.1 of this report.

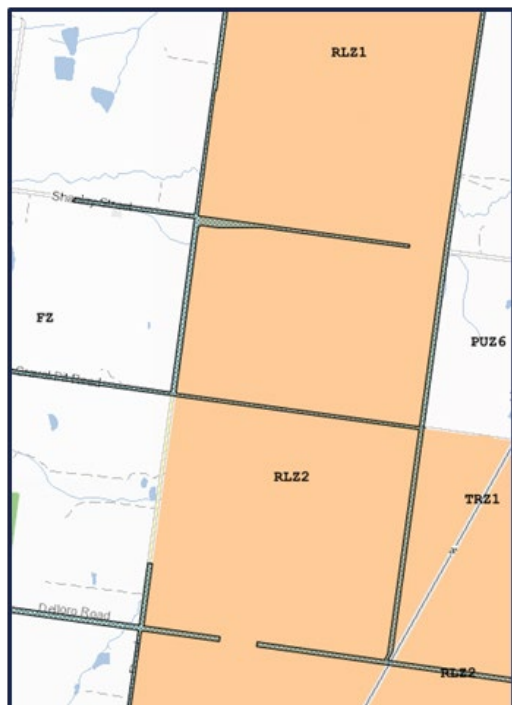
This section concludes that a pre-cautionary principle should be adopted to any rezoning of land affected by the buffer that would intensify a land use in particular the ability for sensitive uses (housing etc) to be established.

In relation to precinct W-1D this removes any consideration of Low Density within the eastern portion of the precinct which is within the buffer area.

Therefore, an alternative to the bushfire recommendation map should be developed which excludes any intensification of this area.

Vegetation Protection Overlay (VPO)

All major roads surrounding precinct W-1D are covered by Vegetation Protection Overlays (VPO) – Schedule 2 (Roadside Vegetation of Conservation Significance). (see Map 4 below)



Map 4: VPO2 extents and Precinct W-1D

This basis for this mapping was on Councils Roadside Conservation Management Plan 2014 and the objectives of this overlay are:

- *To protect and preserve roadside native vegetation of 'high conservation' significance identified in the Rural City of Wangaratta Roadside Conservation Management Plan 2014.*
- *Maintain and enhance flora and fauna habitat corridors.*

Councils Roadside Conservation Management Plan was reviewed, updated and adopted in 2022. This plan has downgraded three (Reith Rd, Shanley St, Gravel Pit Rd) of the boundary roads to this precinct and would if implemented via a planning scheme amendment remove the VPO.

There is currently no Council resolution to update the presents VPO's to reflect the new plan and therefore for the purpose of this exercise the VPO's are considered to remain and will trigger planning permit requirements as relevant.

Other Vegetation



The precinct consists of largely cleared land used for lifestyle purposes, grazing and other agricultural activities. There are however examples of significant trees in the form of scattered paddock trees and some plantings around dwellings and other infrastructure.

Protection of significant native vegetation falls to Clause 52.17 of the Scheme. This Clause has effective protection mechanisms at a broad precinct

and large lot scale, however, it has no power when lots are smaller than 4000sqm.

Prior to the rezoning of any land considered within this report additional investigations should be undertaken into the vegetation within the precincts and appropriate controls developed to ensure that significant vegetation is appropriately celebrated and protected in the future development of the areas to continue the contribution the vegetation makes to the character of the area and biodiversity of the region.

Recommended Future Actions:

Based on the findings, it is recommended that the following actions are undertaken to further support and guide considerations around vegetation in the candidate areas and across Wangaratta

1. That a planning scheme amendment be prepared to update the Vegetation Protection Overlay – Schedule 2 inline with the adopted mapping within this Strategy.

- Prior to the rezoning of any candidate areas under this study further investigations must be undertaken to ascertain the presence of significant vegetation and suitable planning controls created to celebrate this vegetation and ensure its on-going contribution to the area.

Wangaratta Freight and Land Use Study (2016)

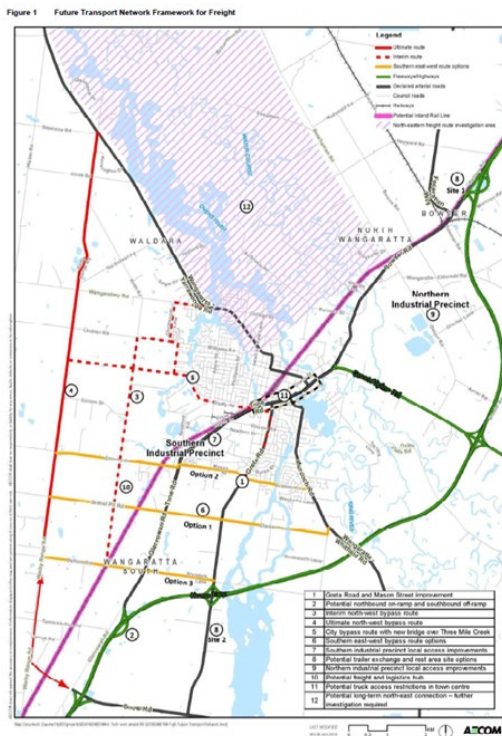
Councils adopted Freight By-pass Strategy seeks to create a freight / by pass around the town of Wangaratta on the western side. The Strategy has nominated Warby Range Road as the western most North-South road along with a number of possible East-West connecting roads which include Shanley Street, Gravel Pit Road and Arundel's Lane.

All of the Wangaratta precincts are affected by these potential road upgrades and in the case of the W-1D precinct, Warby Range Road, Shanley Street and Gravel Pit Roads are all nominated as possible routes.

Councils Infrastructure Department is currently investigating the ultimate route, and this will involve a process of public exhibition to the community and directly affected landowners and ultimately consideration by Council for adoption of the finalised route.

Until a point in time where Council has formally adopted a route, all options must be considered under this current exercise.

Future precinct planning will have to consider these potential interfaces, including limiting access on to these routes, vegetation impacts and noise etc. All possible routes have been nominated on all of the candidate areas being considered under this report.



Map 5: Wangaratta Freight and Land Use Strategy (2016)

Planning Practice Note 37 - Rural Residential Development

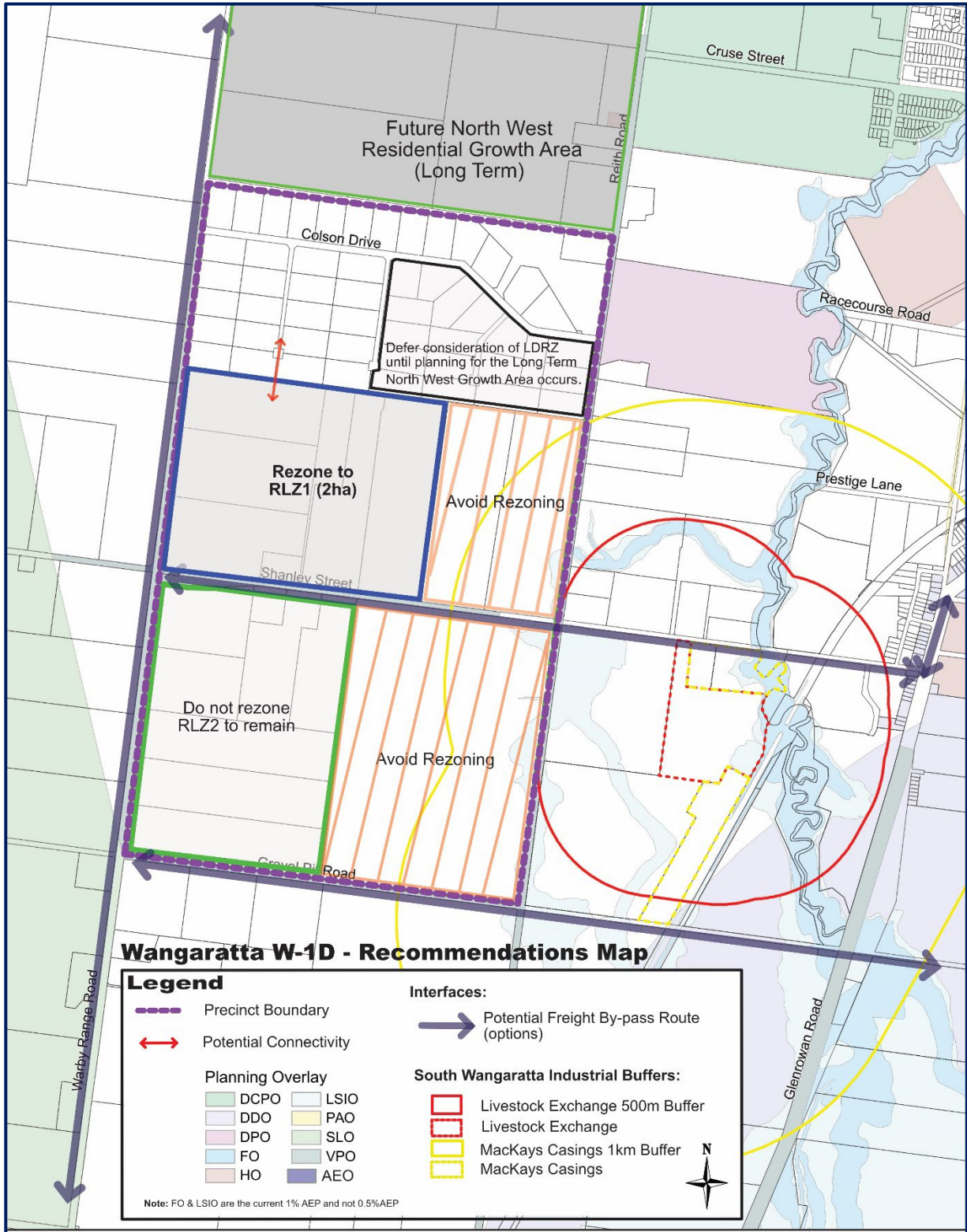
The Department of Transport and Planning have recently released a planning practice note (PPN37) to guidance on the consideration and establishment of 'Rural Residential Development' (May 2023).

