



Rural City of  
**Wangaratta**

# Agenda

For the Scheduled Council Meeting  
Council Chambers, Municipal Offices  
62-68 Ovens Street, Wangaratta  
**6pm 12 December 2023**



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## Rural City of Wangaratta Live Stream

Clause 24 of the Governance Rules provides the following:

*“This public meeting is being recorded to improve access to the meeting for our community. The recording will be published and will be retained by Council in accordance with Council’s legal obligations. As a visitor in the public gallery, your presence may be recorded.”*

### 1. Acknowledgement of Traditional Owners

*We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders past, present and emerging and to Elders from other communities who may be here today.*

### 2. Opening Prayer

*Almighty God, we humbly ask thee to bless and guide this council in its deliberations so that we may truly preserve the welfare of the people whom we serve. Amen*

### 3. Present

### 4. Absent

### 5. Acceptance of Apologies & Granting of Leave of Absence

#### Order of Business

### 6. Citizen Ceremony

### 7. Confirmation of Minutes

#### Recommendation:

That Council read and confirm the Minutes of the Scheduled Council Meeting of 28 November 2023 as a true and accurate record of the proceedings of the meeting.

### 8. Conflict of Interest Disclosure

In accordance with section 130 of the Local Government Act 2020 a councillor who has a conflict of interest in respect of a matter must disclose the conflict of interest in the manner required by

Council's Governance Rules and exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter and any action in relation to the matter.

Clause 28.1 of Council's Governance Rules requires a councillor to indicate that they have a conflict of interest by clearly stating:

- (a) the item for which they have a conflict of interest; and
- (b) whether their conflict of interest is general or material; and
- (c) the circumstances that give rise to the conflict of interest.

**Immediately prior to the consideration of the item in which they have a conflict of interest, a councillor must indicate to the meeting the existence of the conflict of interest and leave the meeting.**

A councillor who discloses a conflict of interest and leaves a Council meeting must not communicate with any participants in the meeting while the decision is being made.

## 9. Reception of Petitions

## 10. Hearing of Deputations

### Presentation Of Reports

## 11. Councillor Reports

Nil

## Officers' Reports

### 12. Executive Services

#### 12.1 Committee of Management Annual Report and nominations

Meeting Type: Scheduled Council Meeting  
Date of Meeting: 12 December 2023  
Author: Chief Executive Officer  
File No: IC23/1829

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

##### Executive Summary

This report is presented to Council to provide an update on the activities of the thirteen Community Asset Committees within the Rural City of Wangaratta.

##### Recommendation:

That Council accepts the report on activities of the Community Asset Committees in accordance with section 47 of the Local Government Act 2020.

##### Background

Each year the Chief Executive Officer reports to Council on the activities of the delegated Community Asset Committees for the previous financial year.

The Community Asset Committees within the municipality of the Rural City of Wangaratta are:

1. Bowmans-Murmungee Memorial Hall & Tennis Reserve	2. Myrree Soldiers Memorial Hall
3. Carboor Soldiers Memorial Hall & Recreation Reserve	4. Old Murmungee Hall
5. Edi Upper Hall & Recreation Reserve	6. Oxley Shire Hall
7. Eldorado Memorial Hall	8. Whitfield Recreation Reserve
9. Everton Hall and Sporting Reserve	10. Whorouly Memorial Park
11. Milawa Hall and Park	12. Whorouly Public Hall
13. Moyhu Soldiers Memorial Hall	

## Implications

### Policy Considerations

The Council policy “Appointment to Council Committees” applies to this matter.

### Financial/Economic Implications

2021/22 was the last year that all Community Asset Committees were provided with an annual Facility Maintenance Allowance which is based on a matrix of facility size, condition, and recreational usage. This allowance system has changed, and the maintenance of facilities is now undertaken by Council to ensure improved maintenance of these Council owned community assets and a reduced risk level for Council.

### Legal/Statutory

Pursuant to Section 47 of the 2020 Local Government Act - Delegations by Chief Executive Officer from Local Government must report to the State Government on the activities and performance of Community Asset Committees.

### Social and Diversity

Close links between Council and its Community Asset Committees create greater awareness of the needs of the local communities and the facilities being managed on Council's behalf. The responsibilities delegated to these committees promote the exchange of information and facilitate ongoing community use. The halls are a key social connector in their rural communities, providing a place for events, activities, and sometimes safe refuge.

### Environmental/Sustainability Impacts

Community Asset Committees are responsible for the management of any environmental issues relating to the land upon which the facilities are situated. Council is currently looking into ways to make the halls more sustainable.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

#### 1. Strengthening our Leadership

1.2.1.3 Develop an asset management plan that outlines the key elements involved in maintaining Council assets

1.3.2.1 Continue to support the delivery of the Rural Placemaking Plans in partnership with our rural communities. \*

#### 2. Nurturing our Wellbeing

2.3.2.1 With support and training, ensure that our community groups and committees have strong governance and are inclusive and viable.

2.3.3 Increase opportunities for people to connect to their community and each other.

2.3.4 Provide quality and accessible community facilities based on community needs.

#### 4. Expanding our Economy

4.4.2 Enhance the activity in our rural townships

### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Governance risk associated with the sub-delegation of powers from the CEO to Community Asset Committees	Possible	Moderate	6 - Medium	The appointment of members by a formal resolution of Council reduces governance risk by ensuring that all members appointed to a committee are covered by Council's public liability insurance.
Committees unable to find members to continue operation	Possible	Moderate	6 - Medium	Working with rural communities and committees to build capacity, make tasks easier by providing templates and forms and supporting where possible via grant applications etc.

### Consultation/Communication

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

### Options for Consideration

1. That Council accept the report on activities of the Community Asset Committees in accordance with section 47 of the Local Government Act 2020.
2. That Council ask for the report to be revised with specific additional information

### Conclusion

Community Asset Committees undertake an important function throughout the municipality and should continue to be supported by the Rural City of Wangaratta.

### Attachments

- 1 Community Asset Report 2022-2023 [↓](#) 

## 13. Corporate and Leisure

Nil

## 14. Community and Infrastructure

### 14.1 Recreation & Open Space Draft Strategy - Adoption for Exhibition

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	12 December 2023
Author:	Community and Recreation Coordinator
File No:	IC23/1578

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

This report is presented to Council to seek approval to undertake community exhibition on the Draft Recreation and Open Space Strategy 2024-2034. The Recreation and Open Space Strategy has been developed as part of Council's commitment to accessible recreation the benefits of public open space to the community. This Strategy will set the direction for the planning, development, maintenance, and activation of spaces by the Rural City of Wangaratta up to 2034.

#### Recommendation:

That Council:

1. Endorses the Draft Recreation and Open Space Strategy 2024-2034 for public exhibition from 15 December 2023 until 29 February 2024
2. Reviews and considers all submissions and any amendments made to the Draft Recreation and Open Space Strategy 2024-2034 at a future Scheduled Council Meeting.
3. If no submissions requiring changes to the Recreation and Open Space Strategy 2024-2034 are received, adopts without further resolution of Council.

#### Background

Council has a responsibility to ensure Council's public open space is planned and managed accordingly now and into the future. The over-arching aim of the Strategy is to ensure that public open spaces are sustainably managed to enhance the community's health, wellbeing and enjoyment. The Strategy provides Council with an updated framework to direct public open space planning and management in a co-ordinated and more effective manner.

#### Implications

##### Policy Considerations

The Recreation and Open Space Strategy references and impacts various park and open space Master Plans, as well as the Urban Tree Plan 2022, Environmental Sustainability Strategy 2021 and the Walking and Cycling Strategy 2020 among others.

**Financial/Economic Implications**

While there are no direct financial costs to this report, the Strategy does recommend and prioritise actions for Council-owned and managed facilities that will have costs associated. These costs will need to be reflected in project bids and budgets, and into the prioritisation of the long term financial plan.

**Legal/Statutory**

Open space is governed by a variety of legislation including the Planning and Environment Act (1987), and the Wangaratta Planning Scheme.

**Social and Diversity**

The Strategy has significant social and diversity impacts. Well-planned and managed open space has health benefits to the community, and is necessary especially in lower socio-economic areas. Additionally, generational diversity, gender, caring responsibilities, and race may all play a role in how the community interacts with open space. Equity is a principle of delivery for the strategy, and an Equity Impact Assessment was completed for this strategy.

**Environmental/Sustainability Impacts**

There are environmental and sustainability impacts to this strategy, and this is reflected in Sustainability being captured as a principle of delivery for the strategy

**Strategic Links****Council Plan 2021 – 2025**

This report supports the 2021-2025 Council Plan through the following objectives and actions \* denotes an action that is part of our municipal health and wellbeing plan:

**2 Nurturing our Wellbeing**

- Provide accessible, affordable and inclusive opportunities for all members of our community to participate in physical activity.\*
- Plan for the future recreation needs in Wangaratta's North and South growth areas.\*
- Update and deliver the Open Space and Recreation Strategy.\*

**3. Valuing our Environment**

- Promote the significance and importance of our rivers and creeks to build community pride, care and protection.\*

**Rural City of Wangaratta 2033 Community Vision**

This report supports the 2033 Community Vision through the following objectives:

- Beautiful and accessible parks, gardens and open spaces  
"We maintain our parks and gardens, reserves and open spaces to ensure the safety and enjoyment of our people and the protection of our spaces".

**Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Community may respond unfavourably to draft, or that the exhibition is happening over summer	Unlikely	Moderate	5 - Medium	Extensive consultation to this point, and a 60 day exhibition period to maximise time and allow for community sessions in February 2024
Expectation for Council to fund all recommendations	Unlikely	Minor	4- Low	Communicate the need to apply for external grant funding to augment the Council LTFP
Sporting clubs may now feel they were missed in earlier consultation	Possible	Minor	5- Medium	Extensive consultation to this point, and a 60 day exhibition period to maximise time and allow for community sessions in February 2024

### Consultation/Communication

Consultation to this point includes:

- Internal Council Officer Interviews
- Project Control Group sessions
- Community Survey (643+ responses)
- Sporting Group Survey (36 Club responses)
- 7 Community drop in sessions across the Rural City of Wangaratta with 100 attendees
- School Sessions – primary and secondary
- Sporting group interviews
- Review of Place score Data, and Council's Sporting Group Survey from 2022
- Councillor Briefing
- Advisory committee review – Sport and Recreation
- Reference Group - Environment and Sustainability

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.




### Options for Consideration

1. That Council Endorses the Draft Recreation and Open Space Strategy 2024-2034 for public exhibition from 15 December 2023 until 29 February 2024.
2. That Council does not Endorse the Draft Recreation and Open Space Strategy 2024-2034 and asks for revisions

### Conclusion

The Draft Recreation and Open Space Strategy is ready for public exhibition

### Attachments

- 1 EIA Rec and Open Space [↓](#) 
- 2 Draft Recreation and Open Space Strategy [↓](#) 
- 3 Executive Summary [↓](#) 

## 14.2 C42220 HVAC Maintenance Services

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	12 December 2023
Category:	Strategic
Author:	Project Officer

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

### Executive Summary

This report is presented to Council provide HVAC Maintenance Services to approximately 133 managed facilities, including Operational Centres, Preschools, Sport Pavilions, Community Halls and other council owned facilities where council support the delivery of services. The services are required to fulfil Council's legislative obligations in accordance with the Building Act and Regulations. The facilities are maintained by Council and used by various community groups to provide a range of services for the community.

The objectives of the Service agreement are to proactively maintain Council's HVAC systems to:

- Maintain the safety and comfort of community members, visitors and Council staff utilising the buildings.
- Minimise breakdowns and disruptions to the community and Council's operations.
- Meet legislative requirements in relation to the health and hygiene of HVAC systems.

Collaboration was not considered as this is a specific scope of works located in Wangaratta, with specific Contract timelines it wasn't considered appropriate.

### Recommendation:

That Council:

1. Awards Contract C42220 HVAC Maintenance Services to Airmaster Australia.
2. Authorises the Chief Executive Officer to sign and seal all the relevant contract documents for C42220 HVAC Maintenance Services.
3. Discloses the contract price and successful tenderer for C42220 HVAC Maintenance Services.

### Background

The current contract has expired and a tender was advertised to award a contractor to provide HVAC Maintenance Services to Council's facilities.

This contract term is for an initial three years and can be extended by Council for a further two years, with two one-year options.

## Implications

### Policy Considerations

Councils Procurement Policy sets out the process for appointing this Contract for HVAC Maintenance Services.

### Financial/Economic Implications

The Council's operating budget allows for the ongoing cost of this service for Council's facilities.

### Legal/Statutory

The Local Government Act 2020 Section 109 (2) requires the CEO ensures that any report to the Council that recommends entering into a procurement agreement includes information in relation to any opportunities for collaboration with other Councils or public bodies which may be available.

### Social and Diversity

There are no social impacts identified for the subject of this report.

### Equity Impact Assessment (EIA)

There are no equity impacts identified for this report.

### Environmental/Sustainability Impacts

Maintaining and servicing these sites for Council will include pollution prevention, waste minimisation, energy and resource efficiency, and compliance with environmental legislation and regulations.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

#### 1. Strengthening our Leadership

- 1.2.1.3 Develop an Asset Management Plan that outlines the key elements involved in maintaining Council assets

### Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

#### 2.0 Wellbeing

- Accessible and equitable services, spaces and facilities

## Risk Management

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
No Maintenance plan on plant & equipment	Unlikely	Moderate	6-Medium	Regular meetings and auditing
Not meeting Statutory & Regulatory requirements of the Building Act	Unlikely	Moderate	6-Medium	Facilities Coordinator to audit

## Consultation/Communication

This was a publicly advertised tender, there was no direct public consultation required.

## Options for Consideration

1. Award Contract C42220 HVAC Maintenance Services as outlined in the Evaluation Report.
2. Not award and re-tender C42220 HVAC Maintenance Services.

## Conclusion

Following a comprehensive evaluation against the pre-determined evaluation criteria and weightings, it is recommended that Council awards Contract C42220 HVAC Maintenance Services to Airmaster Australia.

## Attachments

- 1 C42220 - HVAC Maintenance Services evaluation report - Confidential

### 14.3 Sport and Recreation Advisory Committee Member Endorsement

Meeting Type: Scheduled Council Meeting  
Date of Meeting: 12 December 2023  
Category: Strategic

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

This report is presented to Council to seek endorsement for the nominations of community members to represent the Sport and Recreation Advisory Committee where representatives are new or re-nominating upon expiry of their term on the committee.

The Sport and Recreation Advisory Committee provides advice to Council on matters pertaining to strategic planning, support, and advice, together with the management of sport and recreation opportunities in the Rural City of Wangaratta.

#### Recommendation:

That Council:

1. Appoints four people from the received nominations as representatives on the Sport and Recreation Advisory Committee for a term of three years ending December 2026.
2. Advises all applicants of Council's decision.

#### Background

The terms of reference for the Sport and Recreation Advisory Committee allow for up to 9 community members to hold positions. With three members completing their terms and a pre-existing vacancy, there are up to four positions available.

Nominations received for the Sport and Recreation Advisory Committee are assessed against a skills matrix. The skills matrix is based on existing involvement in sporting groups/organisations, interest in the Sport and Recreation Advisory Committee, local sport and recreation knowledge and interest in sport and recreation activities. Interviews were held with representation from Councillors and Council Officers.

#### Implications

##### Policy Considerations

Council's policy 'Appointment to Council Committees' applies to this matter.

##### Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report.

**Legal/Statutory**

There are no legal/statutory implications identified for the subject of this report.

**Social and Diversity**

The responsibilities delegated to the Sport and Recreation Advisory Committee promote the exchange of information between the committee and Council, which includes the promotion of sport and recreation within the Rural City of Wangaratta. The committee members represent various sporting organisations and interests from across the Rural City of Wangaratta and are asked to represent their opinions to the committee.

The nomination form invites applicants to share their experiences in diverse communities.

**Equity Impact Assessment (EIA)**

There are no equity impacts identified for the subject of this report.

**Environmental/Sustainability Impacts**

The Sport and Recreation Advisory Committee take into consideration environment and sustainability impacts relating to the strategic planning and management of sport and recreation opportunities in the Rural City of Wangaratta.

**Strategic Links****Council Plan 2021 – 2025**

This report supports the 2021-2025 Council Plan through the following objectives and actions:

**1. Strengthening our Leadership****1.3 Partnerships that bring benefit and opportunities to our community**

Ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Engage in meaningful dialogue with the community and demonstrate for community participation is being used to inform decisions.

**2. Nurturing our Wellbeing****2.4 Healthy behaviours and lifestyles**

Deliver and support programs that increase participation in physical activity.

Provide facilities and Infrastructure that give opportunities for physical activity and active living.

**Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Governance risk associated with the delegation of Council powers to a committee	3 - Possible	Moderate	6- Medium	The appointment of members by a formal resolution of the Council reduces governance risks by ensuring members appointed to a committee are covered by Council's public liability insurance

**Consultation/Communication**

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

**Options for Consideration**

1. Council endorses the sport and recreation nominees as recommended and listed in the confidential attachment.
2. Council does not endorse the recommended nominees and seeks further nominations from the community.

**Conclusion**

Council has reviewed the recommendations received for the appointments to the Sport and Recreation Advisory Committee.

**Attachments**

- 1 Nominations - Confidential

#### 14.4 C35047 WSAC Expansion Project - Contract Variation

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	12 December 2023
Category:	Strategic
Author:	Administrative Assistant - Community & Infrastructure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

##### Executive Summary

This report is presented to Council to recommendation to increase the award amount for contract "C35047 WSAC Expansion".

The works are progressing at 70% complete with an anticipated completion date of early 2024. During construction cost escalations have been encountered due to the rising cost of materials. In addition, future proofing the build to support the future home of the Wangaratta District Netball Association.

Officers are seeking approval to increase the contract value to provide contingency for future works that may arise. The increase is funded within the adopted budget.

##### Recommendation:

That Council:

1. Approves an increase to the contract awarded for Contract "C35047 WSAC Expansion" of an additional \$150,000 (ex GST).
2. Authorises the Chief Executive Officer to approve the changes to contract documents for "C35047 WSAC Expansion".

##### Background

The Wangaratta Spots and Aquatic Centre (WSAC) building expansion works include redevelopment and expansion of the Indoor Stadium, with multi-purpose courts (Netball, Basketball and Volleyball), two new courts, upgrading one show court to competition level including additional seating and a major gym expansion.

