

## Attachment 1 – Detailed Assessment of Submissions to Amendment C76: Wangaratta Industrial Land Use Strategy

	Submission Details	Changes requested	Officer comments	Recommendation
<p>Submission 1 CA11A Tone Road, Wangaratta</p>	<p>Raises concerns to the implementation of the Strategic Buffer</p> <p><b>Clause 21.11-3 South Wangaratta Industrial Area</b></p> <p>The submission states that the proposed strategic 1,000m buffer around MacKay Casings and the saleyards is incorrect.</p> <p>EPA Publication 1518 – Recommended Separation Distances for Industrial Residual Air Emissions recommends:</p> <ul style="list-style-type: none"> <li>▪ a separation distance of 500m for a stock sale yard</li> <li>▪ A separation distance of 1,000m for a casing facility producing more than 200 tonnes.</li> <li>▪ For production less than 200 tonnes the 'EPA recommends there is no visible discharge of dust or emissions of odours offensive to the senses of human beings, beyond the boundary of the premises.</li> </ul> <p>EPA licence 2966 for the facility has a permit condition stating "You must ensure that odours offensive to the senses of human beings are not discharged, emitted or released beyond the boundaries of the premises"</p> <p>Submitter had provided a plan indicating where they believe the correct buffer distance should be located, consistent with the Population and Housing Strategy.</p> <p>If the Council believes a 1,000m separation distance is required it should not be imposed from the separate land where the ponds are located. This land is not part of the casing facility, but is where treated wastewater is discharged to land. This is a wholly separate industry activity that has been incorrectly adopted in developing this plan.</p>	<ul style="list-style-type: none"> <li>• Modify the South Wangaratta Strategic Directions Plan of the Wangaratta Industrial Land Use Strategy to correctly show the buffer distance, consistent with Council's previous plans, and to reflect correct separation distances that do not unfairly restrict any future use of the submitters property.</li> </ul>	<p>The proposed strategic buffer of 1,000m around McKay's Casings and the saleyards was formed after considering EPA Publication 1518 – Recommended Separation Distances for Industrial Residual Air Emissions. This recommends 1,000m separation distance between a casings works which produces &gt;200 tonnes per year of food and sensitive uses (e.g. residential).</p> <p>The EPA have provided Council with a current copy of the licence for McKay Casings (No. 2966) which indicates that the business is categorised as D06 (Food processing). The D06 category is a food processing works which is designed to produce at least 200 tonnes per year of food. This means that McKay Casings is a food processing works capable of producing &gt;500 tonnes of food per year, and that the proposed 1,000m buffer is justifiable under the guidance provided by the EPA.</p> <p>The licence also identifies the premises at Schedule 1B, and shows it being made up of two portions – a northern portion at Shanley Street containing the factory building and a southern linear parcel containing wastewater/treatment ponds. EPA have confirmed that based on the licence, the ponds are ancillary to the primary use of the site and would also be subject to the 1,000m buffer distance, having regard to the EPA's Recommended separation distances for industrial residual air emissions. As such, the strategic buffer will be taken from the boundary of both the northern and southern portions of the land, as per Schedule 1B of the relevant EPA licence.</p> <p>The Strategic Buffer is also required accommodates a separation distance from the Wangaratta Saleyards facility. EPA's guidance for separation distances between stock saleyards and sensitive uses is 500m for a capacity of more than 500 head of</p>	<p><b>Modify</b> the South Wangaratta Strategic Directions Plan, at Figure 8 of Clause 21.11-3, to provide a more accurate plan showing the full extent of the proposed strategic buffer.</p>

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	<p><b>Clause 21.11-3 South Wangaratta Industrial Area, Strategy 1.2</b> Concern raised in relation to the wording and requirements of this strategy having regard to the strategic buffer issue discussed in the submission.</p> <p><b>Clause 21.11-3 South Wangaratta Industrial Area, Strategy 1.2</b> Concern raised in relation to the wording and requirements of this strategy having regard to the strategic buffer issue discussed in the submission.</p>	<ul style="list-style-type: none"> <li>If the proposed buffer is not modified, change the wording Strategy 1.2 to not impose constraints on our property that are different to previous Council studies, including Amendment C75..</li> <li>If the proposed buffer is not modified, change the wording Strategy 1.3 to not impose constraints on our property that are different to previous Council studies, including Amendment C75.</li> </ul>	<p>stock. The Wangaratta Saleyards can accommodate up to 4,000 head of stock. However, given the arrangement of the land, the 500 metre buffer from the saleyards facility falls within the larger 1,000 metre buffer distance.</p> <p>As identified above, the proposed Strategic buffer is to be modified to correctly align to the boundaries of the MacKay Casings facility, as per the premises and property details of the EPA licence which is larger than the buffer requested by the submitter. It is proposed to modify Strategy 1.2 of Clause 21.11-3 to provide clearer wording of the intent of this Strategy. The strategic buffer and associated strategies are aimed at protecting public health by requiring an odour assessment to be submitted before Council will consider any future investigations for the establishment of residential and other sensitive uses within the buffer.</p> <p>As identified above, the proposed Strategic buffer is to be modified to correctly align to the boundaries of the MacKay Casings facility, as per the premises and property details of the EPA licence which is larger than the buffer requested by the submitter. It is proposed to modify Strategy 1.3 of Clause 21.11-3 to provide clearer wording of the intent of this Strategy. The strategic buffer and associated strategies are aimed at protecting public health by requiring an odour assessment to be submitted before Council will consider any future investigations for the establishment of residential and other sensitive uses within the buffer.</p>	<p><b>Modify</b> Strategy 1.3 of Clause 21.11-3 to: <i>Strategy 1.2 Avoid supporting rezoning proposals or changes to zoning schedules which will enable the consideration of dwellings and other sensitive uses, unless an odour assessment has been provided which demonstrates the strategic buffer around McKay Casings and the sale yards can be reduced.</i></p> <p><b>Modify</b> Strategy 1.3 of Clause 21.11-3 to: <i>Strategy 1.3 Avoid supporting permit applications for dwellings and other sensitive uses, unless an odour assessment has been provided which demonstrates the strategic buffer around McKay Casings and the sale yards can be satisfactorily reduced.</i></p>
<p>Submission 2 237 Shanley Street, Wangaratta</p>	<p><b>Objects</b> to the introduction of Clause 21.11-3 South Wangaratta Industrial Area - Local Areas Policy as exhibited.</p> <p>Raises concerns with the drafting of Clause 21.11-3 including:</p> <ul style="list-style-type: none"> <li>The Strategic Buffer at Figure 8 of Clause 21.11-3 is unclear and incomplete, with parts of the buffer</li> </ul>	<p>Modify exhibited Clause 21.11-3 so that:</p> <ol style="list-style-type: none"> <li>The strategic buffer distance of 1000m be taken from the boundary of the Mackay Casings licensed site only, as reasonable justification exists for this separation distance (refer to</li> </ol>	<p>The Strategic Buffer shown at Figure 8 is partly incomplete in its coverage to the north east. It is also necessary to modify</p>	<p><b>Modify</b> the South Wangaratta Strategic Directions Plan, at Figure 8</p>