Rural Residential Development includes consideration of both the Low Density and Rural Living Zones, therefore this new practice note is of particular relevance to this report and investigations.

PPN37 outlines a number of new requirements, many of which have been considered within V1 of the Strategy. Further analysis has been provided (within the table at Appendix E) against key criteria outlined in PPN37 to ensure the performance of the three candidate areas against the requirements, in particular special water supply catchments, servicing and land use compatibility.

2.7 Summary & Options (W-1D)

In considering the above information and further research on W-1D an alternative plan has been developed and is contained below for further consideration against the other Wangaratta candidate areas:



Map 6: W-1D recommendations Map

Recommended Approach for W-1D

Bushfire Requirements:

It has been demonstrated from the assessment that this precinct can meet the requirements of Clause 13.02-1S (Bushfire Settlement Policy) subject to:

- *48m setback from forest classified vegetation in the roadsides of Warby Range, Gravel Pit and Reith Rd and Shanley Street.*
- *Larger lots can be located on the western interface (RLZ1 (min 2ha).*
- *Perimeter roads are required, including perimeters between zone changes.*

South Wangaratta Strategic Buffer:

The area affected by the South Strategic Buffer has been excluded from any future rezoning to avoid any increase in the intensity of this area as nominated on the precinct plan.

Therefore, the proposed LDRZ on the eastern side of the precinct has been eliminated from further consideration. This principle is also consistent with the guidance under PPN37.

In addition, consideration must be given to strengthening the role of the strategic buffers, through further investigation of converting them into a planning overlay as discussed in Section 3.1 of this report.

Possible Future zonings:

The area is demonstrated to provide the ability to intensify the existing RLZ2 zoned land into RLZ1 zoned land on the western side of the precinct. This change would allow more intensive subdivision of the land through changing the minimum lot size from 8ha to 2ha.

Given the large parcels of land that exist within this precinct and generally consist of cleared grazing land, it is anticipated that broad acre subdivision could occur as opposed to infill like subdivision.

Intensification of Colson Drive:

Further intensification of Colson Drive through a change of zoning to a selected area in the eastern portion from RLZ2 to LDRZ should not proceed at this stage.

Intensification of this type would be problematic and difficult due to the infill nature of any subdivision. This would be around existing structures including dwellings and outbuilding and would be a difficult exercise to achieve a consistent and meaningful level of supply. Similar issues have been experienced in the Waldara LDRZ area under Planning Scheme Amendment C61.

Delivery of land from an infill concept would be ad-hoc and result in no meaningful contribution to LDRZ supply.

Therefore, LDRZ subdivision should be directed to the other candidate areas in Wangaratta at this point in time and this precinct must only be considered for Rural Living only.

Any consideration of LDRZ in the eastern portion of the Colson Drive subdivision should only be considered at a time when Council undertakes the planning work for the long term North West Residential Growth area, which is located immediately north of this area. LDRZ is mentioned as an interface zone between Colson Drive and the long term growth area, it is only at this point that appropriate bushfire protection measures recommended by Practical Ecology can be integrated through an overall Development Plan and appropriate infrastructure.

Potential Supply:

Wang W-1C (South) was also recommended to accommodate RLZ1 lots as an interface to the Hume Freeway Environs and also within the Airport Environs Overlay (AEO) providing an estimated lot yield of 70 lots.

However, this fails to deliver on the target lot size between 2-4ha. Therefore, consideration may be given to providing a mix of lot sizes between 2 and 4ha across the precinct with the larger size being located in W-1C to respond to many of the constraint and opportunities within this area.

In balancing the supply requirements W-1D should not be considered for open conversion to RLZ1 as this would provide an excess of supply. Therefore, in the short term the area north of Shanley Street and adjoining the Colson Drive Estate (Buffer excluded) should only be considered for intensification.

Any consideration south of Shanley Street would be a long term strategy and beyond the scope of this report.

Overall

The W-1D area should be considered for RLZ development and not LDRZ as outlined in the recommendations plan. This plan demonstrates the possibilities for the precinct that achieves the following outcomes:

- The reinforcement of this precinct as the Rural Living area of Wangaratta.
- The facilitation of an increase in the supply of RLZ1 (2ha min lots) zoned land that can be serviced off sewer.
- Avoids any rezoning that would intensify the land use within the Strategic Industrial Buffer beyond the present zoning controls.
- Avoids any encroachment towards established industrial uses and allows for the possible expansion of this area.
- Avoids all land subject to flooding and inundation, including consideration of climate change impacts 0.5% AEP.
- Supports possible future connections to the Colson Drive Estate including to existing reticulated waster services presently available within this estate.

3. Other Strategic Matters

The following sections include analysis of issues that collectively relate to:

- LDRZ and RLZ zones
- Issues applicable to the candidate areas.
- Other emerging subdivision issues.

These issues have been analysed and recommended actions have been determined prior to drawing any overall conclusions on the future directions of the three candidate areas.

3.1 South Wangaratta Industrial Areas (Clause 11.03-6L-02)

The objectives of the South Wangaratta Industrial Area is outlined at Clause 11.03-6L-02 which is:

- To facilitate industrial development in South Wangaratta.

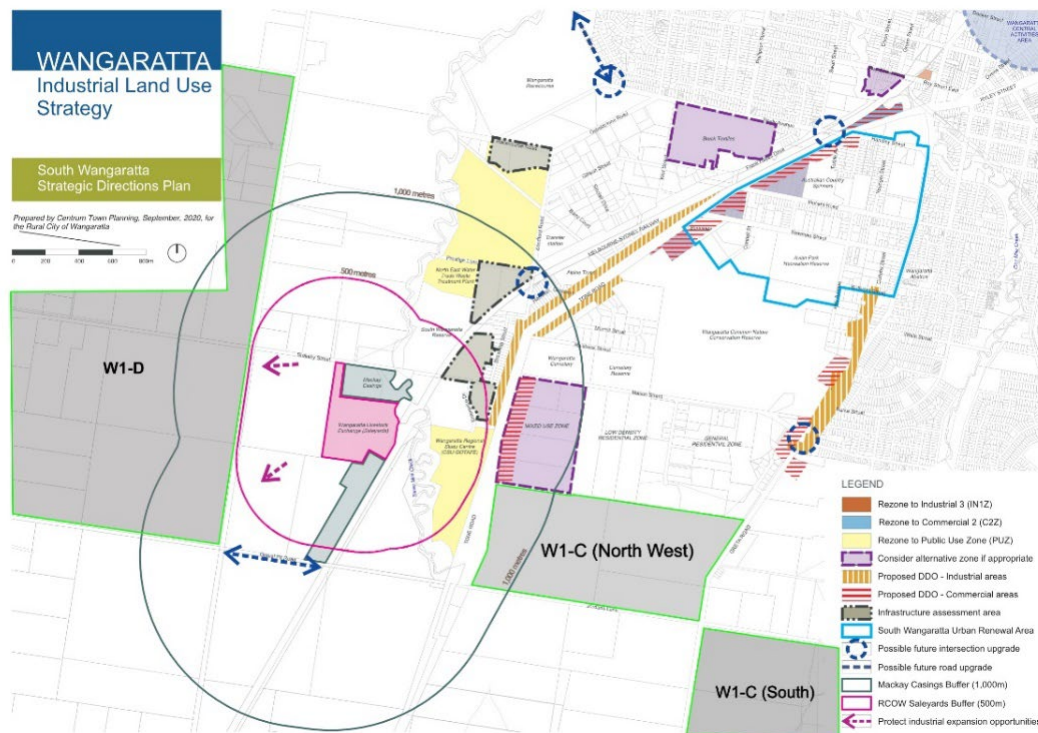
The Strategies of particular relevance to the precincts within this report include:

- Require the 'agent of change' in the Mixed use Zone in Tone Road and Low Density Residential Zone in Mason Street to incorporate suitable separation distances to adjacent land.
- Protect the potential for long term industrial expansion to the south east of Shanley Street.

- Protect the operation of McKay Casings and the Wangaratta Saleyards by ensuring that a permit application or scheme amendment proposing to introduce or intensify a sensitive use on land within a strategic buffer identified below in the Strategic Directions Plan include an odour assessment which demonstrates the buffer can be satisfactorily reduced.

- Avoid the development of land on the corner of Mason Street and Tone Road zoned Mixed Use Zone for a major commercial development.
- Avoid the development of general retail and shop uses on Commercial 2 Zone land in Tone Road and encourage these uses to locate within the Central Activities Area.