Council was successful in securing funding through the State Government's Community Sports Infrastructure Stimulus Fund for the construction of the extension and upgrade of the Wangaratta Sports and Aquatics Centre (WSAC) of \$5.46 million.

These works are key projects from the Parklands Masterplan and will position Wangaratta's Sports and Aquatics Centre as a state and national level facility.

## Implications

### Policy Considerations

Council's Procurement Policy.

### Financial/Economic Implications

The increase in original award amount is still within the originally allocated budget. No additional funding is required.

Council has been successful in securing funding through the State Government's Community Sports Infrastructure Stimulus Fund for the construction of the extension and upgrade (\$5.46 million). In addition, Council has committed a cash contribution of \$6M (ex GST).

### Legal/Statutory

National and State Building Regulations  
State and Local Planning Regulations

### Social and Diversity

There are no social impacts identified for the subject of this report. This project will provide further stimulus to local economic activity by planning, building and operating a new and redeveloped significant community sport and active recreation facility.

### Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report, as the building design has been previously approved.

### Environmental/Sustainability Impacts

No environment or sustainability impacts are related to this report.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

#### 1. Nurturing our Wellbeing

- Progress, facilitate and enhance the services and programs at the Wangaratta Sports and Aquatic Centre to provide a premier experience for our community and visitors.
- Progress the operations and customer experience at the Wangaratta Indoor Sports and Aquatic Centre and the Wangaratta Sports and Events Precinct to increase and enhance community use and position it as the premier sports and recreation precinct in regional Victoria.

### Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- Accessible and equitable services, spaces, and facilities
- Healthy behaviours and lifestyles
- Sustainable infrastructure that supports new growth

## Risk Management

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Cost Escalation	Possible (3)	Major (4)	High (7)	Project Manager to monitor
Not achieving the proposed timelines	Possible (3)	Moderate (3)	Medium (6)	Project Manager to monitor
Risks	Likelihood	Consequence	Rating	Mitigation Action

## Consultation/Communication

Consultation with the community and user groups has been undertaken throughout the design and construction process.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

## Options for Consideration

1. Not approve an increase to the tender award "C35047 WSAC Expansion" to the value of \$150,000 (ex GST). Continue to manage contract.
2. Approve an increase to the tender award "C35047 WSAC Expansion" to the value of \$150,000 (ex GST).

## Conclusion

Following a comprehensive evaluation of the necessary works and considering the risk of not doing these works it is recommended that an increase be approved to contract "C35047 WSAC Expansion".

## Attachments

Nil.

## 15. Sustainability and Culture

### 15.1 Planning Permit Application 23/010 - Service Station (22-28 Ryley Street, Wangaratta)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	12 December 2023
Author:	Planning Coordinator
File No:	IC23/1627

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

This report is presented to Council to inform a decision for Planning Application PInApp23/010, which has been referred to Council for determination as the application received 61 objections.

The application seeks approval for the use and development of the land for a service station and food and drink premises, alteration of access to a road in a Transport Zone 2 and installation of signage at 22-28 Ryley Street Wangaratta. The key planning issues discussed relate to land use compatibility, 24-hour operation, traffic management, signage and neighbourhood character.

Having undertaken an assessment of the application against the *Planning and Environment Act 1987* and Wangaratta Planning Scheme and having considered public submissions to the proposal and responses from referral authorities, officers are of the view that the application is consistent with the Wangaratta Planning Scheme. A full assessment is included at **Attachment 1**.

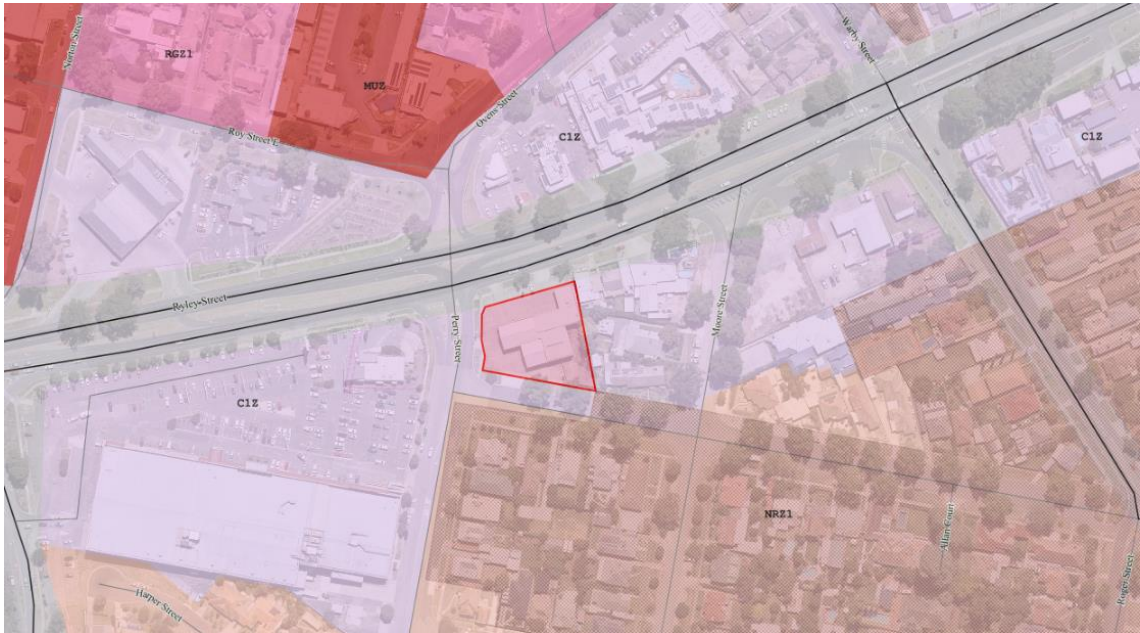
#### Recommendation:

That Council:

1. Issues a Notice of Decision to Grant a Planning Permit for the use and development of the land for a service station and food and drink premises, alteration of access to a road in a Transport Zone 2 and installation of signage at 22-28 Ryley Street Wangaratta subject to the conditions contained in **Attachment 1**; and
2. Advises the applicant and submitters of the decision.

#### Background

The application seeks approval for the use and development of the land for a service station and food and drink premises, alteration of access to a road in a Transport Zone 2 and installation of signage at 22-28 Ryley Street Wangaratta. The application is described in detail in the Officer's Report at **Attachment 1** and the proposed development plans at **Attachment 2**.



The subject site is located on the southern side of Ryley Street, with additional road frontages to Perry Street (west) and Meldrum Street (south). The site previously contained a tyre repair shop, which was demolished after the application herein was lodged. The demolition of the tyre repair shop did not require planning approval. A detailed description of the site and surrounds is included in the Officer's Report at **Attachment 1**.

The application was referred to the Department of Transport and Planning and Council's Technical Services Unit and Horticultural Unit. All referral authorities provided conditional consent to the proposal. It is noted that the application was amended to address initial concerns raised by the Department of Transport and Planning to alter the site layout and traffic management.

The application was advertised via letters to adjoining and surrounding landowners and occupiers, and a notice was included in the Wangaratta Chronicle. A total of 61 objections were received over two notice periods (the application was readvertised after the application was amended). The grounds of objection include:

- traffic management concerns,
- land use compatibility and interface with sensitive land uses,
- urban design and
- signage concerns.

Objections are discussed in more detail in the Officer's Report at **Attachment 1**, including a summary of issues raised and officer's responses.

### Summary of Key Issues

The key issues relevant to this application, including matters raised in objections, are as follows:

- Land use compatibility and suitability of the use within the Commercial 1 Zone
- Traffic management
- Interface with sensitive land uses and the Neighbourhood Residential Zone
- Heritage character and urban design

- Extent of signage
- 24-hour operation

### Assessment under the *Planning and Environment Act 1987* and Wangaratta Planning Scheme

- A detailed assessment of the application against the relevant policies and provisions of the Wangaratta Planning Scheme and the *Planning and Environment Act 1987* (the Act) is included at **Attachment 1**.

### Planning Policy Framework, Zoning, Overlays, and Particular and General Provisions

Section	Clause	Provision
Planning Policy Framework and Municipal Planning Strategy	02.03-5 13.07-1S 15.01-1S 15.01-1L-01 15.01-1L-02 15.01-2S 18.02.4S	Built form and heritage Land use compatibility Urban design Signs Wangaratta gateways Building design Roads
Zone	34.01	Commercial 1 Zone
Overlays	45.09	Parking Overlay – Schedule 1
Particular Provisions	52.05 52.06 52.29 52.34	Signs Car parking Land adjacent to the Principal Road Network Bicycle facilities
Decision Guidelines	65.01	Decision Guidelines - Approval of an Application or Plan

### Referrals

The application was referred to the following external authorities:

Authority	Referral trigger(s)	Section and status	Response
Department of Transport and Planning	Clause 66.03	S55 – Determining	Conditional consent

### Internal Advice

Advice from the following Council units was sought in the assessment of the application:

Unit	Reason advice sought	Response
Technical Services	Drainage & access	Conditional consent
Horticulture	Removal and protection of street trees	Conditional consent

## Implications

### Policy Considerations

Council's local planning policies (given effect by the Wangaratta Planning Scheme) are of relevance to this report. These policies are considered and addressed within this report and in the officer's report at **Attachment 1**.