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	<p>obscured by graphics, and not covering all the land affected by the proposed buffer area.</p> <p>It also does not show the entire area affected by the 1000m buffer, in that it only shows the western side and not the eastern side.</p> <ul style="list-style-type: none"> <li>▪ The use of the Plan in a policy to define a buffer area, instead of a more appropriate planning tool such as an overlay, is questioned. The buffer would not be identified via a Planning Property Report or Planning Certificate and therefore the implications may not be understood by purchasers.</li> <li>▪ The related Strategy 1.3 is unclear in its intent, as it appears to target 'future investigations' for the establishment of residential and other sensitive uses. Does this mean a request to rezone land for residential purposes will not be supported, or does this equally apply to a planning permit application to subdivide land currently zoned Rural Living zone?</li> <li>▪ The Strategy advises that the 'strategic buffer' may be reduced if 'an appropriate buffer distance is confirmed'. It is not clear what this</li> </ul>	<p>Appendix 2 for extent of affected area shown in blue).</p> <p>b. The South Wangaratta Strategic Direction Plan be amended to reflect this reduced 'strategic buffer' area.</p>	<p>the buffer to reflect a more accurate alignment based on EPA advice discussed above.</p> <p>The proposed Strategic Buffer and associated strategies are intended to provide appropriate triggers for Council to consider impact on public health and amenity, by requiring an odour assessment, before Council will consider future investigations for the establishment of residential and other sensitive uses within the buffer. The use of the EPA's guidance for separation distances has been used to inform the decision around the appropriate buffer distance.</p> <p>It is not proposed to utilise an Environmental Significance Overlay in this instance as the intention is not to prevent development occurring. The use a Strategic Buffer as a trigger for assessment by Council is considered more appropriate for the circumstances.</p> <p>Strategy 1.3 is intended to require planning permit applications in the identified Strategic Buffer and which comprise a sensitive use to provide an odour assessment which demonstrates protection public health and that a reduced buffer distance is appropriate</p> <p>As such, Strategy 1.3 is proposed to be modified as follows:  <i>Strategy 1.3 Avoid supporting permit applications for dwellings and other sensitive uses, unless an odour assessment has been provided which demonstrates the strategic buffer around McKay Casings and the sale yards can be satisfactorily reduced.</i></p> <p>The Industrial Land Use Strategy recommended the implementation of a Strategic Buffer to ensure that there was a suitable response to considering sensitive</p>	<p>of Clause 21.11-3, to provide a more accurate plan showing the full extent of the proposed strategic buffer.</p> <p><b>No change</b></p> <p><b>Modify</b> Strategy 1.3 of Clause 21.11-3 to:  <i>Strategy 1.3 Avoid supporting permit applications for dwellings and other sensitive uses, unless an odour assessment has been provided which demonstrates the strategic buffer around McKay Casings and the sale yards can be satisfactorily reduced.</i></p> <p><b>No change</b></p>

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	<p>means and who would determine the suitability of such a reduction.</p> <ul style="list-style-type: none"> <li>▪ Preparation of an odour assessment, as suggested within the Wangaratta Industrial Land Use Strategy, Dec, 2017 (WILUS), can be a costly and time consuming process and may not achieve or support a reduction below 1000 metre.</li> <li>▪ The proposed 1,000 metre strategic buffer as exhibited will affect the entire property.</li> <li>▪ The exact implications of Strategy 1.3 are unclear and it is assumed that Council intends to 'avoid' or not support any development of dwellings within this 1000m buffer area which would prevent subdivision of the submitters land which is already zoned Rural Living.</li> <li>▪ It is accepted in Clause 53.10 Uses with Adverse Amenity Potential of the WPS and in Environment Protection Authority (EPA) Ministerial Direction</li> </ul>	<p>Modify exhibited Clause 21.11-3 so that the strategic buffer distance of 1000m be taken from the boundary of the Mackay Casings licensed site only</p> <p>Modify exhibited Clause 21.11-3 so that Council-owned land be identified as an informal separation buffer between the existing Wangaratta Saleyards/Mackay</p>	<p>land uses encroaching on the existing industrial uses.</p> <p>The intent of the strategies at Clause 21.11-3 are to protect public health by requiring an odour assessment to be submitted before Council will consider any future investigations for the establishment of residential and other sensitive uses within the buffer. The strategic buffer and associated strategies are also intended to protect existing industrial developments, which have the potential for residual air emissions, from encroachment by sensitive land uses.</p> <p>In making any decisions, Council will consider the recommendations of any odour assessment against relevant EPA guidelines, and will obtain EPA advice as required.</p> <p>There are existing established uses in the South Wangaratta area that have the potential for impact on sensitive uses. It is considered appropriate and justifiable for Council to require appropriate technical reports to support proposals for sensitive land uses within proximity.</p> <p>The proposed Strategic Buffer is to be amended to correctly align to the boundaries of the MacKay Casings facility and the Wangaratta Saleyards operational area only.</p> <p>The strategic buffer and associated strategies are not intended to operate as a prohibition on development within the buffer area, but rather seek to impose a framework which allows proposals to be considered on a case by case basis with appropriate justification.</p> <p>A 'stock saleyard' is identified as an industry activity at Table 1 of the Recommended separation distances for industrial residual air emissions. EPA's</p>	<p><b>No change</b></p> <p><b>Modify</b> the South Wangaratta Strategic Directions Plan, at Figure 8 of Clause 21.11-3, with the Strategic Buffer to be taken for the boundary of MacKay Casings and the operational area of the Wangaratta Saleyards.</p> <p><b>No change.</b></p> <p><b>No change.</b></p>