A copy of the Strategic Directions Plan is contained below, and the candidate areas being considered are nominated:



Map 7: South Wangaratta Industrial Area – Strategic Directions Plan (11.03-6L-02) – Precincts nominated.

The Strategic Buffer:

The directions of the current policy seek to protect the operation of both the casings factory and the sale yards through the indicative strategic buffers.

The buffer distances are based on the reverse application of the requirements of Clause 53.10 and previous advice provided to Council by the Environmental Protection Authority when developing the Population and Housing Strategy in 2013.

Planning Scheme Amendment C76 introduced recognition of the buffer at Clause 11.03-6L-02.

The Strategic Buffer affects precincts W-1D and W-1C (North West).

Version 1 of the Strategy excluded land in the Strategic Buffer from rezoning outright in Precinct W-1C (North West).

Policy seeks as a starting point to prioritise the protection of the buffer. It does provide Council the ability to consider applications and rezoning that introduce or intensify a sensitive use as long as they can prove that it is safe, however the overall starting point is protection.

Further consideration has been given to aligning the V1 recommendations of the Strategy with the policy wording. However, recent events in 2022 highlighted the need to increase the level of vigilance and to continue to adopt a precautionary approach as the first principle.

Therefore, rezoning of the area affected by the buffer is not recommended, in line with the recommendations of V1 Strategy.

This approach is further supported by the recently released PPN37 (Rural Residential Development) which advises Councils that Rural Residential development should be avoided on land that is:

- *Within the separation distance of an industry that could result in adverse human health or amenity impacts as described in Publication 1518: Recommended Separation Distances for Industrial Residual Air Emissions (EPA, 2013)*
- *Within the threshold distance referred to in Clause 53.10 (use and activity with potential adverse impacts) of the planning scheme.*

Therefore, all land within the buffer has been excluded from consideration for rezoning under this Strategy.

The future of the Buffer:

In addition, Council should seek to investigate the formalisation of the buffer beyond the policy setting through the use of spatial planning tools.

Planning tools like the recently released Buffer Area Overlay (BAO) can achieve the objectives of the current buffer and can be fully customised to address the risks that the buffer seeks to represent. Uses that are incompatible with the objectives and intent of the buffer (ie: sensitive uses) can be excluded.

Other Potential Buffers:

The BAO is a planning tool that could also be considered to represent the spatial extent of risk associated with the APA High Pressure Gas Transmission pipeline that dissects precinct W-1D. Given that this pipeline runs centrally through the State of Victoria and through multiple Municipalities.

Application of any overlay should be consistent across the entire pipeline length and the most efficient and co-ordinated way to achieve this would be to undertake the amendment at a State level through a VC or GC amendment.

The application of the BAO across a licensed pipeline was the subject of a recent amendment by the Latrobe City Council (C121). It provides guidance for Councils and the State to replicate this type of amendment across all licensed pipelines to ensure that these important assets are protected and include relevant safety buffers required around them.

Agent of Change and managing interfaces:

This precinct seeks to:

- *Require the 'agent of change' in the Mixed Use Zone in Tone Road and Low Density Residential Zone in Mason Street to incorporate suitable separation distances to adjacent land.*

Further discussion is contained below in the specific area on the Mixed Use Zone including consideration on the future of this area.

Recommended Actions:

Based on the existing objectives for the South Wangaratta Industrial precinct, to ensure that it can continue to grow and realise its economic and employment potential, the following actions are undertaken:

- No rezoning of land within the strategic buffer.
- Amendment of the policy wording to strengthen the role of the Buffer with the first

principle of avoiding the establishment of sensitive uses.

- The further investigation and development of planning tools like the Buffer Area Overlay (BAO) to support the above objectives.
- That Council advocates to the Victorian Government to support the application of the BAO across the APA High Pressure Gas Pipeline in a co-ordinated manner for the entire length of the pipeline across Municipalities.

3.2 Mixed Use Zone Precinct:

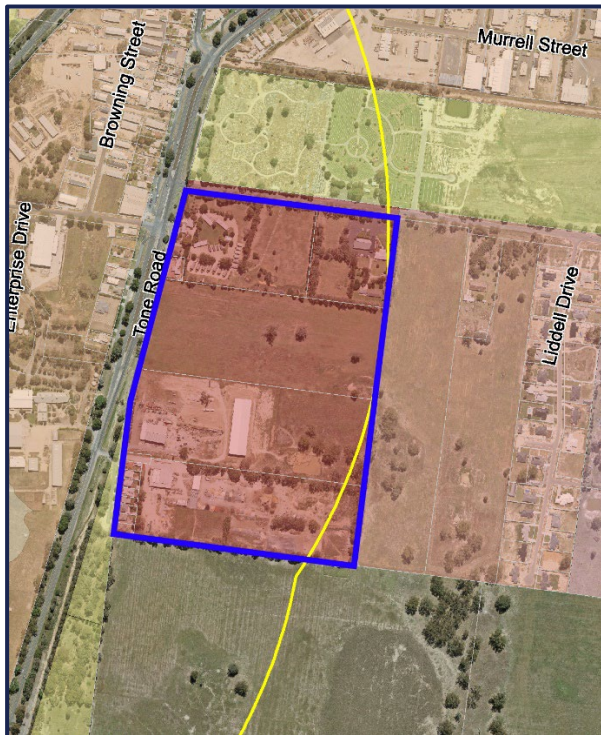


Images: View from Tone Road, mix of vacant grazing land, Rural Service & Sales Industry and Dwellings.

The precinct highlighted below is zoned Mixed Use Zone and is situated on the corner of Tone Road and Mason Street and covers an area of approximately 26.5ha.

The precinct is also located within the South Wangaratta Strategic Buffer identified under Clause 11.03-6L-02 (Yellow line).

Importantly this precinct also has a significant interface with both existing low density residential zoned land to its East (Mason Street), farming zone to the South (Wang W-1C – South) and Industrial zoned land to the West (picture below).



Map 8: Mixed use Precinct – Tone Road (blue outline)

The current land use within the precinct is varied with light industrial uses, places of assembly and accommodation.

The Strategy (V1) considered the land immediately to the South of the precinct as potential future supply subject to conditions (W-1C North West).

Given this key interface issue, this report provides an appropriate point in time to further investigate the future of the MUZ area.

MUZ as a zone is primarily a residential zone under Victorian Planning Provisions and allows a variety of uses but lacks a distinct vision. The Wangaratta Scheme also lacks a distinct vision for this precinct.

The purpose of the zone is to:

- *provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*

- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

The residential focus of the zone and its ability to allow as of right sensitive uses, raises the following potential issues:

- Internal land use conflict within the precinct due to the range of uses allowed.
- Location of precinct within the South Wangaratta Strategic Buffer.
- Incompatible adjoining interfaces.

Therefore, consideration must be given to the future of this precinct with a focus on achieving:

1. The establishment a vision for the precinct.
2. The avoidance of the establishment of new sensitive uses within the precinct.
3. The creation of a transitional space between the IN1Z zoned land to the North/West and West, the LDRZ to the East.
4. Planning tools that ensure compatibility with any potential land use changed immediately south of the precinct (Wangaratta W1-C)

Establishing a vision:

Specific references are contained at Clause 11.03-6L-02 of the Scheme and include:

- *Avoid the development of land on the corner of Mason Street and Tone Road zoned Mixed Use Zone for a major commercial development.*
- *Require the 'agent of change' in the Mixed use Zone in Tone Road and Low Density Residential Zone in Mason Street to incorporate suitable separation distances to adjacent land.*

These recommendations were the result of Councils Industrial Strategy and Planning Scheme Amendment C76.

In relation to general commercial development the Scheme has held a long term view that the Central Activity Area is the Principle Activity Centre and that office expansion and medium to large retail stores should be directed to this area and its periphery (Clause 2.03-1).

This precinct is located on the southern gateway of town and therefore directing medium to large commercial development to this area would be classified as out of centre development.

This type of development would be inconsistent with the above policy settings and in general is not a desirable planning outcome for the functionality of the town in the long term. Therefore, any alteration of zone should limit the possibility of this occurring and focus should be directed to creating an economic precinct that leverage's the industrial and educational uses that are present on the western side of Tone Road and a suitable transition to the residential land on the eastern side of the precinct.

Alternative Planning Controls:

Selecting a planning tool to enable the vision:

Zones & Overlays:

The zoning of a land is the most established and effective planning tool to control the use of land and therefore forms the logical starting point for investigations.

Other tools provide limited ability, with the exception of some selected overlays and do not provide the breadth of control that zones provide, therefore an analysis of possible zones provides the starting point for this analysis.

An analysis table is contained at Appendix D that compares the existing MUZ against a selection of alternative zones.

This table demonstrates both the impact on the existing established uses and also a selection of possible future uses that align with the vision for the precinct.

Local Policy:

Local Policy is another planning tool that is used to guide discretionary decision making and guide the development of an area and it may be appropriate in this instance to accompany any change in zoning.

Avoiding the establishment of new sensitive uses:

The Industrial (IN1Z & IN3Z) and commercial zone (C2Z & C3Z3) provide the greatest ability to limit or prohibit any new dwellings being established within the precinct along with other general forms of accommodation.

Impacts on Existing Uses:

It must be noted that due to the variety of uses in the precinct that altering the zoning of the precinct could render some of the existing uses technically prohibited and therefore these uses would have to rely on existing use right provisions at Clause 63.01, assuming many of the existing uses could satisfy the requirements under this provision.