### Financial/Economic Implications

There are no specific financial implications to Council arising from this report though there may be potential costs for Council representation at the Victorian Civil Administrative Tribunal (VCAT).

### Legal/Statutory

All procedures associated with the lodgement and assessment of this application have been carried out in accordance with the *Planning and Environment Act 1987*.

### Social and Diversity

There are no specific social or diversity impacts identified for the subject of this report. However the nature of the proposal and assessment may have indirect social and diversity impacts. These impacts principally pertain to the amenity of the area and neighbourhood character. These matters are considered as part of this report and the officer's assessment at **Attachment 1**.

### Environmental/Sustainability Impacts

Environmental and sustainability matters considered in this report include potential site contamination and protection of street trees that contribute to neighbourhood character.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

#### 4. Expanding our Economy

4.2 Support employment through business growth, development, and recovery

### Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

BB1 - Ensure new development is facilitated and does not conflict with existing land uses.

BB2 - Provide an efficient and effective permit system.

## Risk Management

It is not considered that there are any relevant risks to Council beyond those associated with standard statutory process (such as any decision being appealed at VCAT).

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Notice of Decision (NOD) Issued – Third party/objector appeal of decision or conditions at VCAT	Possible	Minor	Low	Officer representation of Councils decision at VCAT
NOD Issued – Applicant appeal of conditions at VCAT	Possible	Minor	Low	Officer representation of Councils decision at VCAT
Application Refused – Applicant appeal of decision at VCAT	Possible	Minor	Low	Officer representation of Councils decision at VCAT

### Consultation/Communication

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

### Public Notice

The application was advertised to adjoining landowners/occupiers and an advertisement was placed in the Wangaratta Chronicle. 61 objections were received, including two petitions (each counted as one objection). The application was advertised in May/June 2023 and again in September 2023 after changes were made to the layout of the proposal.

### Options for Consideration

1. Issue a Notice of Decision to Grant a Permit subject to conditions as per recommendation.
2. Issue a Notice of Refusal to Grant a Permit

### Conclusion

The application seeks approval for the use and development of the land for a service station and food and drink premises, alteration of access to a Transport Zone 2 and installation of signage. The proposal has raised a number of matters for consideration and has resulted in a large number of objections to the application, with objections particularly focusing on the residential interface of the subject site.



Consideration and assessment of the application has been made against the Act and Wangaratta Planning Scheme and it is considered that the proposal is an appropriate response to the purpose, objectives, policies and decision guidelines relevant to this application. The proposal is within suitable zoning and an appropriate location close to the central activity area of Wangaratta, along an arterial road. The design response has sought to locate the development in such a way as to protect residential properties to the east, with landscaping and screening opportunities to protect the residential amenity of residential properties to the south along Meldrum Street. The subject site

is within an area that already poses amenity impacts to the residential area to the south, and it is not considered that the proposal would result in a significant increase in those impacts, particularly given that standard conditions could be used to reduce any potential risk to amenity.

The application is generally considered to represent a positive urban design outcome and utilises the site to ensure forward facing ingress and egress, and sufficient parking opportunities within the subject site. Although, it is also recommended that the proposed pylon sign is reduced in height to be more consistent with other pylon signs approved within the area.

Ultimately, the proposal represents a permissible use within the Commercial 1 Zone and meets the objectives of the relevant policies. All submissions have been considered and whilst many concerns raised have merit or are otherwise valid, they are ultimately not strong enough to warrant a refusal of the application. It is therefore recommended that a Notice of Decision to Grant a Planning Permit be issued with appropriate conditions, as outlined in **Attachment 1**.

#### Attachments

- 1 Planning Permit Application 23/010 - Officer's Report [↓](#) 
- 2 Planning Permit Application 23/010 - Proposed plans [↓](#) 

## 15.2 Planning Permit Application 22/103 - Boorhaman East Road - Multi-lot Subdivision

Meeting Type: Scheduled Council Meeting  
Date of Meeting: 12 December 2023  
Author: Planner  
File No: IC23/1692

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

### Executive Summary

This report is presented to Council to determine a planning permit application for a Staged thirty-seven (37) Lot subdivision in Boorhaman. The application is the subject of 16 unresolved objections and must be determined by Council. The Rural City of Wangaratta instrument of delegation does not afford officers delegation to determine the application as it is subject to more than three objections.

The officer recommendation is to support the application and issue a Notice of Decision to Grant a Permit subject to the conditions at **Attachment 1**. Having undertaken an assessment of the application against the *Planning and Environment Act 1987* and Wangaratta Planning Scheme, officers are of the view that the application is suitable for support. A detailed assessment informing this recommendation is contained in the accompanying Officers Report at **Attachment 2**.

### Recommendation:

That Council:

1. Issues a Notice of Decision to Grant a Permit with respect to subject to conditions pursuant to planning permit application PlnApp22/103 for a Staged Multi-Lot Subdivision and Variation of Easements of land known as Lot D PS822851P Vol 12251 Fol 050 Boorhaman Road, Boorhaman subject to the conditions contained at **Attachment 1**.
2. Advises the applicant and submitters of the decision.

### Planning permit application assessment

#### Property Details and Planning Controls

Land/Address	<ul style="list-style-type: none"><li>• Boorhaman Road, Boorhaman VIC 3678</li><li>• Lot D PS822851P Vol 12251 Fol 050</li></ul>
Zones and Overlays	<ul style="list-style-type: none"><li>• Township Zone</li><li>• No Overlays</li><li>• Adjoining road reserves encumbered by Vegetation Protection Overlay – Schedule 2</li></ul>
Why is a permit required	<ul style="list-style-type: none"><li>• A permit is required to subdivide land in the Township Zone.</li><li>• A permit is required to create, vary or remove an easement</li></ul>

## Proposal in Detail

The application seeks approval to undertake a staged (4 stages) subdivision of the land to create 37 new lots. The proposed layout is also shown to incorporate a new local road network inclusive of perimeter roads on the northern and eastern boundaries; a 1.6Ha drainage reserve and new vehicle and pedestrian connections. Proposed lot sizes range from 5001m<sup>2</sup> to 8955m<sup>2</sup>. The general subdivision layout is shown below:



## Proposed subdivision layout (NESD, M7526 Ver 6)

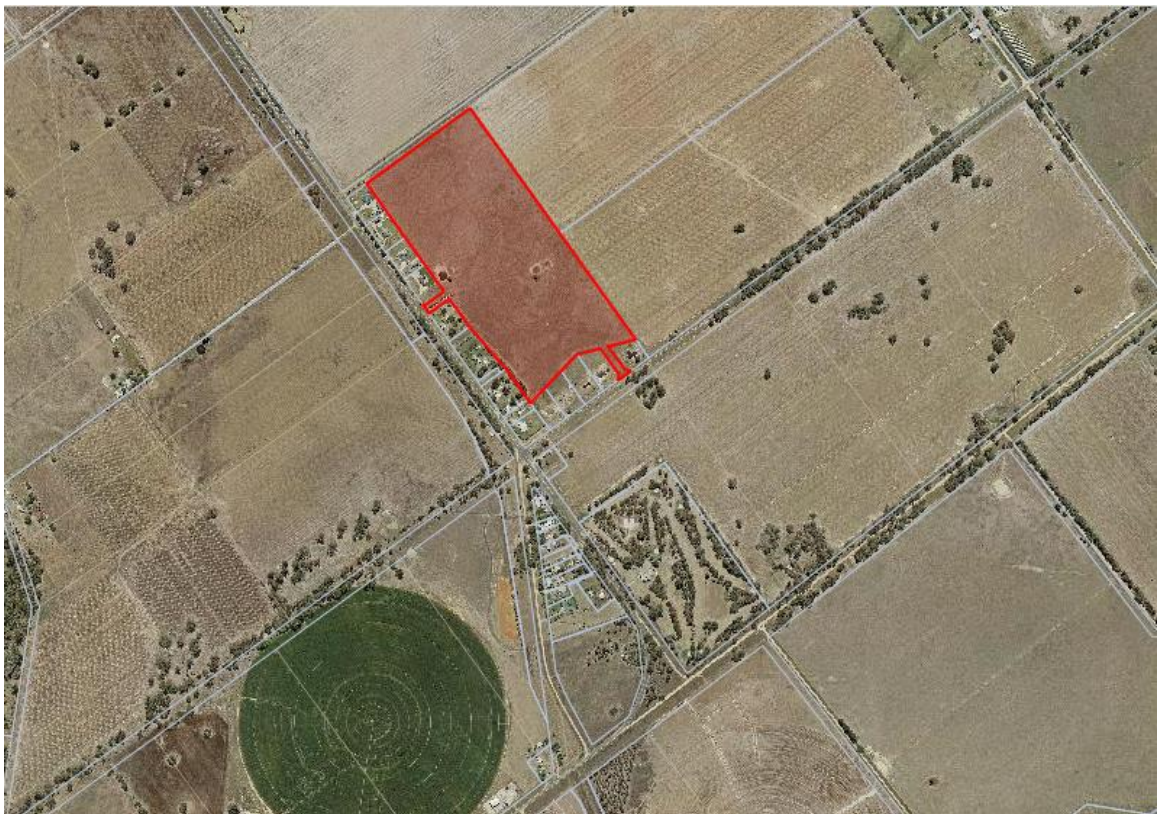
## Existing Conditions and Surrounds

The subject land is located in the north of the Boorhaman township approximately 400m north of the Boorhaman recreation reserve (and golf course), effectively being bordered by Boorhaman Road to the west, Boorhaman East Road to the south and (unmade road) Sandford Road to the north. The site has an area of 24.3Ha and is generally rectangular in shape with protruding access points to Boorhaman and Boorhaman East roads respectively. The site is generally flat with the exception of interspersed drainage lines and a depression along the sites southern boundary. The site is largely devoid of any significant canopy vegetation with the exception of two medium sized remnant eucalypts. The site otherwise comprising pasture grasses. Improvements are limited to that of a small shed, rural fencing and two small dams. The land is currently used for agricultural purposes at modest intensities.