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	<p>No. 19 and the Industrial Air Emissions Guidelines that a 1000m separation distance is appropriate between rendering and casings industry and sensitive uses.</p> <p>However, saleyards are not listed as a use with adverse amenity potential, therefore there is no established separation distance from sensitive uses.</p> <ul style="list-style-type: none"> <li>Queried why the vacant Council owned land adjacent to the saleyards has been applied with a 1000 metre buffer distance.</li> <li>The vacant PUZ6 land to the west of the saleyards would seem a great opportunity for an 'in-built' buffer between the existing rural living land to the west, and the Saleyards and Mackay Casings to the east. Council owns the land and can control the types of uses that could establish here. Any future uses would ultimately be controlled by the PUZ – Schedule 6 that applies to the land. Existing RLZ land should not be used as a separation buffer for this Council-owned land that is not currently zoned, or proposed to be zoned for industrial purposes.</li> </ul>	<p>Casings and existing Rural Living land to the west of Reith Road.</p>	<p>guidance for separation distances between stock saleyards and sensitive uses is 500 metre for a capacity of more than 500 head of stock. The Wangaratta Saleyards can accommodate up to 4,000 head of stock. However, it should be noted that given the location of the operational portion of the saleyards, the 500 metre buffer falls within the larger 1,000 metre buffer distance.</p> <p>Council officers have clarified that the vacant Council owned land to the west of the operational saleyards area are not intended to be used as saleyards.</p> <p>The adjacent PUZ6 land effectively does act as a buffer location as the proposed Strategic Buffer is to be taken from the boundary of the adjacent MacKay Casings and the operational area of the Wangaratta Saleyards.</p>	<p><b>Modify</b> the South Wangaratta Strategic Directions Plan, at Figure 8 of Clause 21.11-3, with the Strategic Buffer to be taken from the boundary of MacKay Casings and the operational area of the Wangaratta Saleyards.</p> <p><b>No change.</b></p>
<p>Submission 3 330 Reith Road, Wangaratta</p>	<p><b>Objects</b> to the proposed 1,000m strategic buffer around MacKay Casing and the sale yards because it will adversely affect 330 Reith Road by constraining its development potential and devalue the land</p> <p>The submitter also provided further submissions that the application of a Strategic Buffer would cause a drop in valuation of the land and therefore result in a change in finance arrangement. If there are changes to property values, how will council compensate the landholder.</p>	<p>No specific change to the amendment</p>	<p>The establishment of a buffer surrounding MacKay Casings has been consistently identified and referred to within both the Population and Housing Strategy (2013) and the Industrial Land Use Strategy (2017). In particular, the Population and Housing Strategy stated <i>“Limit expansion to the south-west of the Wangaratta City so as to protect the on-going operation of Mackays Casings and the saleyards through required buffer distances.”</i></p> <p>The proposed strategic buffer of 1,000 metre around McKay's Casings and the</p>	<p><b>No change.</b></p>

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	<p>Queries why the Strategic Buffer does not extend 1,000m in all directions from MacKay Casings.</p>	No specific change to the amendment	<p>saleyards is based on EPA Publication 1518 – Recommended Separation Distances for Industrial Residual Air Emissions. This recommends a 1,000 metre separation distance between a casings works which produces &gt;200 tonnes per year of food and sensitive uses (e.g. residential). The EPA have provided Council with a current copy of the licence for McKay Casings (No. 2966) which indicates that the business is categorised as D06 (Food processing). The D06 category is a food processing works which is designed to produce at least 200 tonnes per year of food. This means that McKay Casings is a food processing works capable of producing &gt;500 tonnes of food per year, and that the proposed 1,000m buffer is justifiable under the guidance provided by the EPA.</p> <p>In addition, a 'stock saleyard' is identified as an industry activity at Table 1 of the Recommended separation distances for industrial residual air emissions. EPA's guidance for separation distances between stock saleyards and sensitive uses is 500 metre for a capacity of more than 500 head of stock. The Wangaratta Saleyards can accommodate up to 4,000 head of stock. A buffer of 500 metres is to be applied surrounding the operational area of the saleyards, however this will not exceed the 1000 metres of the MacKay Casings facility.</p> <p>The Strategic Buffer is to apply in all directions surrounding the MacKay Casings and Wangaratta Saleyards.</p>	<p><b>Modify</b> the South Wangaratta Strategic Directions Plan, at Figure 8 of Clause 21.11-3, with the Strategic Buffer to be taken from the boundary of MacKay Casings and the operational area of the Wangaratta Saleyards.</p>
<p>Submission 4 55 Gravel Pit Road, Wangaratta South</p>	<p><b>Objects</b> to Clause 21.11-3 and particularly Strategy 1.3:  Considers a buffer zone of 1000m is an overstatement of a problem that over the last few years has ceased to be an issue to</p>	No specific change to the amendment		<p><b>No change.</b></p>