Selecting an Alternative:

Commercial Zones:

The Commercial 1 Zone on balance is the least restrictive zone, however its application on the fringe of town is not considered consistent with its intent. Its flexibility could have unintended consequences through the facilitation of out of centre major retail development, therefore this is not an appropriate choice.

The Commercial 3 Zone is a recent addition to the Victorian Planning Provisions and has not been applied anywhere in Victoria to date. It has limitations around restricted retail and the size of warehousing which is not considered consistent with the objectives of this exercise.

Commercial 2 Zone is the most appropriate of the commercial Zones, however its allowance of Supermarkets and Shops raises concern for the reasons outlined above.

Industrial 1 Zone is not considered appropriate as a transition zone towards the LDRZ uses east of the precinct.

One of the overarching purposes of the Industrial 3 Zone is to: *'provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.'*

Further analysis of the zone indicates that this zone could be the most suitable alternative to the MUZ and enables the vision of the transition space between the IN1Z land to the West. It is noted that the zone would technically prohibit the present accommodation uses including dwellings which will be required to rely on existing use rights provisions.

Industry other than service Industry requires a planning permit and therefore it is possible to control the types of industrial uses to ensure that a transition is created and off site impacts can be mitigated. Local policy could be used to guide discretionary decision making on applications for industry.

Of the following zones it is considered that the zoning of the precinct should be amended to Industrial 3 Zone, it is considered that this provides the greatest level of balance across all of the options available under the Victorian Planning Provisions.

251-253 Tone Road

Further investigations should be undertaken into the land use history of this site. The architectural design of the building, site layout and location on the former Hume Highway, indicates that the site may be a former service station or mechanical repairs workshop.

Should this fact be confirmed then the land should be treated as 'potentially contaminated' and application of the Environmental Protection Overlay (EAO) should be progressed through a planning scheme amendment.

Recommended Action:

That Council:

- Further Investigates the rezoning of this precinct from MUZ to IN3Z following consultation with the landowners within the precinct.
- Develop a local policy to accompany any rezoning that:
 - a) Guides the distribution of Industrial Uses.
 - b) Design mechanisms to limit impacts towards the LDRZ land to the East (Subdivision setbacks, ring roads, landscaping interfaces, mounting and acoustic walls).
- Further investigates the history of 251-253 Tone Road, to determine if the former land use fits the criteria for 'potentially contaminated land' and applies the Environmental Audit Overlay (EAO) if the site meets the applicable criteria in consultation with the EPA.

3.3 Outbuildings in LDRZ



A key issue raised collectively by internal planning staff, external consultants and landowners has been the present planning permit trigger for outbuildings.

Issues raised include:

- The need for the trigger.
- The floor area level.
- The lack of policy & decision guidelines in the scheme.

- The increase in the size of outbuildings.

This permit trigger is currently set in a manner that any outbuilding with a floor area of 80 square metres or greater and more than one storey in height requires a planning permit. This trigger is the same across all of the Low Density Residential Zone (LDRZ) Schedules.

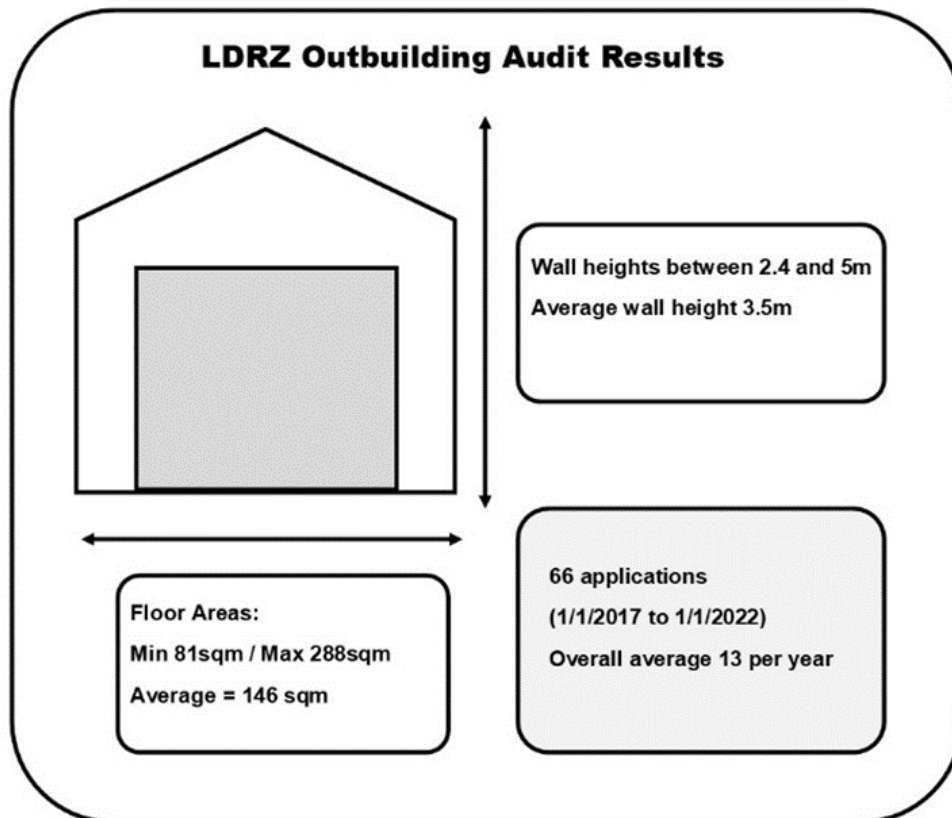
It is clear over time that the floor area and wall size of some outbuildings has increased to accommodate caravans, trailers boats, general storage and hobbies associated with the occupants of the dwellings, however what form any alteration to this permit trigger should take is less clear.

The primary purpose of the LDRZ is to:

'provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater'

With the above purpose in mind, a review of existing applications has been undertaken to identify any issues and possible solutions.

An audit of planning permits for sheds in the LDRZ has been undertaken between 1 January 2017 and 1 January 2022 and a summary of the findings are outlaid below.



Total number of applications:

The average number of planning applications for outbuildings is 13 per year which represents approximately 5% of the average total of applications received per year since 2017 (260 p/year).

Alteration of the permit trigger:

The audit of applications concluded that the average floor level is 146sqm and the largest floor area was 288sqm.

In considering any alteration of the permit trigger the advantages v's the disadvantages have to be weighed up and balanced against the regulatory burden it would decrease as a percentage of the number of applications per year.

Noting that outbuilding permits represent only 5% on average of the applications which is a very low percentage.

On balance it is difficult to foresee any significant advantages in altering the permit trigger threshold.

Other Solutions

What is clear is that there is a lack of guidance, including around issues of design and siting, to guide both the preparation and decision-making process.

Therefore, it is recommended that consideration is given to the introduction of local policy into the planning scheme to solve this issue.

Policy can have the benefit of reducing statutory timeframes for the consideration of outbuildings as it would give Council Officer's and external parties a clear set of expectations and guidance.

In addition to a local policy being integrated into the Scheme, consideration could be given to the creation of a development guide to provide visual examples and interpretation of the policy expectations.

These guides are common practice within the industry and the following sketches are extracted from an outbuilding guide produced by the Manningham City Council.



Figure 7- Inappropriate bulk and height of the outbuilding



Figure 8- Appropriate front setback, height and bulk of the outbuilding

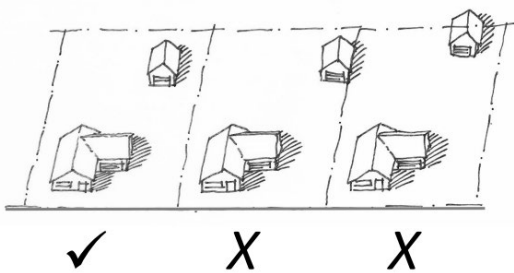
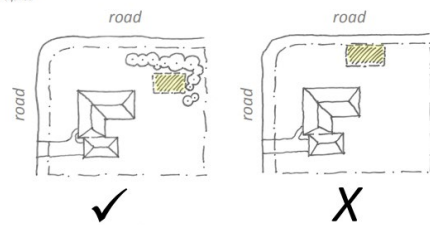


Figure 1 - Outbuildings should not be built on the side boundary if there is an existing dwelling on the adjacent side boundary. This creates unnecessary visual intrusion at the side setback and may impact on the amenity of neighbouring dwellings



Figure 2- Outbuildings should not be sited any closer to the front boundary than the existing dwelling

Figure 9- In corner locations, outbuildings must not directly front onto the side street. Fencing and landscape treatments are required



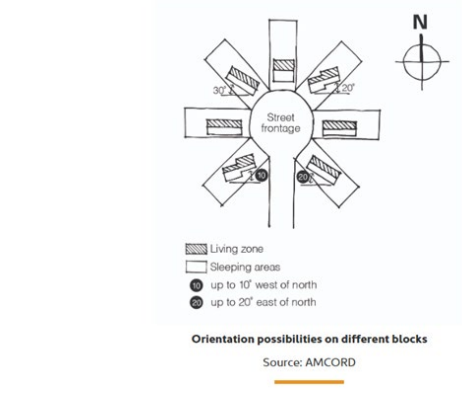
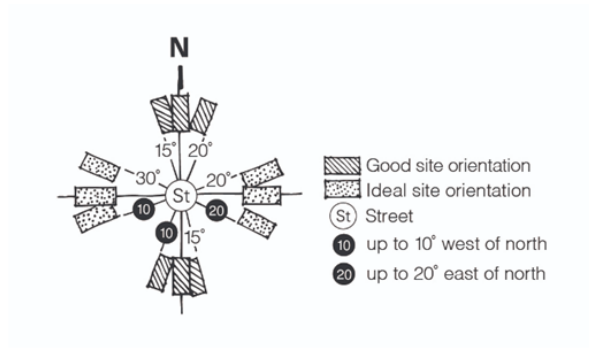
Source: Manningham CC: Development Guide – Outbuildings in the Low Density Residential Zone – June 2015.