Adjoining the sites western and southern boundaries are a number of lots developed for residential purposes. These lots are typified by lot sizes in the range of 5000m<sup>2</sup> to 6000m<sup>2</sup>. The built form of these neighbouring lots is typified by modern detached single-story dwellings, many with large outbuildings, most being afforded generous setbacks and separation.

Immediately to the north of the site lies an unmade road reserve (Sandford Road) beyond which lies expansive agricultural land typified by relatively flat and sparsely vegetated cropping and

grazing operations. Land to the east is similarly used and developed for agricultural purposes. To the south of the site is the Boorhaman township the core of which consists of half a dozen dwellings and hotel. The Boorhaman recreation reserve is also located south of the site. The broader locality consists predominately of highly productive mid to large scale agricultural ventures whilst to the west lies the Warby Ovens National Park and Ovens River flood plain.



**Subject site in context of Boorhaman township (IntraMaps aerial imagery 2022)**

### **Summary of Key Issues**

The key issues considered relevant to the proposal, including matters raised in objections, relate broadly to:

- Drainage and stormwater management.
- If the development is appropriate in the context of neighbourhood character.
- The ability of lots to safely treat wastewater.
- The adequacy of both existing and proposed infrastructure (roads, footpaths, open space, electricity, drainage, telecommunications, public transport).
- Whether the proposed subdivision is compatible with adjoining agricultural land uses.
- Groundwater contamination and depletion.
- Number of community objections

### Assessment under the *Planning and Environment Act 1987* and Wangaratta Planning Scheme

- i. A detailed assessment of the application against the relevant policies and provisions of the Wangaratta Planning Scheme and the *Planning and Environment Act 1987* (the Act) is included at **Attachment 2**.

The following provisions of the Wangaratta Planning Scheme are relevant to this proposal:

Section	Clause	Provision
Planning Policy Framework and Municipal Planning Strategy	02.03-1 02.03-6 11 11.01-1R 11.02-1S 12.01-1S 12.01-1L 12.01-2S 12.01-2L 13.02 13.02-1L 13.07-1S 14.02-2S 15.01-3S 16.01-1S 19.02-6L 19.03-2S 19.03-2L	Settlement – Rural Townships Housing - Rural lifestyle Settlement Settlement (Hume) Supply of Urban Land Protection of Biodiversity Protection of Biodiversity Native Vegetation Management Native Vegetation Management Bushfire Bushfire Planning Land Use Compatibility Water Quality Subdivision Design Housing Supply Public Open Space Contributions Infrastructure Design and Provision Infrastructure Design and Provision
Zone	32.05	Township Zone
Overlays	42.02	Vegetation Protection Overlay - Schedule 2 (adjoining road reserve)
Particular Provisions	52.17 53.01 56	Native Vegetation Public Open Space Contribution and Subdivision Residential Subdivision
Decision Guidelines	65.01 65.02	Decision Guidelines - Approval of an Application or Plan Approval of an Application to Subdivide Land

### Referrals

The application was referred to the following external authorities:

Authority	Referral trigger(s)	Section and status	Response
Country Fire Authority	Clause 66.01	S55 – Determining	Conditional consent
AusNet Services	Clause 66.01	S55 – Determining	Conditional consent
Goulburn Murray Water	N/A	S52 – Advice only	Comments provided

### Internal Advice

Advice from the following Council units was sought in the assessment of the application:

Unit	Reason advice sought	Response
Technical Services	Drainage, roads, intersections & access.	Conditional consent
Environmental Health	Consideration of proposed wastewater treatment	Conditional consent

### Implications

#### Policy Considerations

Councils local planning policies (given effect by the Wangaratta Planning Scheme) are of relevance to this report. These policies are considered and addressed within this report and in the officer's report at Attachment 2.

#### Financial/Economic Implications

There are no specific financial implications to Council arising from this report though there may be potential costs for Council representation at the Victorian Civil Administrative Tribunal (VCAT)

#### Legal/Statutory

All procedures associated with the lodgement and assessment of this application have been carried out in accordance with the *Planning and Environment Act 1987*.

#### Social and Diversity

There are no specific social or diversity impacts identified for the subject of this report. However the nature of the proposal and assessment may have indirect social and diversity impacts. These impacts principally pertain to the amenity of the area, provision of social infrastructure, accessibility and neighbourhood character. These matters are considered as part of this report and the officer's assessment at **Attachment 2**.

#### Environmental/Sustainability Impacts

Environmental and sustainability matters considered in this report include the retention of remnant vegetation, potential for groundwater contamination and ensuring subdivision design facilitates future sustainable residential development of lots.

#### Referrals/Public Notice

The application was referred to the agencies/authorities identified above in accordance with the requirements of the Wangaratta Planning Scheme.

Public notice was carried out by Council in accordance with Section 52 of the Act. Notice was given in the form of:

- Letters to adjoining and nearby property owners.
- Advertisement in Councils 'Rural Connection' page (Wangaratta Chronicle).

A conciliation meeting was also facilitated by Council on 30 May 2023 enabling all parties to present their views and discuss the application.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

#### 6. - Growth

- 6.1 - The right growth in the right areas
- 6.2 - Sustainable infrastructure that supports new growth
- 6.2.2 - Provide an efficient and effective permit system.
- 6.2.2.2 - Provide an efficient and effective permit system that facilitates appropriate growth.

### Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- BB1 - Ensure new development is facilitated and does not conflict with existing land uses.
- BB2 - Provide an efficient and effective permit system.

### Other strategic links

Nil

## Risk Management

It is not considered that there are any relevant risks to Council beyond those associated with standard statutory process (such as any decision being appealed at VCAT).

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
NOD Issued – Third party/objector appeal of decision or conditions at VCAT	Possible	Minor	Low	Officer representation of Councils decision at VCAT
NOD Issued – Applicant appeal of conditions at VCAT	Possible	Minor	Low	Officer representation of Councils decision at VCAT
Application Refused – Applicant appeal of decision at VCAT	Possible	Minor	Low	Officer representation of Councils decision at VCAT

## Consultation/Communication

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

### Options for Consideration

1. Issue a Notice of Decision to Grant a Permit subject to conditions as per recommendation.
2. Issue a Notice of Refusal to Grant a Permit

### Conclusion

The application seeks approval to subdivide the land into thirty-seven (37) lots across four (4) stages. Public notice of the application has resulted in significant opposition to the proposal, particularly at the density being proposed.

Consideration and assessment of the application against the relevant purposes, objectives, policies and decision guidelines of the Wangaratta Planning Scheme shows that when the proposal is considered holistically, and the sometimes competing objectives of various policies are fully explored and weighed, the proposed subdivision provides for a suitably compliant and responsive design to warrant support.

Ultimately the land is zoned for residential purposes and is relatively unencumbered by administrative or environmental constraints. All submissions have been considered and whilst many concerns raised have merit or are otherwise valid, they are ultimately not strong enough to warrant a refusal of the application. It is recommended that a Notice of Decision to Grant a Permit be issued with appropriate conditions.

### Attachments

- 1 Attachment 1 - Proposed Permit Conditions [↓](#) 
- 2 Attachment 2 - Officers Report [↓](#) 

### 15.3 Planning Permit Application 23/148 - Merriwa Park - 66 Ryley Street Wangaratta - Removal of Native Vegetation

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	12 December 2023
Category:	Strategic
Author:	Principal Planner

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

This report is presented to Council to determine a Planning Application to remove native vegetation (3 trees) from Merriwa Park – 66 Ryley Street, Wangaratta.

Officers are of the view that the proposal is suitable for support, subject to appropriate conditions. A copy of the proposed permit conditions is included at **Attachment 1**.

Pursuant to instrument of delegation, officers do not have delegation to determine a planning permit application that is subject to four or more objections. At the time of writing this report four objections have been received.

Having undertaken an assessment of the application against the *Planning and Environment Act 1987* and the Wangaratta Planning Scheme and having considered public submissions to the proposal and responses from referral authorities, officers are of the view that the application is consistent with the Wangaratta Planning Scheme. A full assessment is included at **Attachment 2**.

#### Recommendation:

That Council:

1. Issues a Notice of Decision to Grant a Permit with respect to planning permit application PInApp23/148 to remove native vegetation at 66 Ryley Street, Wangaratta subject to the permit conditions contained in **Attachment 1**; and
2. Advises the applicant and submitters of the decision.