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	<p>property holders to the south of MacKay Casings and the sale yards. Most winds blow from south to north.</p> <p>Currently there is a 56 lot subdivision approved on Reith Rd to Worland Rd to Cruse St to link up with Sisely Ave at the north of Mackay Casings and the Wangaratta Market Yards. This is within 1 km of the market yards. Was there an odour assessment undertaken before this development was given the go ahead by Council?</p> <p>No. 55 Gravel Pit Road is zoned Rural Living Zone – Schedule 2, and can be subdivided into rural areas of 20 acre block size. Although there are no immediate plans for subdivision, the close proximity to Wangaratta and the amenity of the area makes this an ideal location for lifestyle blocks.</p>	<p>No specific change to the amendment</p> <p>No specific change to the amendment</p>	<p>The development within the North West Growth area is not within the area identified for the Strategic Buffer.</p> <p>Council acknowledges the existing zoning of the land, however it is also necessary to acknowledge that there are other existing industrial land uses which have the potential to result in residual air emissions. The intent of the Strategic Buffer and associated strategies at Clause 21.11-3 is not to prevent development, but rather seeks to impose a framework which allows proposals to be considered the suitability of any development on a case by case basis with appropriate justification.</p>	<p><b>No change.</b></p> <p><b>No change.</b></p>
<p>Submission 5 247 Detour Road, North Wangaratta</p>	<p>Requests changes to the recommended zoning in the North Wangaratta Industrial Precinct (“NWIP”) to be Industrial 2 Zone (IN2Z) rather than Industrial 1 Zone (IN1Z).</p> <ul style="list-style-type: none"> <li>▪ Considers that IN2Z would better represent the Vision of the Wangaratta Industrial Land Use Strategy</li> <li>▪ Would enable the land for heavier industries to be surrounded by expanded Strategic Buffers like those proposed around the NEW Wastewater Treatment Plant and Alpine MDF facility.</li> <li>▪ The IN2Z specifically seeks to accommodate manufacturing industries and storage facilities that require a substantial threshold distance.</li> </ul>	<p>Except for land within 300 metres of Bowser Road or the North Wangaratta settlement, all land within the North Wangaratta Industrial Precinct is:</p> <ol style="list-style-type: none"> <li>a. Re-zoned to IN2Z, other than land where the PUZ is appropriate; and</li> <li>b. Surrounded by expanded Strategic Buffers like those proposed around the North East Water Wastewater Treatment Plant and Alpine MDF facility.</li> </ol>	<p>This change would represent a significant variation to the recommendations of the Industrial Strategy and Amendment C76, which did not recommend IN2Z.</p> <p>The position of the Strategy is for the NWIP to accommodate the heavier industries and those which may require greater separation distances given the ability for this surrounding area to accommodate larger buffer distances. It is noted that the purpose of the IN2Z is to enable development of heavy industries (required large buffers) to be located in the core of an industrial precinct with other industries on the periphery and that this would achieve the objectives of the Strategy and the NWIP. However, given the location and existing context of the NWIP and surrounds, the objectives and vision for this area to be the focus for large scale industries required larger separation distances can be achieved by the provisions set out within exhibited Amendment C76.</p>	<p><b>No change.</b></p>

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	<ul style="list-style-type: none"> <li>The Industrial Strategy seeks to promote the NWIP for uses with adverse amenity potential, while protecting it from encroachments by sensitive uses. It proposes also Strategic Buffers that prevent instances of sensitive uses encroaching on the required setbacks of a use with adverse amenity</li> </ul>	<p>Consideration should also be given to affording greater weight to these buffers through the application of an appropriate overlay.</p>	<p>Achieving an IN2Z style precinct would also be difficult given that the majority of the central area of the NWIP is zoned for Public Use and accommodates North East Water's utilities.</p> <p>The IN2Z also includes permit triggers for most uses, and discourages lighter industries (e.g. warehouses). By comparison, IN1Z does not require for a permit for lighter industries and warehouses (subject to compliance with threshold distances) for which there is an identified trend in the Industrial Strategy e.g. general manufacturing and servicing, warehousing for transport and logistics services etc. The Industrial Strategy does not identify any significant trends for larger industries, so it is likely that there will not be significant demand for these over the next 20 years. It should also be noted that that Council's Industrial Strategy will be reviewed as part of future reviews of the Planning Scheme. The review process will allow Council to monitor land supply and demand in order to assess the performance of the strategy.</p> <p>The Strategy and Amendment C76 are encouraging of the NWIP to be the focus for heavy industries, including those which will require substantial buffer distances.</p> <p>Having regard to the above, Council does not agree with the requested changes within the submission on behalf of GWCW Investments Pty Ltd dated 27 May 2015. The IN1Z more closely matches the Industrial Strategy's rationale in ways that can facilitate timely economic development while still enabling larger industries to be considered, should the need arise.</p> <p>Council does not consider that any overlays should be investigated for the NWIP. Appropriate buffers to industrial land uses can be established through application of the provisions of Clause 53.10 and the EPA's guidance for separation distances.</p> <p>The North West Strategic Directions Plan also indicates indicative Strategic Buffers</p>	<p><b>No change.</b></p>