Recommended Actions:

Based on the findings, it is recommended that the following actions are undertaken to further support and guide the development of Outbuildings in the LDRZ:

- Introduce local planning policy to support discretionary decision making as outlined in the draft policy at Appendix G
- Create a supporting document to accompany any rezoning and policy introduction that provides a visual interpretation of the policy requirements and assists the community in the design and siting of outbuildings.

3.4 Subdivision Design, Vegetation, Infrastructure & ESD



Source: <https://www.yourhome.gov.au/passivedesign/orientatio>

Subdivision Design

V1 of the Strategy recommended the development of planning tools to guide the future development of the precincts along with the existing zoned LDRZ and RLZ land.

Planning Scheme Amendment C83 proposes specific Design and Development Overlays for each of the Oxley and Milawa precincts to be rezoned along with a general subdivision policy for LDRZ.

Environmentally Sustainable Design (ESD) in Subdivision Design:

'The design of urban areas has long-term effects on the environment, resources and on the health and running costs of households. Subdivision design is therefore important to the long-term sustainability of Victoria's regional centres and their communities.' (CASBE www.casbe.org.au)

Council is a registered partner in the Sustainable Subdivision Framework (SSF) Trial co-ordinated by the Goulburn Murray Climate Alliance and continues to contribute to this program. The aim of this trial is to develop a framework that can support the integration of ESD in the subdivision process which is particular to the regional Victorian context.

The State Government has a long running ESD roadmap program, that appears to be stalled following the implementation of Stage 1 which involved the introduction of high level policy around ESD. Stage 2 of this project is designed to implement particular provisions to effectively deliver the ESD policy settings, however this has not been delivered to date and updates on its progress are difficult to establish.

The above reference from CASBE clearly outlines the importance of designing subdivision with ESD

principles at the forefront, including consideration of future dwelling orientation. The influence of the planning system in the LDRZ space is generally limited to subdivision as dwelling design with construction generally handled under the Building regulations.

Therefore Council should continue to explore ways to integrate ESD policy settings and tools to create neighbourhoods with high levels of urban design and function.

- Lot orientation and Design
- Public Space
- Green Infrastructure
- Urban Greening
- Active and Sustainable Transport.
- Integrated Water Management.

Example policy principles outcomes are included in Draft format at Appendix G.

Recommended Actions:

That Council:

- Advocates Strongly to the Minister for Planning for expedience around the implementation of Stage 2 of the ESD roadmap program.
- That Council become a member of the Council Alliance for a Sustainable Built Environment.
- That Council drafts local policy generally consistent with the principles in Appendix G, that raises the importance of ESD in subdivision design to provide long term benefits to the health and well being of the community and environment.

3.6 Potentially Contaminated Land & Closed Landfill Project & Local Buffer Support Program (NEWRRG)

Closed landfill Project (NEWRRG)

The North East Waste and Recovery Group (NEWRRG) have prepared a report for Council into closed landfills across the Wangaratta Municipality.

The report reviews all former landfills and provides advice to both the management of these facilities and also visible recognition through the planning system.

Many of these former landfills are located either within or proximate to urban settlements and it is pertinent that they are formally recognised within the planning system to ensure that decisions made in close proximity recognise and consider their ability to be potentially contaminated.

Local Buffer Support Program (NEWRRG 2017)

NEWRRG produced a report on current landfill and materials recycling facilities within the Municipality including:

- Alpine MDF
- Bowser Landfill
- JJ Richards MRF
- Wangaratta Organics
- Wangaratta Resource Recycling Centre

This report made a number of recommendations around these facilities and potential integration within the planning scheme. At the time one of the recommendations within this report concerning the Bowser landfill was to use the Environmental Sensitive Overlay (ESO) to represent licensed buffer areas.

The ESO was known to have a significant issue in that it did not control 'Use' and therefore Council advised that it was an ineffective planning tool for this purpose.

The Buffer Area Overlay (BAO) has since been developed and introduced into Victorian Planning Provisions to address this issue and is considered to be the most appropriate tool to use in these instances.

In relation to this Strategy existing areas of Rural Living Zoned land in North Wangaratta intersect with one of the potential buffer areas and further work is required to represent this potential issue within the Scheme.

Recommended Action:

That Council undertake the following actions:

- Prepare a planning scheme amendment to recognise the sites listed within the report including suitable planning tools like the Environmental Audit Overlay and the Buffer Area Overlay in line with the recommendations of the report.
- Prepare a planning scheme amendment to implement the recommendations of the Local Buffer Support Program 2017 report, using the new Buffer Area Overlay as a replacement to the Environmentally Sensitive Overlay.

3.7 Climate Change Impacts (Flooding)

In adopting Planning Scheme Amendment C81, Councils resolved (Clause 74.02-1 Further Strategic Work) to further invest the impacts of climate change on flooding in urban Wangaratta, as outlined below:

- *Council and the North East Catchment Management Authority undertake additional modelling to project the possible climate change impacts on riverine flooding covered by the Wangaratta Urban Waterways Flood Study 2017 and include this as an addendum to the Study.*

This work has been undertaken and NECMA with the assistance of Water Technology have advised that:

The impacts can be summarised as:

- The current 1%AEP modelling (Wang Flood Study) as adopted in PSA C81 does not include climate change impacts.
- *“Further Assessment by Water Technology, based on the current interim guidance in Australian Rainfall and Runoff indicates that the best available representation of 1%AEP*

with consideration of climate change impact is the 0.5%AEP as previously mapped”

Recommended Actions:

That Council:

- Prepares a planning scheme amendment as a priority and requests the Minister for Planning for assistance to implement the 0.5%AEP flood extents outlined within the Study as a representation of new 1% AEP incorporating climate change modelling.

The spatial extent of the amendment will be for the entire Wangaratta urban waterways and not just the precincts researched within this paper.

- That further consideration of the candidate areas in relation to flooding considers and plans for the 0.5% AEP extents and actively avoid the intensification of any area subject to flooding and inundation which is consistent with the Avoid principles under Clause 13.03-1S and 13.03-1L of the Scheme.

3.8 Hume Freeway Compatibility (Clause 18.01-2L-01):

This policy applies to all land within 100 metres of the Hume Freeway Road Reserve and in particular W-1C (South).

This policy seeks to:

- *ensure that land use and development does not prejudice the levels of service, safety and visual amenity of the Hume Freeway and safeguards the amenity of sensitive uses nearby.*

This policy has very specific requirements including acoustic requirements that must be achieved for the establishment of sensitive uses nearby including future subdivision. Consideration of this policy is key for any future work in W-1C.

This policy is an important planning tool that has limited visibility within the planning scheme. It is understood that the policy dates back to the start of the new format planning scheme 1999 (Milawa Planning Scheme) and was a local policy from

VicRoads that equally applied to the Hume Freeway and the Goulburn Valley Highway.

As a policy this important tool has limited visibility and for this reason it does not achieve its purpose. Given the specific spatial reference of the policy and its detailed design based requirements, it is considered that the outcomes sought would be best achieved through the translation of this policy into a Design and Development Overlay.

Recommended Action:

- That Council investigates and prepares a planning scheme amendment to translate Clause 18.01-2L-01 into a Design and Development Overlay that buffers that Hume Freeway Road Reserve for 100m on either side.

4 Other Wangaratta Candidate Areas

The Strategy (V1) previously recommended that Council consider progressing the rezoning of areas known as Wangaratta W-1C (South) and (North West), subject to a number of requirements and conditions.