#### Background

Background information is provided in the detailed proposal section.

### Property details

Land/address	66 Ryley Street WANGARATTA CA 1 Sec. 74 Township of Wangaratta Parish of Wangaratta North Crown Folio Vol 11880 Folio 426
Zone and Overlays	Public Park and Recreation Zone Heritage Overlays - HO20, HO113 & HO150 Bushfire Management Overlay Floodway Overlay Land Subject to Inundation Overlay
Why a permit is required	Clause 52.17 - 32.03-3 - A planning permit is required to remove, destroy or lop native vegetation.

### Proposal in Detail

Refer to **Attachment 3** for plans of the proposal.

Merriwa Park, located in the centre of Wangaratta and is large, park that acts as part of the gateway that greets visitors to the Wangaratta CBD. The park consists of wide-open lawns, historic red gum forest, and numerous community amenities including but not limited to: walking tracks, seating, a fernery, 22 tennis courts, a sound shell with a grassed amphitheatre, a Playground, Christopher Robin Pre-School, BBQ's, picnic and shelter facilities, public toilets and an ornamental lake/lagoon which encircles the park.

The application before Council seeks approval for the removal of 2 large and 1 small *Eucalyptus camaldulensis* (River Red Gum) from within Merriwa Park. The trees proposed for removal are identified by number in Figure 1 below and on the map included as **Attachment 3**. These numbers being 97 which is a large tree, 114 which is a small tree and 152 which is a large tree.

The application follows the toppling of several River Red Gums in recent years. Expert evidence in the application documents attributes this toppling to "wetter-than-average (*sic*) rainfall in the past four years..., a permanently high water table of the site (it is an alluvial floodplain adjacent to the King river) and as a consequence, shallow rooted trees, growing in a poorly structured alluvial soil.

The applicant advised that trees within the Merriwa Park have failed on 30/09/22, 3/03/23, 4/07/23 and 11/04/23. The failure and toppling of these trees necessitated further professional assessment of trees and the closure of the park to the public on safety grounds for several months.

The proposed vegetation loss equates to 0.172 ha and contains two (2) large trees and one (1) small tree (as per the EVC benchmark). The offset requirements for removal of the three trees identified is:

- 0.040 General Habitat Units
- 0.448 Strategic Biodiversity Value
- Two (2) large trees.
- One (1) small tree

In addition to the trees proposed for removal in this application, the applicant had also advised that a number of other trees have been assessed and have been reduced, pruned and /or lopped for

safety and in accordance with the “Lopping and pruning for maintenance” exemptions within Clause 57.17 – Native Vegetation of the Wangaratta Planning Scheme.

The trees that have received maintenance in terms of pruning are identified with numbers on Figure 1 and these are: Trees 2, 3, 4, 15, 16, 17, 22, 37, 77, 89, 90, 117, 118, 141, 142, 155, 168, 169, A5 and A6 (20 trees)

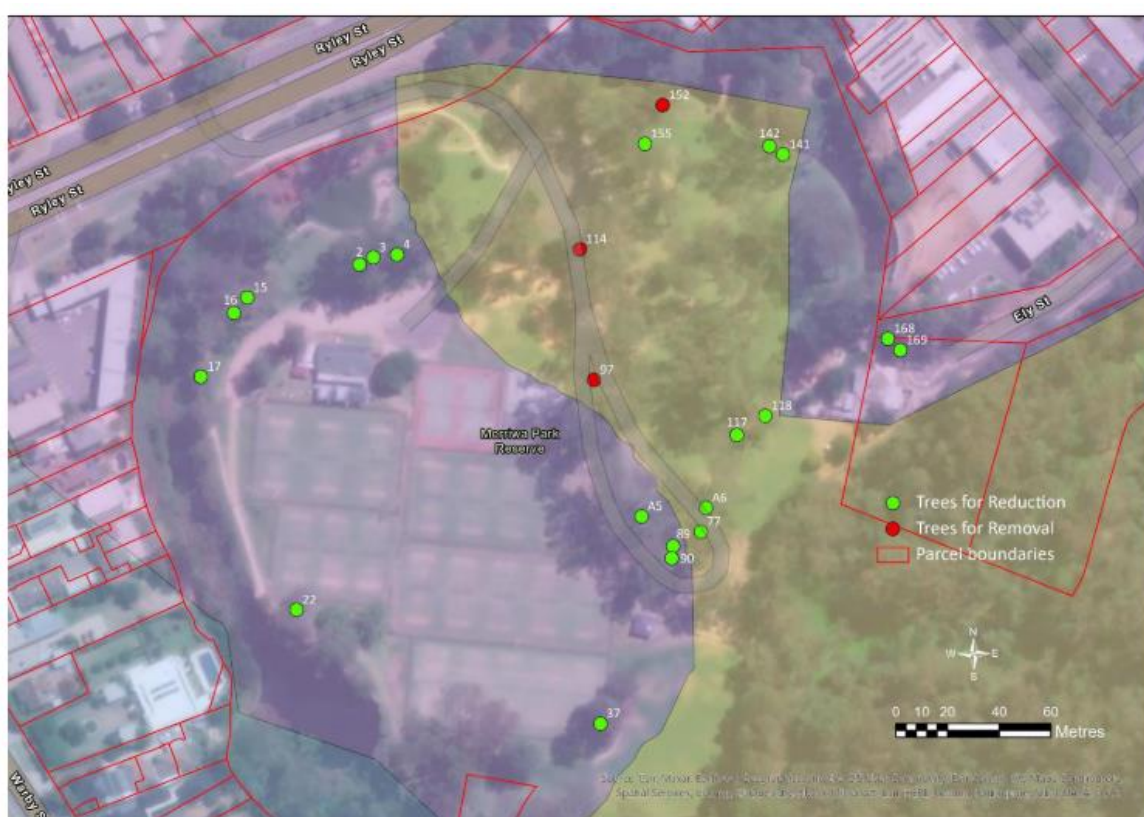


Figure 1: Merriwa Park trees for maintenance pruning (highlighted green) and removal (highlighted red)

#### Summary of Key Issues

- Native Vegetation Protection
- Biodiversity and Habitat conservation
- Risk assessment and Public Safety

Refer to officer's assessment report at **Attachment 2** for a detailed assessment of the above and other relevant issues.

#### Assessment under the Planning and Environment Act

A detailed assessment of the application against the relevant parts of the Wangaratta Planning Scheme and the *Planning and Environment Act 1987* is included in **Attachment 2**.

Section	Clause	Provision
Planning and Environment Act 1987	Section 1 Section 2	Purpose Objectives
Planning Policy Framework	02.02 02.03-2 02.03-9 11 12.01-1S 12.01-2S 12.03-1S 12.05-1S 12.05-2S 13.07-1	Municipal Planning Strategy; Vision Environmental and landscape values Infrastructure; Community infrastructure; Open space Settlement Protection of Biodiversity Native vegetation management River corridors, waterways, lakes and wetlands Environmentally sensitive areas Landscapes Land Use Compatibility
Local Planning Policy Framework	12.01-1L 12.01-2L 12.03-1L 12.05-2L	Protection of Biodiversity Native Vegetation Management River corridors, waterways, lakes and wetlands Landscapes
Zones	36.02 36.02-5	Public Park and Recreation Zone Decision Guidelines
Overlays	44.03 44.03-7	Nil Decision Guidelines
Particular Provisions	52.17 56	Native Vegetation Residential Subdivision
Decision Guidelines	65.01	Decision Guidelines

### Referrals

Department	Response
Goulburn Murray Water	No objection
North East Catchment Management Authority	No objection
Department of Energy, Environment and Climate Action(DEECA)	Consent, subject to conditions.

### Internal Advice

Department	Response
Environment & Sustainability	Consent, subject to DEECA conditions.

### Advertising

Public notice was carried out by Council in accordance with Section 52 of the Act. Notice was given in the form of:

- Letters to adjoining and adjacent owners and occupiers.
- Signs on site
- A notice in the Wangaratta Chronicle

## Objections

A total of four objections were received. A detailed summary of objections and officer's response is contained in **Attachment 2**.

All submissions have been considered and conditions are proposed to help address some of the concerns raised by objectors. The objections are not considered strong enough to warrant a refusal of the application.

## Implications

### Policy Considerations

The Wangaratta Planning Scheme, including its policies and strategies apply to this application.

### Financial/Economic Implications

This proposal does not have any immediate impact on Council's financial resources as such. Should the matter be referred to the Victorian Civil and Administrative Tribunal (VCAT) then Council will likely incur costs associated in defending a position on the application.

### Legal/Statutory

All procedures associated with the lodgement and assessment of this application have been carried out in accordance with the *Planning and Environment Act 1987*.

### Social and Diversity

There are no social impacts identified for the subject of this report.

### Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

### Environmental/Sustainability Impacts

Environmental & sustainability impacts have been assessed within this report against the relevant parts of the Wangaratta Planning Scheme and the *Planning and Environment Act 1987*.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

#### 1. Valuing our Environment

- 3.4.2.2 Work in partnership with our community to preserve and improve our waterways.
- 3.4.2.4 Promote the significance and importance of our rivers and creeks to build community pride, care and protection.

### Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- O2 Look after our rivers and waterways.