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	<p>potential, as the resulting creates conflict can hinder the expansion and period improvement of the uses with adverse amenity potential due to EPA amenity standards.</p> <ul style="list-style-type: none"> <li>Consideration should also be given to affording greater weight to these buffers through the application of an appropriate overlay.</li> </ul>		as a means of acknowledging that the NWIP must be protected from encroachment of sensitive land uses.	
<p>Submission 6 347 Wangaratta- Eldorado Road, North Wangaratta</p>	<p><b>Objects</b> to the proposed rezoning of Council's land between Detour Road and Bourke Road from Public Use Zone 1 to Industrial 1 Zone because all of the land bounding Bourke Road, Detour Road and Croshers Lane should be rezoned at the same time.</p> <p>The submitter suggests that the:costs associated with Council buying this land, removing the plantation, roadworks, drainage and other works mean that it would be too costly to develop and that Council should acquire all the land bounded by Bourke Road, Detour Road and Croshers Lane, in order for it to be developed in more cost-efficient ways.</p> <p>Submission also indicates that the last proposed rezoning for North Wangaratta was to IN2Z and that this was rejected at a hearing, as there was enough existing industrial land in North Wangaratta. The submitter also indicates that no other industry has been developed since that hearing.</p> <p>Raises a number of concerns:</p> <ul style="list-style-type: none"> <li>Concerned that a strip of plantation trees would be removed from the land and that these have amenity value.</li> <li>The North Wangaratta Community requested that a buffer of trees be left on this property and the submitter wishes to confirm if the strip of plantation is to be cleared or sold with the site, and notes it would be costly to clear it.</li> </ul>	<p>Council should acquire all the land bounded by Bourke Road, Detour Road and Croshers Lane</p> <p>Rezone the land bounded by Bourke Road, Detour Road and Croshers Lane to IN1Z.</p> <p>No specific change to the amendment</p>	<p>Some of the land bounded by Bourke Road, Detour Road and Croshers Lane is owned by North East Water and is zoned PUZ, other land is in private ownership and zoned IN1Z and FZ.</p> <p>Given the uncertainties associated with acquiring land from third parties to develop a large tract of land for industrial purposes, the submitters recommended change to the amendment is not supported.</p> <p>The strip of plantation trees is noted, however at this stage the future development or the site is not known. The timing for removal of vegetation is likely to be influenced by a number of factors and it would premature to consider at this stage.</p>	<p><b>No change.</b></p> <p><b>No change.</b></p>

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	<ul style="list-style-type: none"> <li>The property has stormwater drainage problems with the dam in the north-western corner suffering from erosion and water draining onto adjacent private land. The submitter indicates that previous discussions with Council officers have confirmed these issues.</li> <li>The number of access ways for future lots may be limited and would like to know if the lots would be serviced from Detour Rod only, via a constructed service road.</li> <li>Council's land may be subdivide into smaller lots than the 5 lots it is currently comprised of, despite the Industrial Strategy's objectives for it to be used for large scale land uses.</li> </ul>	<p>No specific change to the amendment</p> <p>No specific change to the amendment</p> <p>No specific change to the amendment</p>	<p>Comment of the submitter is noted, however any future development of the land would need to have appropriate consideration for management of site drainage. It is noted that Council would not be burdened with the costs of infrastructure works within the proposed.</p> <p>Comment of the submitter is noted but no changes are proposed. Appropriate servicing of the land would be considered at the time of any future development, and will have regard for providing safe and appropriate access and ensuring that roads are appropriately designed and have capacity to accommodate traffic movements.</p> <p>Comment of the submitter is noted but no changes are proposed.</p>	<p><b>No change.</b></p> <p><b>No change.</b></p> <p><b>No change.</b></p>
<p>Submission 7 374 Reith Road</p>	<p>Raises a concerns with the proposed rezoning of Three Mile Creek from a mix of Industrial 1 Zone, Public Use Zone 6 and Farming Zone to Public Conservation and Recreation Zone.</p> <p>The submitted is concerned with the change of zoning along the Creek and the impacts that may result including walking tracks, noxious weeds and fire prevention.</p>	<p>No specific change to the amendment</p>	<p>The submitter has been advised in writing that adjacent 374 Reith Road the creek is being rezoned from IN1Z to Public Conservation and Recreation Zone. This represents the most appropriate zone to reflect the status and purpose of the land along the creek.</p> <p>The rezoning itself is unlikely to change the way the land along the creek is being managed by the land manager, which is the Department of Land, Water and Environment and Planning (DEWLP), who requested the corrective rezoning. These rezoning's will prohibit many Land uses allowed under the IN1Z and PUZ (currently in place further south along the creek) and the land will continue to be regulated and managed by DEWLP.</p> <p>Noxious weeds and bushfire risk should be adequately managed by DEWLP as the public land manager.</p>	<p><b>No change.</b></p>
<p>Submission 8 Goulburn Ovens Institute of TAFE, 218 Tone Road, Wangaratta</p>	<p><b>Objects</b> to the proposed rezoning from IN1Z to PUZ2 (Education) on the basis that:</p>	<p>The proposed rezoning of 218 Tone Road, Wangaratta (eastern portion of lot for Goulburn Ovens Institute of TAFE) to PUZ2</p>	<p>Given that the landowners would like to retain the IN1Z in order to enable a wider range of appropriate potential development, this request is supported.</p>	<p><b>Not proceed</b> with rezoning of the land at 218 Tone Road, Wangaratta (eastern portion of lot for Goulburn</p>

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	<ul style="list-style-type: none"> <li>• no request was made by GOTAFE to Council to rezone the land</li> <li>• no consultation occurred during or after the formulation of the Wangaratta Land Use Strategy 2017 in which the study recommended the rezoning</li> <li>• The justification for the rezoning (i.e. that it will better reflect use and ownership and ensure an accurate assessment is made of future industrial land supply) is insufficient.</li> <li>• Given property's current land uses are administration, education, horticulture, agriculture and equine infrastructure, which is in keeping with the current IN1Z and with the overall goals of the Industrial Strategy.</li> <li>• The existing land uses fit comfortably within the current zoning of the land and any longer term/future uses can be considered in light of the existing zoning and overlay provisions and potential planning application process.</li> <li>• Only a small percentage of the 16.85 ha of the land is used for education purposes and it is considered unlikely, in the long term, that the entire site can or will be used solely for public education therefore the retention of the existing zoning provides greater flexibility for the long-term use of the land.</li> <li>• It is inconsistent to rezone only part of the land owned by GOTAFE based on the argument that it is to be undertaken in order to better reflect ownership.</li> <li>• The Wangaratta Land Use Strategy 2017 has a principal aim of making available opportunities for a range of industrial uses therefore the rezoning</li> </ul>	<p>(Education) is not supported and this property should remain IN1Z.</p>	<p>It is noted that during the development of the Industrial Land Use Strategy's Background Report, GOTAFE was contacted by Council's project consultants and participated in the preparation of the strategy.</p> <p>This component of the submission is considered able to be resolved by making the requested change.</p>	<p>Ovens Institute of TAFE) as Public Use Zone Schedule 2 (Education), and retain this land within the Industrial 1 Zone (IN1Z)</p>