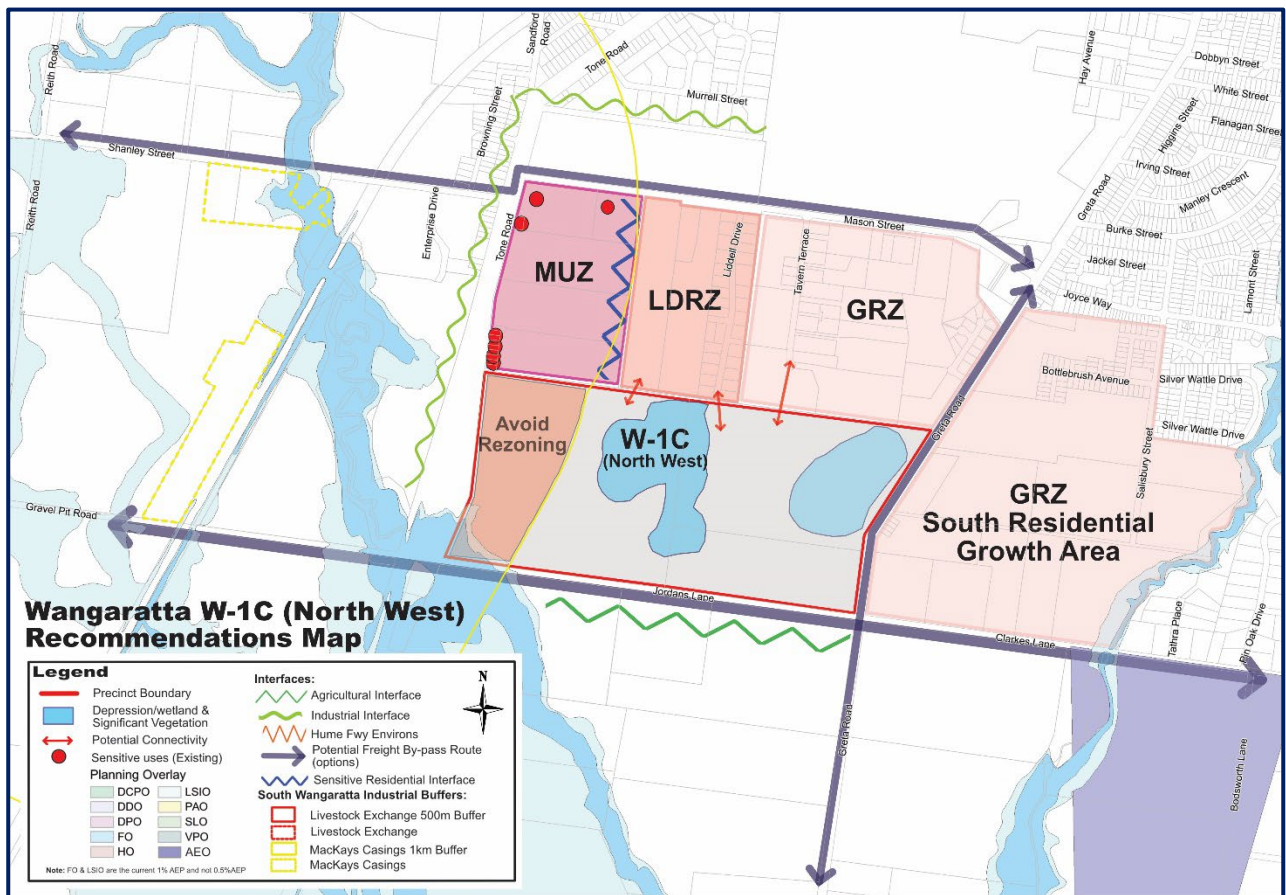
This report has taken the opportunity to re-analyse the potential of both of these areas, in light of additional investigations

An in depth analysis and comparison of the three areas is contained at Appendix E to this report.

This provides the most comprehensive analysis of each precinct against the policy settings within the Wangaratta Planning Scheme and against relevant planning guidelines.

4.1 Wangaratta W-1C (North West)

The findings of this report have been applied to the Wangaratta W-1C (North West Precinct) and the precinct map has been revised as outlined below:



Map 9: Wangaratta W1-C (North West) recommendations map.

This precinct is the smallest of all of the precincts reviewed in this report and additional information has been considered in the analysis of this report including:

- Mixed Use Zone Precinct – Tone Road
- South Wangaratta Strategic Buffer (11.03-6L).
- Updated Flood information & Climate change impacts.

The South Wangaratta Strategic Buffer (11.03-6L)

The western portion of this precinct is located within the Strategic Buffer. Section 3.1 of this report provides an analysis of the buffer and on balance of the present policy settings recommends a position that rezoning land within the buffer is not supported.

Policy settings and planning tools around the buffer should also be amended to strengthen the role of the buffer.

Environmental Features & Flooding

This precinct will experience an increased level of flooding under the 0.5% AEP model, this increase is generally confined to the southwest corner of the site and should be considered as non-developable land within any future development.

This precinct also has large two large depressions one of which is a mapped wetland (DELWP advice). NECMA have advised that that these areas provide significant storage within the precinct in flood events and support their retention in any future development.

These areas are understood to not have surface flow connection to the Three Mile Creek system, however it may connect through the drainage system along Jordans Lane.

These areas also contain significant forms of native vegetation that contributes to the biodiversity and character of the area. It is considered on this basis that these areas should be excluded from any development and should development of this precinct proceed be incorporated as features in any future subdivision design.

Interfaces Present and Future:

The precinct has a variety of interfaces including Industrial land (West), Agricultural (South), Mixed Use Zone and residential (North) and future Residential to the (East).

Freight By-pass Strategy

Jordans Lane which forms the southern boundary of the precinct is nominated as one of the possible East-West connecting roads designated under the Freight By-pass Strategy.

Councils Infrastructure Department is currently investigating the ultimate route, and this will involve a process of public exhibition to the community and directly affected landowners and ultimately consideration by Council for adoption of the finalised .

Until a point in time where Council has formally adopted a route, all options must be considered under this current exercise. Any planning for this precinct will have to consider this potential interface, including limiting direct access, and consider the impacts on the vegetation, amenity and noise etc.

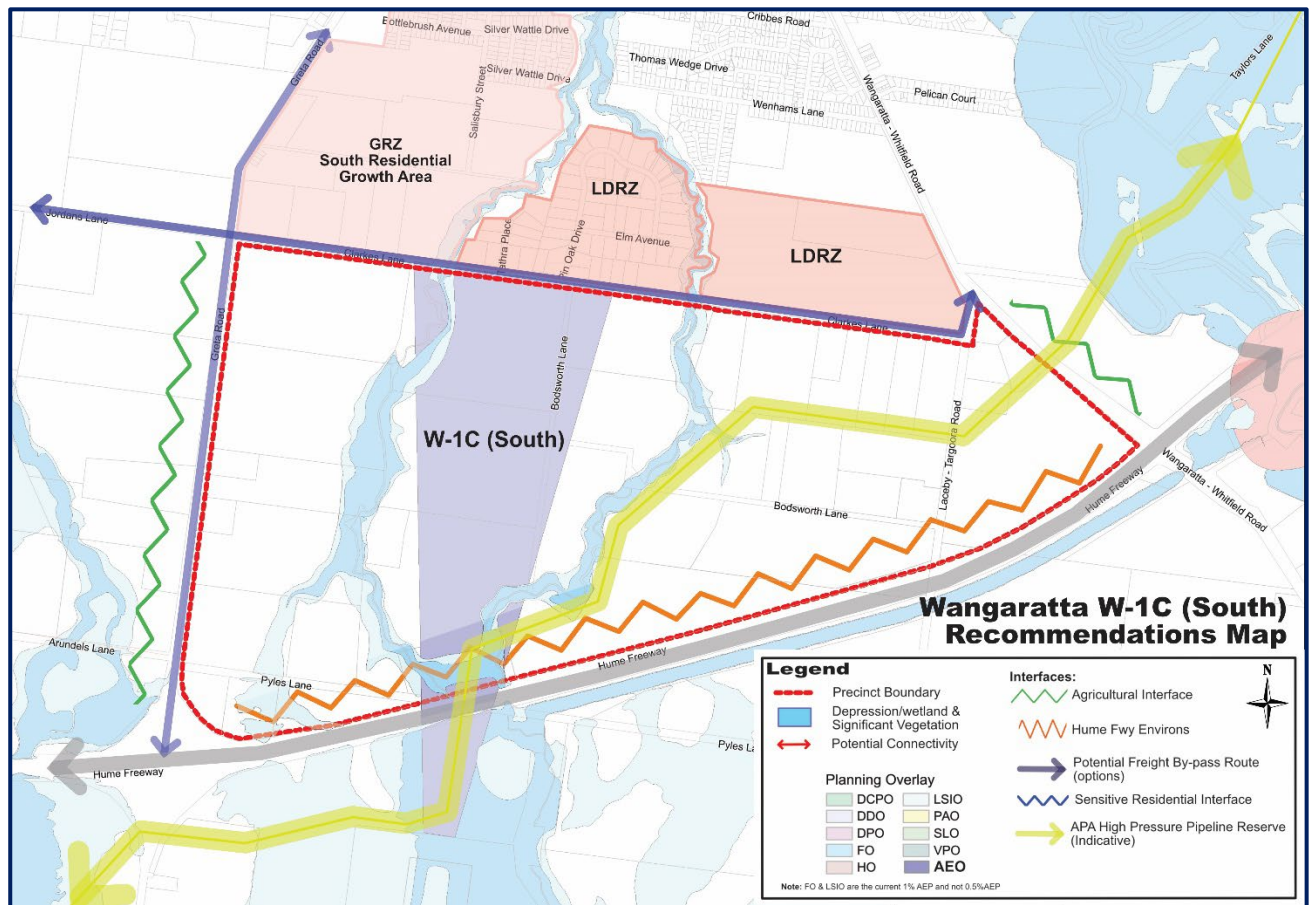
Recommended Actions:

The above constraints and opportunities for this area will result in further revision of any expected lot yields for this precinct. The recommendations map for this precinct demonstrates the possibilities for the precinct at an LDRZ level that achieves the following outcomes:

- Avoids rezoning of the area affected by the Strategic Buffer.
- Wetland area & depressions retained and avoid encroachment.
- Significant vegetation retained and incorporated in any future development.
- Plan for the 0.5% AEP flood event.
- Revised expected lot yields with
- Structure Planning to determine the final lot yield.