### Other strategic links

Nil

### Risk Management

#### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Permit applicant lodges an appeal at VCAT	Possible	Minor	Low	Representation of Council Officer at VCAT.
Third party objector/s lodge an appeal at VCAT	Possible	Minor	Low	Representation of Council Officer at VCAT.

### Consultation/Communication

Public notice was carried out by Council in accordance with the *Planning and Environment Act 1987* and the matter is now ready for Council consideration.

### Options for Consideration

1. Council issues a Notice of Decision to Grant a Permit subject to conditions (recommended);




Or

2. Council issues a Notice of Refusal to Grant a Permit (not recommended).

### Conclusion

The application has been subject to an extensive assessment and is considered to be consistent with the Wangaratta Planning Scheme and is suitable for support. All submissions have been considered. It is recommended that a Notice of Decision to Grant a permit be issued, subject to conditions.

### Attachments

- 1 Attachment 1 - Proposed permit conditions [↓](#) 
- 2 Attachment 2 - Officers report [↓](#) 
- 3 Attachment 3 - Map of proposed tree removal [↓](#) 

## 15.4 Youth Council Advisory Committee 2024

Meeting Type: Scheduled Council Meeting  
 Date of Meeting: 12 December 2023  
 Author: Youth Development Officer  
 File No: IC23/1943

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

### Executive Summary

This report is presented to Council to seek endorsement of applications recently invited for membership of the 2024 Rural City of Wangaratta Youth Council Advisory Committee (Youth Council).

Nominations were sought from –

- secondary schools,
- alternative education institutions, and
- local youth service providers.

In total 18 applications were received; however, two applicants withdrew due to personal circumstances.

### Recommendation:

That Council appoints the following individuals to represent their peers in the 2024 Rural City of Wangaratta Youth Council Advisory Committee:

1. Ayushma Ghimire	Galen College
2. Kayla Jose	Galen College
3. Toby Beggs	Galen College
4. Adele Webber	Galen College
5. Nandini Gangaram	Galen College
6. Amitee Turnbull	Galen College
7. Bonnie Leahy	Galen College
8. Ruby Defazio	Wangaratta High School
9. Lucas Ryder	Borinya College
10. Swaye Frankland	Wangaratta High School
11. Krysta Livermore	Borinya College
12. Atticus Carta	Wangaratta High School
13. Lanie Evans*	Wangaratta High School
14. Lucy Wilkinson*	Cathedral College
15. Edward Browne*	Cathedral College
16. Harrison Allen*	Galen College

\*Served one previous term in the program.

## Background

The Rural City of Wangaratta's Youth Council provides a voice for young people to engage with Council and the community. Many activities and events undertaken by the Youth Council connect young people who otherwise may not have the opportunity to do so.

Consultation has occurred with educational institutions and youth service providers. Applicants were required to submit an application and attend an interview. At each interview the candidate was asked a series of set questions to determine their suitability.

Consideration was given to candidate's suitability, team fit, and ability to represent their peers as well as their lived experiences and circumstances.

Applications for the Youth Council Advisory Committee were advertised in –

- the Wangaratta Chronicle;
- through social media including Facebook & Instagram;
- posters around town;
- through the Rural City of Wangaratta website; and
- through existing school networks and newsletters.

## Implications

### Policy Considerations

Council's Child Safety and Wellbeing Policy applies to this item.

The Youth Council Advisory Committee will operate in accordance with the Youth Council Advisory Committee Charter.

### Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report.

### Legal/Statutory

There are no legal/statutory implications identified for the subject of this report.

### Social

The Youth Council Advisory Committee brings together young people who have an interest in the wellbeing of the young people in our community and advocates for them. The program provides a voice for young people to engage with Council and the community. Many activities and events undertaken by the Youth Council connect with young people who otherwise may not have the opportunity to do so.

### Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for this subject of this report.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

## 1. Strengthening our Leadership

- 1.4.2 Support leadership development and training opportunities.
- 1.4.2.1 Develop and deliver a program of Youth Council training and development.

## 2. Community Vision 2021-2033

### Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

E2 support leadership development and training opportunities.

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Limited youth involvement in Council	Likely	Minor	Medium	Maintain Youth Council Advisory Committee Program and commitment to Youth engagement.

#### Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Youth Advisory nominees	Correspondence
Consult	Youth Advisory providers	Correspondence; meetings
Involve	Councillors, Operational staff	Correspondence; meetings
Collaborate		
Empower		

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### Options for Consideration

- Council appoints the nominees as recommended and listed in the recommendation to the Rural City of Wangaratta Youth Council Advisory Committee.
- Council does not endorse the recommended nominees and seeks further nominations from the community.

#### Conclusion

The Rural City of Wangaratta's Youth Council is an Advisory Committee of Council, established to provide a voice for young people to engage with Council and the community.

Through the Youth Council Advisory program, young people are given opportunities to –

- represent their peers;
- become involved in community activities;
- gain a wider understanding of community issues;
- advocate for youth projects and programs; and
- enhance their leadership skills.

The nomination process for the Youth Council has followed procedures outlined in Section 5 of the Youth Council Advisory Committee Charter.

The nominated Youth Council Advisory Committee members are a diverse group of students who have a similar goal of advocating for their peers and acknowledge that mental health and wellbeing has been and is still a big issue for young people in our community. The nominees want to use their position to bring some positivity with community engagement and events.

#### Attachments

Nil

## 16. Special Committee Reports

Nil

## 17. Advisory Committee Reports

### 17.1 Annual Committee Performance Assessment - Results

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	12 December 2023
Author:	Governance & Reporting Advisor
File No:	IC23/1312

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

This report is presented to Council to note the results of the survey of the annual Audit and Risk Committee Self-Assessment. Section 54(4)(a) of the *Local Government Act 2020* (Vic) (the Act) requires that the Audit and Risk Committee undertake an annual assessment of its performance against the Committee's Charter. This assessment was conducted by a survey which was circulated to members of the Committee separately.

#### Recommendation:

That Council notes this report.

The Audit & Risk Committee (ARC) met on 5 December 2023 and discussed the results of the Annual Committee Performance Assessment.

Overall results were very positive, with some specific suggestions and feedback provided in the survey:

1. Suggested review of Council's Risk Appetite and to make it more visible.
2. Provision of a schedule of Council policies to be overseen by ARC and scheduled review dates.
3. An exception report against policies and their implementation/level of compliance.
4. An induction meeting to be held with relevant Council staff for future new members.
5. Consideration of continuous improvement in the selection of and application of performance reporting measures.
6. Climate Risk to receive more focus/be included in the 2024 Annual Work Plan.

A follow up meeting will be held with the ARC Chair to finalise the resulting actions and deadlines.

Positive feedback was also provided acknowledging the constructive relationship with internal and external auditors, and the value and timeliness of agenda papers provided by management, enabling Committee members the opportunity to be appropriately prepared before meetings.

#### Attachments

- 1 Annual Committee Performance Assessment Results

## **18. Minutes of Advisory Committee Meetings**

Nil

## 19. Notices of Motion

### 19.1 Notice of Motion No 68 - Cr Jack Herry

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	12 December 2023
Author:	Executive Services Coordinator
File No:	IC23/2011

Cr Jack Herry has given notice of their intention to move as follows at the Ordinary Meeting of Council to be held on 12 December 2023 viz:

#### Notice of Motion:

1. "That Council ceases the practice of reciting the Opening Prayer during Council meetings.
2. At the next review of the Governance Rules, removes reference to the Opening Prayer from section 11.2 – *Order of business*.

**20. Urgent Business****21. Public Question Time****22. Confidential Business****Recommendation:**

That Council resolves to close the meeting to members of the public in accordance with Division 3(1) of the Local Government Act 2020 to consider the following items:

**22.1 Chief Executive Officer Annual Appraisal 2023**

**Item 22.1 is Confidential under the Local Government Act 2020 as it contains information relating to : (f) Personal Information.**

**23. Closure of Meeting****Attachments**



## Report from Chief Executive Officer to Council - Community Asset Committees

### 1. Purpose

To brief Council on the activities and performance of the fourteen Community Asset Committees which have been given a delegation pursuant to the **2020 Local Government Act Section 47 Delegations by Chief Executive Officer**:

*(6) A Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.*

### 2. Background

The Community Asset Committees within the municipality of the Rural City of Wangaratta are:

Bowmans-Murmungee Memorial Hall & Tennis Reserve	Myrree Soldiers Memorial Hall
Carboor Soldiers Memorial Hall & Recreation Reserve	Old Murmungee Hall
Edi Upper Hall & Recreation Reserve	Oxley Shire Hall
Eldorado Memorial Hall	Whitfield Recreation Reserve
Everton Hall and Sporting Reserve	Whorouly Memorial Park
Milawa Hall and Park	Whorouly Public Hall
Moyhu Soldiers Memorial Hall	

At the March 2023 Council meeting the North Wangaratta Recreation Reserve Committee was dissolved, and management of the reserve formally became the responsibility of Council officers. Additionally, Whitfield Recreation Reserve have not provided any information for the 2022/23 financial year to Council officers, which is likely related to the passing of a long term member of the committee and treasurer in late 2022. Council officers will continue to reach out to the committee, and to work with them to ensure their viability.