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	<p>of the subject land to a Public Use Zone is not in keeping with this aim.</p> <ul style="list-style-type: none"> <li>• The Strategy states there is an emerging demand for land for a range of businesses seeking high exposure particularly on Tone Road and the rezoning of the subject site to a Public Use 2 zone would not assist in achieving this goal given it has a frontage of 610 metres to Tone Road.</li> <li>• Tertiary and higher education institutions are not always designated as Crown land and in this case the site is in freehold ownership. Other TAFE institutions sit comfortably and work within the designated zoning of their land, such as Gordon TAFE at 6 Fenwick Street Geelong which is located in an Activity Centre zone in accordance with the Greater Geelong Planning Scheme. This reflects the changing nature of education and the collaborations that now occur between the private and public sector which are not reflected in the Public Use zoning provisions. Partnerships that can occur with strategic organisations are better facilitated through the underlying zoning of the land rather than the Public Use zoning.</li> <li>• The Ministerial Direction on the form and content of planning schemes specifies that a planning scheme may only include land in a public land zone if the land is Crown land or is owned, vested in or controlled by a Minister, government department, public authority or a municipal council. It further states that public land zones are not intended to identify the legal status of the land or indicate the existing land use which is the primary goal for the site being rezoned as</li> </ul>			

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	<p>stated in the Wangaratta Land Use Strategy.</p> <ul style="list-style-type: none"> <li>The public land use zoning is intended to set out appropriate statutory requirements that apply to the use and development of the land in addition to the relevant land management legislation. We consider that as the freehold owner of the land the Public Use Zone 2 is not warranted as no case can be made that the current zoning is inappropriate and further, there is no special reason to separately identify the public land for planning purposes. It is noted that the site abuts the 3 Mile Creek which is impacted by overlay controls however, apart from this, there are no special land management controls that warrant the rezoning. The relevant land manager is GOTAFE and they do not require a rezoning to a public use zone for the management of the site.</li> </ul>			
	<p>The submission also raised concern with the proposed Strategic Buffer.</p> <ul style="list-style-type: none"> <li>The proposed 1,000m buffer distance from the MacKay Casings site in the main is intended for distances from residential land use. This buffer is not one imposed by the Environment Protection Authority (EPA) and we consider any buffer distances should be reviewed and preferably set by the EPA. Further, we consider the uses currently on our site cannot be considered as "sensitive" uses and therefore GOTAFE would like to be involved in the review of buffer distances that may impact their site and activities. We consider Council needs to undertake this review and</li> </ul>	<p>Request that the proposed 1,000m strategic buffer from MacKay Casings and the sale yards be reviewed and set by the EPA.</p>	<p>As discussed in response to other submissions on this issue, the establishment of a buffer surrounding MacKay Casings has been consistently identified and referred to within both the Population and Housing Strategy (2013) and the Industrial Land Use Strategy (2017).</p> <p>The proposed strategic buffer of 1,000 metre around McKay's Casings and the saleyards is based on EPA Publication 1518 – Recommended Separation Distances for Industrial Residual Air Emissions. Council have also consulted with the EPA to confirm that the licence for McKay Casings (No. 2966) indicates that the business is categorised as D06 (Food processing) and is designed to produce at least 200 tonnes per year of food. This means that McKay Casings is a food processing works capable of producing more than 500 tonnes of food per year, and that the proposed 1,000 metre buffer is</p>	<p><b>No change.</b></p>

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	base any buffer distances on advice by the EPA.		<p>justifiable under the guidance provided by the EPA.</p> <p>In addition, a 'stock saleyard' is identified as an industry activity at Table 1 of the Recommended separation distances for industrial residual air emissions. EPA's guidance for separation distances between stock saleyards and sensitive uses is 500 metre for a capacity of more than 500 head of stock. The Wangaratta Saleyards can accommodate up to 4,000 head of stock. A buffer of 500 metres is to be applied surrounding the operational area of the saleyards, however this will not exceed the 1000 metres of the MacKay Casings facility.</p>	
Submission 9 North East Water	<p>Generally <b>supportive of the Amendment, subject to the following comments.</b></p> <ul style="list-style-type: none"> <li>Supports rezoning of IN1Z and FZ in North Wangaratta to PUZ1</li> <li>In part supports rezoning of IN1Z to PUZ1 in South Wangaratta. Supports rezoning of Lot 1 in PS323691 from IN1Z to PUZ1. Requests that Lots 3, 4, 5, 6 &amp; 7 on LP7241 be retained as IN1Z to leave future options open. (i.e. vacant lots north of the trade waste treatment plant and a drainage reserve).</li> <li>The Explanatory Report refers to Clause 21.10 and the need for further strategic work with regard to North East Water's treatment plants. However, this was implemented through a previous amendment C75 (Scheme Review).</li> <li>At clause 21.08-2 Industry, amend the second dot under 'North Wangaratta' which reads "The precinct is ideally located to accommodate industries which require large land holdings or separation distances" to include "involve high water intensive uses and / "</li> </ul>	<p>No specific change requested</p> <p>Lots 3, 4, 5, 6 &amp; 7 on LP7241 be retained as IND1 to leave future options open</p> <p>No specific change requested</p> <p>Change 2<sup>nd</sup> dot point of clause 21.08-2</p>	<p>Noted</p> <p>There is no intent to expand the treatment plant on Lots 3, 4, 5, 6 &amp; 7 on LP7241. Agree with the request and support the requested changes.</p> <p>The Explanatory Report erroneously refers to Clause 21.10 – Amendment C76 does not proposed to change this clause.</p> <p>The proposed addition is considered to be appropriate and does not contradict or undermine the intention of the existing wording.</p>	<p><b>No change</b></p> <p><b>Not proceed</b> with rezoning of Lots 3, 4, 5, 6 &amp; 7 on LP7241 to PUZ1.</p> <p><b>No change.</b></p> <p><b>Modify</b> the 2<sup>nd</sup> dot point under North Wangaratta at clause 21.08-2 Industry, amend the second dot under Context and Issues and 'North Wangaratta' to "The precinct is ideally located to accommodate industries which require large land holdings, <u>involve high water</u></p>