4.2 Wangaratta W1-C (South)

The findings of this report have been applied to the Wangaratta W-1C (South) and the precinct map has been revised as outlined below



Map 10: Wangaratta W1-C (South) recommendations map.

The South precinct is the largest of three candidate areas contained in this report at approximately 420 ha.

Environmental Features & Flooding

This precinct will experience an increased level of flooding under the 0.5% AEP model, this increase is generally contained along the interfaces of the One Mile creek and tributaries. Areas affected by this flood activity should be considered as non-developable land within any future development.

The precinct consists of largely cleared grazing type land, however significant tracts of vegetation remain along creek likes and other features including scattered paddock trees.

Interfaces Present and Future:

This precinct has a variety of interfaces vacant and developed residential land (North), agricultural interfaces (East & West) and the Hume Freeway

Environment (South), along with other major current and future road corridors on all interfaces.

These factors will provide restrictions on creating direct access to these roads and will have to be incorporated in any precinct plan, along with amenity and noise impacts from these interfaces.

Freight By-pass Strategy

Greta Road, Clarkes lane and the Wangaratta-Whitfield Roads area nominated as potential components of the Freight By-pass Strategy.

Councils Infrastructure Department is currently investigating the ultimate route, and this will involve a process of public exhibition to the community and directly affected landowners and ultimately consideration by Council for adoption of the finalised route.

Until a point in time where Council has formally adopted a route, all options must be considered under this current exercise. Any planning for this precinct will have to consider this potential interface, including limiting direct access, and consider the impacts on the vegetation, amenity and on noise etc.

Rural Living Zone - Supply

Version 1 of the Strategy projected that this precinct would enable the creation of approximately 70 RLZ1 lots at 0.2ha.

The Strategy (pg.49) recommends that Council plans to accommodate a 'medium' growth strategy which for RLZ equates to 90 dwellings across the 30 year planning time frame. Planning for this scenario will minimise the risk of undersupply in the future.

Following further analysis of the RLZ market, including current supply levels by Schedules and locations and projected market demand, the Strategy recommends in Table 27 (pg.49):

'The Strategy should seek to facilitate a new location where RLZ lots of between 2ha and 4ha can be created. In the short term, at least 25 lots should be provided to meet at least 5 years of supply and allow any latent demand to be met.'

This report has identified that Area W-1D can provide RLZ1 in the short term and in a manner that requires a lesser degree of precinct planning work than the W-1C precincts.

This precinct (W-1C South) is considered to provide an opportunity to provide a variation in RLZ lot sizes as recommended in Table 27, this variation will reduce the level of RLZ lots provided within this precinct, however collectively between W-1D and

this precinct it is considered that the projected supply levels can be achieved in a stage manner.

In addition, a variation in the size of RLZ lots (2-4ha) would assist in this precinct in response to interface issues like the Airport and Hume Freeway Environs.

Recommended Actions:

Subject the preparation of a Precinct Plan undertaken by Council, the precinct should be further considered for rezoning to LDRZ and RLZ, including the development of suitable planning to address the known constraints and opportunities and respond to the following:

- Bushfire design requirements
- A Safety Management Plan for the high pressure gas pipeline, investigating measurement lengths and relevant requirements in accordance with APA requirements.
- Avoids all land subject to flooding and inundation, including consideration of climate change impacts 0.5% AEP.
- The Airport Environs Overlay,
- Hume Fweway Compatibility – Clause 18.01-2L-01,
- Drainage issues,
- Retention and protection of significant native vegetation and
- local access requirements.
- Environmentally Sensitive Design and Urban Design principles.
- A staging plan.
- Provide a transition of RLZ lots
- RLZ lots varying between 2 and 4 ha

5 Investigation Areas Comparison

5.1 Comparison

This section of the report outlines a comparison of the three Wangaratta candidate areas with the aim of outlining a way forward for Wangaratta in the summary table below.

A more detailed analysis is undertaken at Appendix E and provides the most comprehensive comparison of the three areas against the criteria outlined within this report and also additional criteria identified in PPN37.

Each of the areas present unique challenges to consider in the designing of future settlements to be resilient against environmental factors like flooding and fire being common across all precincts.

W-1D offers a different opportunity to the other areas given its context and relationship to established rural living communities. For this reason this area has been considered to provide rural living at a higher intensity reflective of the existing Colson Drive estate, this can be achieved free of wastewater issues that are current across urban Wangaratta.

Updated information on the two W-1C areas, including environmental factors in particular flooding and precinct interface issues has been considered.

Overall, all candidate areas have a variety of challenges and constraints that require careful consideration. Due to these issues and constraints a conservative approach is required.

In addition, there are a number of present and future issues that have been investigated in this report and any action on these matters is outlined in the recommendations table in Section 4 of this report.

5.2 Way forward for Wangaratta

The following provides a summary of the recommended way forward for Wangaratta:

	W-1D	W-1C (North West)	W-1C (South)
Potential Future Zonings:	Rural Living – Schedule 1 (2ha)	Limited Low Density	Low Density & Rural Living (2 & 4ha mix)
Potential Timing:	Short term	Short - Medium term	Short term
Recommended Action & Criteria:	<p>Subject the preparation of a Precinct Plan undertaken by Council the selected area as outlined on Map 6 should be rezoned to Rural living Zone – Schedule 1, incorporating appropriate planning controls that consider and respond to the following:</p> <ul style="list-style-type: none"> • Bushfire design requirements. • Avoid rezoning of parcels within the South Wangaratta Strategic Buffer & encroachment towards industrial uses. • Avoids all land subject to flooding and inundation, including consideration of climate change impacts 0.5% AEP. • Vegetation Protection Overlays (VPO2). • Draft freight routes. • Urban design principles. • Environmental Sustainable Design principles. • Retention and Protection of Significant Vegetation within the Precinct. • Potential Connection to Colson Drive Estate. • Connection to reticulated water. 	<p>Subject the preparation of a Precinct Plan undertaken by Council the selected area as outlined on Map 9 and resolution of planning tools for the Strategic Buffer and the MUZ precinct.</p> <p>Should be rezoned to LDRZ, including the development of suitable planning to address the known constraints and opportunities and respond to the following:</p> <ul style="list-style-type: none"> • Avoid rezoning of the area affected by the South Wangaratta Strategic Buffer. • Wetland area & depressions retain and avoid encroachment. • Significant vegetation retain and incorporated in any future development. • Bushfire design requirements LDRZ lots (.2-.25ha) • Avoids all land subject to flooding and inundation, including consideration of climate change impacts 0.5% AEP. • Vegetation Protection Overlays (VPO2). • Draft freight routes. • Urban design principles. • Environmental Sustainable Design principles. • Retention and Protection of Significant Vegetation within the Precinct. 	<p>Subject the preparation of a Precinct Plan undertaken by Council outlined on Map 10.</p> <p>Should be rezoned to LDRZ and RLZ, including the development of suitable planning to address the known constraints and opportunities and respond to the following:</p> <ul style="list-style-type: none"> • Bushfire design requirements • A Safety Management Plan for the high pressure gas pipeline, investigating measurement lengths and relevant requirements in accordance with APA requirements. • Avoids all land subject to flooding and inundation, including consideration of climate change impacts 0.5% AEP. • The Airport Environs Overlay, • Hume Freeway Compatibility – Clause 18.01-2L-01, • drainage issues, • retention and protection of significant native vegetation and • local access requirements. • Environmentally Sensitive Design and Urban Design principles. • A staging plan. • Provide a transition of RLZ lots • RLZ lots varying between 2 and 4 ha
Potential Lot Yields:	RLZ1 – 30 - 40 lots (2ha) - (Subject to final precinct layout)	LDRZ (0.2 – 0.4ha) 100-150 lots (Subject to structure planning).	LDRZ (0.2 – 0.25ha) 560 lots RLZ (2-4ha) 45 – 50 lots (Subject to structure planning).

6. Conclusions

This report outlines the challenges and opportunities of accommodating Low Density and Rural Living style land uses around the township of Wangaratta.

All candidate areas demonstrate the ability to meet the settlement planning requirements of Clause 13.02-1S (Bushfire Planning) as a starting point.

When a more detailed planning assessment is applied, each area is considered to offer a variety of qualities and challenges that require differing levels of structure planning prior to realising a development outcome.

Therefore, the recommendations of the V1 Strategy have been amended to support the conclusions and research within this further investigations report.

Detailed precinct planning will be required in particular for areas W-1C (North-west and South) due to the range of requirements and opportunities that must be considered. This report recommends that any precinct planning exercise for these areas is undertaken by Council to ensure a co-ordinated and consistent approach that will otherwise be difficult to achieve if a market led approach is taken due to the highly fragmented ownership of land within these precincts.

Additional matters relative to the LDRZ and RLZ zones along with applicable interfaces have also

been discussed within this report and directions for Council have been outlined where action is required and will provide long term benefits to the community.

The report recommends that all three candidate areas can be considered to be suitable for rezoning to provide a variety of rural lifestyle outcomes. Based on the additional information reviewed during the preparation of this report, lot yields within both W-1C areas are anticipated to be lower than previously projected within V1 of the Strategy and need to be confirmed through a detailed precinct planning exercise. However, across all of the precincts it is anticipated that projected supply will be consistent with the vision of the V1 Strategy.