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	<ul style="list-style-type: none"> <li>Support Clause 21.11-3 'Context and Issues' at dot points 5 and 6 as it relates to dwellings in the IN1.</li> <li>Clause 21.11-3 should be Figure 8 not Figure 9. The Strategic Buffer for MacKay Casings and the saleyards does not wholly encompass the South Wangaratta Waste Treatment Plant site.</li> <li>There is a numbering error at Clause 21.11 Local Areas, which should be corrected to 21.11-4 North Wangaratta Industrial Area.</li> <li>Under the North Wangaratta Industrial Area clause, Strategy 1.4 should be reworded to include the word 'indicative' when referring to the North Wangaratta Strategic Buffers.</li> <li>Under Clause 21.12 (planning scheme reference documents): <ul style="list-style-type: none"> <li>there is a historical error which refers to Wangaratta System Plan. This should be amended to Wangaratta Infrastructure Plan</li> <li>Council should consider adding the North East Water's Urban Water Strategy 2017 (see below).</li> </ul> </li> </ul>	<p>Support. No changes requested</p> <p>Support. No changes requested</p> <p>There is a numbering error at Clause 21.11 Local Areas, which should be corrected to 21.11-4 North Wangaratta Industrial Area.</p> <p>Reword Strategy 1.4 of 21.11-3</p> <p>Amend Clause 21.12 to refer to the:</p> <ul style="list-style-type: none"> <li>Wangaratta Infrastructure Plan</li> <li>North East Water's Urban Water Strategy 2017.</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Agree that there is a numbering error at Clause 21.11 Local Areas, which should be corrected to 21.11-4 North Wangaratta Industrial Area.</p> <p>It is agreed that Strategy 1.4 should be reworded to include the word 'indicative' when referring to the North Wangaratta Strategic Buffers.</p> <p>As the North East Water's Urban Water Strategy 2017 is not currently referred to in the planning scheme and water supply has not been raised as a significant issue within the Industrial Strategy's proposed planning policies there is no valid reason to include it under Clause 21.12, according to DELWP's Planning Practice Note 13 Incorporated and Background Documents. However, as water supply is likely to be raised as a significant issue in the forthcoming Low Density and Rural Residential Strategy, the document can be referenced in the subsequent scheme amendment.</p>	<p>intensive uses and / or separation distances"</p> <p><b>No change.</b></p> <p><b>No change.</b></p> <p><b>Modify</b> Clause 21.11 to apply the correct heading of 'Clause 21.11-4 North Wangaratta Industrial Area'</p> <p><b>Modify</b> Strategy 1.4 of clause 21.11-4 to refer to the North Wangaratta Indicative Strategic Buffers.</p> <p>Amend Clause 21.12 to refer to the:</p> <ul style="list-style-type: none"> <li>Wangaratta Infrastructure Plan</li> </ul>
Submission 10 NECMA	<p><b>Does not object</b> but provides the following comments.</p> <p>The proposed re-zoning of land at 218 Tone Road from Industrial 1 Zone to Public Use Zone 2 (Education) reflects current use and is unlikely to result in intensification of current use. Future development of the land will be subject to</p>	No specific changes requested	Noted. No changes necessary to the Amendment.	<b>No change.</b>

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	<p>consideration of the impact of flooding, noting that the extent of 1% AEP flooding within the property is understated by the existing FO and LSIO.</p> <p>Shanley Street / Reith Road / Wangaratta Livestock Exchange:</p> <p>The land is subject to shallow flooding and potential isolation in large flood events and is likely prone to poor drainage and waterlogging. In view of the flooding and drainage constraints on the site, the Authority considers that the existing zoning (FZ) is appropriate but would not object to re-zoning to PUZ6 consistent with the current land use noting that future development of the land will be subject to consideration of the impact of flooding.</p> <p>Part of land at 79 Shanley Street:</p> <p>The subject lot abuts Three Mile Creek, includes a substantial area of mature riparian vegetation and is largely flood prone in the 1% AEP flood event. The Authority is not aware of the current land ownership and management arrangements of Lot 1 PS404362 but recommends that the riparian zone be protected from industrial development consistent with the vision and strategies in 21.03 and 21.08 and proposed re-zoning to PPRZ of riparian land between Tone Road and the railway line and to the north of Shanley Street.</p> <p>Three Mile Creek Reserve between Tone Road and Racecourse Road:</p> <p>The Authority supports the zoning amendment to provide consistent Public Land zoning along Three Mile Creek Reserve. There appears to be some inconsistency in relation to the zoning proposed, with the amendment documentation including reference to “Public Conservation and Recreation Zone”, “Public Conservation and Reserve Zone” and “Public Park and Recreation Zone” in relation to this land. The Authority assumes that the intended zoning is Public Park and Recreation Zone, as</p>	<p>No specific changes requested</p> <p>No specific changes requested</p> <p>No specific changes requested</p>	<p>Noted. No changes necessary to the Amendment.</p> <p>Noted. No changes necessary to the Amendment.</p> <p>Noted. The exhibited Explanatory Report referenced rezoning's to the Public Park and Recreation Zone. This is considered a minor administrative error, as the rezoning's of Three Mile Creek and part of the Wangaratta Common to Public Park and Recreation Zone were correctly referenced in the exhibited Zoning Maps and the formal Instruction Sheet.</p>	<p><b>No change.</b></p> <p><b>No change.</b></p> <p><b>No change.</b></p>



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	<p>shown on the amendment maps (Wangaratta C76 002znMaps18_20_22_23 Exhibition Gazetted.pdf). The Authority would support PPRZ zoning for the riparian land along Three Mile Creek. The Authority notes that the proposed public zoning between Tone Road and the railway line (adjacent 218 Tone Road) is not shown on the amendment map Wangaratta C76 002znMaps18_20_22_23 Exhibition Gazetted.pdf).</p> <p>In relation to LPP 21.11-3 (South Wangaratta Industrial Area), parts of the South Wangaratta Industrial area are potentially constrained by local flooding and waterlogging. Further development will require detailed consideration of drainage impacts.</p> <p>In relation to LPP 21.12 (Reference documents), the Authority recommends that the Wangaratta Urban Waterways Flood Investigation, 2017 be included within the planning scheme reference documents.</p> <p>The Authority notes that parts of the land affected by this amendment are subject to flooding in the 1% AEP flood event. Development and re-development proposals for this land will be assessed in accordance with VPP 13.03-1S (Floodplain Management), VPP 14.02-1S (Catchment planning and management), and the provisions of relevant overlays (VPP 44.03 and VPP 44.04). The Authority re-iterates advice previously provided to Council recommending the amendment of flood related overlays (Floodway Overlay and Land Subject to Inundation Overlay) based on the recent Wangaratta Urban Waterways Flood Investigation, 2017. Amendment of the overlays would improve the accuracy of mapping along One Mile Creek and Three Mile Creek reflective of this recent assessment of 1% AEP flood impact.</p>	<p>No specific changes requested</p> <p>The Wangaratta Urban Waterways Flood Investigation, 2017 should be included within the planning scheme reference documents.</p> <p>No specific changes requested</p>	<p>Noted. No changes necessary to the Amendment.</p> <p>Council propose to introduce the Wangaratta Urban Waterways Flood Investigation, 2017 and amendments to the Flood Overlay and Land Subject to Inundation Overlay under separate amendments.</p> <p>Noted. As above, Council propose to consider amendments to the Flood Overlay and Land Subject to Inundation Overlay under separate amendments.</p>	<p><b>No change.</b></p> <p><b>No change.</b></p> <p><b>No change.</b></p>

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<p>Submission 11 Department of Transport</p>	<p><b>Generally supports</b> the objectives of the Industrial Land Use Strategy and their implementation.</p> <p>Council may consider aligning the wording in the Amendment with the recently released Freight Plan, 'Delivering the Goods' (accessed by following this link: <a href="https://transport.vic.gov.au/ports-and-freight/freight-victoria">https://transport.vic.gov.au/ports-and-freight/freight-victoria</a>)</p>	<p>No specific change to the amendment.</p> <p>Consider amending wording to consider the Freight Plan known as 'Delivering the Goods'</p>	<p>None.</p> <p>The amendment does not specifically refer to state government freight plans and does not need to.</p>	<p><b>No change.</b></p> <p><b>No change.</b></p>
<b>Submissions from Additional Notices sent post Panel.</b>				
<p>Submission 12 101 Jordan's Lane, South Wangaratta</p>	<p><b>Objects:</b> The submission objects to the planning scheme amendment, however this objection is not related to the proposed Strategic Buffer in South Wangaratta for which additional notification was provided at the direction of the Panel. The submission raises objection on the following issues:</p> <ul style="list-style-type: none"> <li>• Land at 101 Jordan's Lane is located in a major floodway and will be adversely impacted if the proposed North West Freight bypass is constructed along Jordan's Lane.</li> <li>• Raising of Gravel Pit Rd and Jordan's Lane including the construction of a bridge will increase the impact of flooding South of Jordan's Lane.</li> <li>• Construction of Jordan's Lane to Tone Road will require the removal of Significant native vegetation including approx 200 yr old trees and other habitat located in this area.</li> </ul>	<p>The submission objects based on the afore mentioned reasons, however it does not specifically request any changes.</p>	<p><b>North West Freight by-pass and Jordan's Lane:</b></p> <p>Council adopted the Wangaratta Freight and Land Use Study in 2016. This Study included exploring the creation of a North West Freight bypass around the urban extent of Wangaratta.</p> <p>The Study designates that the ultimate by-pass route would be Warby Range Road, connecting at the Snow Road and also the Wangaratta-Yarrowonga Road. A number of east west connection options are also suggested for investigation including Shanley / Mason Streets, Gravel Pit Road / Jordan's Lane and Delloro Road / Arundels Lane.</p> <p>The Industrial Strategy supports the principles of the Freight Strategy to enable the efficient and safe movement of heavy vehicles around the town including key potential upgrades to intersections and some selected roads.</p> <p>The Strategy also notes that substantial funding will be required to enable the creation of the ultimate North West by-pass.</p> <p>It is noted in the case of Jordan's Lane / Gravel Pit Road that this upgrade is only for investigation and at this stage these investigations have not occurred.</p> <p>More broadly speaking land to the north of Jordan's Lane is nominated as an investigation area for low level residential living, this in many ways conflicts with the potential use of Jordan's Lane for freight.</p>	<p><b>No change to the Amendment.</b></p> <p>A written response should be sent to the submitter outlining the officers comments and discussing the Draft LDRR Strategy and the opportunity to be involved.</p>

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			<p>The investigation of this area is currently being undertaken in Council's Draft Low Density and Rural Residential Strategy (LDRR) which has just completed public consultation. It is considered that this may be the appropriate forum to address the concerns raised within the submission and in particular around the significant native vegetation at the Tone Road end of the Jordan's Lane road reserve.</p> <p><b>Flood Issues:</b></p> <p>Planning Scheme Amendment C81 is currently on exhibition and proposes to make changes to the existing flood overlays within the proximity of Jordan's Lane and the Three and Fifteen Mile Creek environs.</p> <p>Amendment C81 affects the submitters property and the submitters has been notified of this amendment.</p> <p><b>Overall:</b></p> <p>Given the future uncertainty around any upgrade of Jordan's Lane for freight the flooding concerns and removal of native vegetation resulting from the construction of a potential bridge / road upgrade may be more appropriately considered within the Draft LDRR Strategy and the submitter is invited to participate in this process.</p>	