Previous recommendations that have been addressed in the Draft Planning Scheme Amendment C83 have not been included in further in the list of consolidated recommendations set out below.

Overall, the recommendations within this paper have sought to strike a balance and plan for settlement growth that is responsive to environmental constraints and opportunities, considers interfaces that are incompatible with sensitive uses and responds to the current and future impacts of climate change.

7. Recommendations & Actions.

The following table outlines all of the recommendations for this report only and must be read in conjunction with Section 6.2 of Version1 of the Strategy to provide a comprehensive guide to the future actions for Rural Residential living across the Municipality.

Action	Details	Timeframe
Objective 1	Adopt the strategy and embed in policy	
1.1	Council Adoption of the outlined directions for Wangaratta and prepares a Planning Scheme Amendment to include the updated Wangaratta recommendations and other matters as a Background Document and incorporate the key spatial directions for growth in the LDRZ and RLZ in local policy on Settlement	Short
Objective 2	Increase the supply of zoned land in the Low Density Residential Zone to Wangaratta to meet ongoing demand and ensure competition in the market	
2.1	<p>Wangaratta W-1D</p> <p>Development / Precinct Plan: That Council prepares appropriate planning tools to enable the recommendations of this report and outlined in the Wangaratta W-1D recommendations map. To create a precinct wide plan that incorporates and responds to the following:</p> <ul style="list-style-type: none"> • Avoids rezoning of parcels within the South Wangaratta Strategic Buffer. • Bushfire design requirements. • General urban design principles. • Protection and retention of Significant Vegetation and Vegetation Protection Overlays. • Draft freight by/pass routes. • Environmental Sustainable Design principles. <p>Planning Scheme Amendment:</p> <p>Following the development of the planning tools, the preparation of a planning scheme amendment should commence to rezone the selected area from RLZ2 to RLZ1, incorporating any associated planning tools required to implement the vision and requirements for this precinct.</p>	Short
2.2	<p>Wangaratta W-1C (South)</p> <p>Development / Precinct Plan: That Council prepares a Precinct Development Plan for the Wangaratta W-1C (South) investigation areas to confirm the extent of the developable area and the optimum mix of LDRZ and RLZ land within the precincts. The plan will include further investigation and the development of suitable planning tools to respond to:</p> <ul style="list-style-type: none"> • Bushfire design requirements • A Safety Management Plan for the high pressure gas pipeline, investigating measurement lengths and relevant requirements in accordance with APA requirements. • Incorporation of the 0.5% AEP flood extents outlined in the Wangaratta Urban Floodway Study as the 1%AEP with climate change. • Urban Design principles • Airport Environs Overlay and Hume Freeway Compatibility – Clause 18.01-2L-01, • Drainage issues, • Retention and protection of significant native vegetation and • local access requirements. • Environmentally Sensitive Design and Urban Design principles. • A staging plan. • RLZ lots varying between 2 and 4 ha • Any other requirements outlined in Sec 6.3 (V1 of Strategy) <p>Planning Scheme Amendment:</p> <p>Prepare a planning scheme amendment following completion of the Precinct Development Plan to rezoning the area to a mix of LDRZ and RLZ and any other accompanying planning tools required to implement the above mentioned requirements.</p>	Short

Action	Details	Timeframe
2.3	<p>Wangaratta W-1C (North West)</p> <p>Development / Precinct Plan: Following resolution of action items 3.3 and 3.5, Council should prepare a Precinct Plan for the Wangaratta W-1C (NorthWest) inline with the recommendations map (Map 9) within this report, but to include additional investigations to confirm the extent of the developable area for LDRZ, along with the development of suitable planning controls. The plan will include further investigation and respond to:</p> <ul style="list-style-type: none"> • Avoid rezoning of the area covered by the South Wangaratta Strategic Buffer. • Wetland area & depressions retained and encroachment is avoided.. • Significant vegetation retained and incorporated in any future development. • Bushfire design requirements LDRZ lots (.2-.25ha) • Incorporation of the 0.5% AEP flood extents outlined in the Wangaratta Urban Floodway Study as the 1%AEP with climate change. • Vegetation Protection Overlays (VPO2). • Draft freight routes. • Urban design principles. • Environmental Sustainable Design principles. <p>Planning Scheme Amendment:</p> <p>Prepare a planning scheme amendment following completion of the Precinct Development Plan to commence a rezoning process to LDRZ and other associated planning tools required to implement the above mentioned requirements. Not prior to the resolution of recommendation 3.3 and 3.5.</p>	Short - Medium
2.4	<p>General Planning Tools - Local Policy</p> <p>That Council prepares a planning scheme amendment and undertakes the following:</p> <p>General:</p> <ul style="list-style-type: none"> • Prepare design and development controls which accompany any rezoning to ensure that the various bushfire, land use interface and town character considerations are captured as part of future development. <p>Outbuildings (LDRZ):</p> <ul style="list-style-type: none"> • That local policy be implemented to support discretionary decision making for Outbuilding in the LDRZ as outlined in the draft policy at Appendix G. • In addition a supporting document is created to accompany the introduction of local policy that provides a visual interpretation of the policy requirements and assists the community in the design and siting of outbuildings. <p>Environmentally Sustainable Design (ESD):</p> <ul style="list-style-type: none"> • Advocates strongly to the Minister for Planning for expedience around the implementation of Stage 2 of the ESD roadmap program. • Becomes a member of the Council Alliance for a Sustainable Built Environment. • Drafts local policy generally consistent with the principles in Appendix G, that raises the importance of ESD in subdivision design to provide long term benefits to the health and well being of the community and environment. 	Short
3.0	Additional Planning Scheme Changes	
3.1	<p>Vegetation Protection Overlay – Schedule 2</p> <p>That Council prepare a planning scheme amendment to update the current Vegetation Protection Overlay – Schedule 2 across the entire Municipality in accordance with the recommendations of Council's adopted Roadside Conservation Management Plan 2022.</p>	Short
3.2	<p>Wangaratta Urban waterways flood study 2018</p> <p>That Council prepares a planning scheme amendment with the assistance of the North East Catchment Management Authority as a priority and requests the Minister for Planning for assistance to implement the 0.5%AEP flood extents outlined within the Study as a representation of new 1% AEP incorporating climate change modelling.</p> <p>The spatial extent of this amendment relates to the entire Wangaratta urban waterways investigated under the Wangaratta Urban Waterways flood Study 2018.</p> <p>That further consideration of the candidate areas in relation to flooding considers and plans for the 0.5% AEP extents and actively avoid the intensification of any area subject to flooding and inundation which is consistent with the Avoid principles under Clause 13.03-1S and 13.03-1L of the Scheme.</p>	Short
3.3	<p>Buffer Area Overlay – South Wangaratta Industrial Strategic Buffer</p> <p>That Council investigates and prepares a planning scheme amendment to translate the South Wangaratta Industrial Strategic Buffer into the Buffer Area Overlay with a focus on ensuring the economic potential of the South Wangaratta area is protected and avoids the establishment of sensitive uses within this precinct. Existing policy settings should also be updated to strengthen the role of the Buffer with the first</p>	Short

Action	Details	Timeframe
	principle of avoiding the establishment of sensitive uses.	
3.4	<p>Buffer Area Overlay – APA High Pressure Gas Pipeline</p> <p>That Council advocates the Victorian Government to undertake the application of the BAO across the APA High Pressure Gas Pipeline in a co-ordinated manner to protect this ensure the protection of this asset and community safety.</p> <p>This asset runs the length of the state across many municipal boundaries and achieving a consistent approach would be undertaken at a State Government level.</p>	Medium
3.4	<p>Closed Landfill Project Buffer Area Overlay, Potentially Contaminated land & Local Buffer Support Program</p> <p>That Council prepares a planning scheme amendment to:</p> <ul style="list-style-type: none"> Recognise closed land fills across the Municipality and as relevant recognises them as 'Potentially Contaminated land' through the application of the Environmental Audit Overlay and appropriate buffers in accordance with the recommendations of the NEWRRG Closed landfill project report for Wangaratta. Recognise active landfills and green waste processing facilities across the Municipality, using suitable planning controls to implement the recommendations of the Local Buffer Support Program 2017 report, using the new Buffer Area Overlay as a replacement to the Environmentally Sensitivity Overlay. 	Short
3.5	<p>Mixed Use Zone – Tone Road</p> <p>That Council prepares a planning scheme amendment to rezone this precinct from Mixed Use Zone to Industrial 3 Zone and develops accompanying local policy to support the future of this precinct as outlined in this report. And;</p> <p>Further investigations are undertaken into the land use history of 251-253 to determine if the site fits the criteria for 'potentially contaminated land' and applies the Environmental Audit Overlay (EAO) if the site meets the applicable criteria in consultation with the EPA.</p>	Short
3.6	<p>Hume Freeway Compatibility (Clause 18.01-2L-01)</p> <p>That Council investigates and prepares a planning scheme amendment to translate Clause 18.01-2L-01 into a Design and Development Overlay that buffers that Hume Freeway Road Reserve for 100m on either side.</p>	Medium

Indicative Timings: Short term = 0-3 years, Medium term = 3-10 years, Long term = 10+ years