Many of our RCOW Halls & Reserves are struggling with a shortage of committee members, ageing committee members and lack of volunteers. Officers are working with Halls to come up with new suggestions/ways of attracting casual helpers to lessen the burden on committee members. Friends of the Hall is an idea to gain casual help from community members. Technology continues to be challenging for our aging volunteers, and Council officers continue to be dedicated to working with and supporting our community halls and recreation reserve committees with grant applications. A table is attached which sets out the details of the respective committees in relation to information and activities conducted over the previous 12 months.

### 3. Instrument of sub delegation

The Instrument of sub-delegation sets out the powers and functions of the respective Community Asset Committees, including the primary objective to control, manage and maintain the community asset in an

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efficient and effective manner, in the best interests of Council, the local community and users of the community asset.

In addition to the above, the Community Asset Committees must prepare an annual report and annual statement of accounts of the operations of the Committee in the preceding financial year for presentation at the Annual General Meeting of the Committee prior to 31 August each year. The annual report should include information and commentary regarding:

- o Patronage;
- o User groups;
- o Risk incidents and issues;
- o Maintenance and improvements;
- o Evaluation of effectiveness;
- o Any other matter considered relevant by the Committee;

#### 4. Strategic links

The Council Plan 2021-2025 supports our Community Asset Committees, Halls and Reserves through the following objectives and actions:

1. Strengthening our Leadership
  - 1.2.1.3 Develop an asset management plan that outlines the key elements involved in maintaining Council assets
  - 1.3.2.1 Continue to support the delivery of the Rural Placemaking Plans in partnership with our rural communities.\*
2. Nurture our Wellbeing
  - 2.3.2.1 With support and training, ensure that our community groups and committees have strong governance and are inclusive and viable.
  - 2.3.3 Increase opportunities for people to connect to their community and each other.
  - 2.3.4 Provide quality and accessible community facilities based on community needs.
4. Expanding our Economy
  - 4.4.2 Enhance the activity in our rural townships
5. Enhancing our Lifestyle
  - 5.6.2.1 Support groups and clubs to deliver events to their members and the broader community.\*

#### 5. Summary

This report has provided a breakdown of the main user groups, activities and overall maintenance activities of the respective Community Asset Committees.

Moving forward Council Officers will work with the committees to review and refresh the committee member induction and the procedures related to Committee governance to reduce the burden of administration from Committee Members.



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**Brendan McGrath**  
Chief Executive Officer



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Facility	Committee Members & Term	AGM, Financials, Minutes	User Groups/ Events	Committee Reports/ Maintenance
<b>Bowmans-Murmungee Memorial Hall</b>	<b>Members: 8</b>  <b>Term: 2023-2026</b>  <b>Next meeting: Monday 13 Nov. 8pm</b>	<b>Yes</b>	<p><b>Bookings:</b> A very successful Christmas Party was held in late December, a good crowd, and a few more little children in our district for Santa to visit. Those present enjoyed the Man in Red and Silly Santa presents for the adults added a little more interest to the evening. As usual the food, basically BYO, was of a high standard.</p> <p>Three wakes were hosted in this past year, the families being very happy with the catering. The Hall is also home to the bi-monthly Burgoinee Creek Landcare meetings and their annual dinner catered for by REMEL. Karate sessions organised run by Hamish.</p> <p>A mid-winter Community dinner was organised by the Community Project Committee (formerly the Pumpkin Festival Committee) with a blue theme where all things blue were celebrated. REMEL catered, 50 people attended and Timbre Duo provided wonderful music. A lucky door prize, mystery object competition (wrapped in blue was very sort after) and wearing the bluest competition, build a Kinda Surprise and paper plane flying competition. Subsidised by the Festival (money raised by the Pumpkin Festivals entry fee over the years)</p> <p><b>Financials: opening \$ 9,290.92 income \$ 53,299.26 expenses \$ 5,152.15 balance \$ 57,438.03 + term deposit \$ 15,304.20</b></p>	<p><b>Annual Report &amp; Minutes:</b> This year we have replaced tablecloths, sanded the floor of the stage to match the main floor costing \$2,500 and the hall has been professionally cleaned by J M Cleaning. The Bowmans Murmungee Tennis Club remains a sub-committee of the Hall. The Tennis Court fences were damaged by the February storm, RCOW made \$3,000 available towards repairs.</p> <p><b>Maintenance:</b> They are in the process of having the cloth covered chairs professionally cleaned. A quote has been sorted to construct a concrete path from the Fire Shed to the hall for easier access to side doors, grant funding will need to be sort for this. The Disabled Toilets are difficult to access from inside the hall for walking frames and wheelchairs because of the narrowness of the door and difficult to access from outside. They are looking to get a path constructed outside from the front door to the disabled toilet will need to work with RCOW on this as well as seeking Grant opportunities. The West fascia needs maintenance, and this continues to be brought to the attention of RCOW. Hamish is going to upgrade the electrical wiring within the Hall so we can safely work on any electrical installations and faults.</p>

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<b>Carboor Soldiers Memorial Hall</b>	<b>Members:</b> 11  <b>Term:</b> 2022-2025  <b>Next meeting:</b>	Yes	<b>Bookings:</b> This year has seen many community events with fantastic attendance and a wonderful way to bring the community together again. Christmas & Australia Day BBQ dinner, which both had huge turnouts. A family movie night in April which the kids loved, community soup night in May, a book swap running twice a month. BMW Club of Melbourne - 5 weekend bookings, Northeast Car Club for their Karna Cross series - 8 weekend bookings, multiple bookings from Touratech (local business) as well as local family bookings. A future planned BBQ /bonfire night. Fabulous to see the facilities being utilised so well.  <b>Financials:</b> opening \$22,042.47 income \$5,056.68 expenses \$2,333.73 balance \$25,317.95 + term deposit \$20,000	<b>Annual Report &amp; Minutes:</b> Thanks to RCOW for their wonderful support with maintenance, a very prompt response each occasion a maintenance request has been raised. Especially grateful for the installation of flood lighting at the front entrance of the hall/car park and playground. This has made a huge difference to user groups hiring the facility and committee meetings during Winter. One committee member participating in the GROW Program 2 sessions attended to date and already the value of the program can be seen, looking forward to taking the knowledge back to the group and implementing ideas. The Hall is a fantastic asset to the community giving the opportunities to connect and socialise with one another. Electricity plan changed - better rate, looking into changing banks need simpler approval Comm Bank complicated.  <b>Maintenance:</b> None reported
<b>Edi Upper Public Hall and Recreation Reserve</b>	<b>Members:</b> 8  <b>Term:</b> 2023-2026  <b>Next meeting:</b> Monday 23 Oct. 7pm	Yes	<b>Bookings:</b> Regular Senior's lunches have been held throughout the year, the Primary School continues to book the hall, CFA medal presentation, Landcare, King Valley Arts. Working Bee held before the CFA lunch. Pitcher This! funded community BBQ to be held in late November.  <b>Financials:</b> opening \$20,578.94 income \$5194.14 expenses \$3,748.28 balance \$20,224.49	<b>Annual Report &amp; Minutes:</b> Installing a Memorabilia cabinet, need assistance to set up Edi Upper Facebook page for hall, tennis, CFA and Landcare. RCOW may be able to help with this. Mark is attending the GROW program. Carolyn pitched at Pitcher This Moyhu and won \$250 funding for a community BBQ the RCOW councillor have expressed in interest in attending this event.  <b>Maintenance:</b> New pump purchased for the septic system. Drainage is an ongoing issue looking into putting a drain in Ed's paddock. Issue with the eaves raised with Council still incomplete. Water tank inlet blocked, use fire truck to unlock when the ground dries.
Eldorado Memorial Hall	<b>Members:</b> 6  <b>Term:</b> 2023-2026  <b>Next</b>	Yes	<b>Bookings:</b> The Hall was used this last financial year by yoga, home school group, Senior cit's, bowls, bi-monthly community meals, Red Cross, Eldorado Food Share, funerals/wakes, Community Cabaret in October Eldorado Australia Day, a very successful event with 130 people attending for dinner including as well as	<b>Annual Report &amp; Minutes:</b> Maintenance and improvements are carried out by the committee members also a local person through a work program has for some of this year been helping 2 hours per week. The committee would like to receive notification when trades services are to attend the Hall and the committee would like to be

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	Meeting:		<p>general public, members from the Vintage, Veteran and Classic Vehicle Club of Wangaratta and the Bendigo Fosickers Club. Our small committee was very grateful for all the help from community volunteers on the day. Community Garage Sale/Market in May ANZAC Day – Dawn Service was very well attended Eldorado garage sale and other private bookings.</p> <p><b>Financials: opening \$5945.65 income \$9844.45 expenses \$5351.62 balance \$9039.81 term deposit \$5945.65</b></p>	consulted on proposed changes to the Facility.
Everton Public Hall & Sporting Complex	<p>Members: 12</p> <p>Term: 2023-2026</p>	Yes	<p><b>Bookings:</b> Highlights for the 22/23 year Gourmet Dinner, CFA awards night, annual Port &amp; Pudding night, Australia Day Brekky, Australia Day local achiever hall of fame. Federal election polling booth, our health and wellbeing night, various meetings and regular users for training and events, such as Landcare meetings/AGM, tennis club afternoon teas, Anzac Day morning tea, an engagement party, community meals and the Primary School's Everton's got talent concert &amp; Bush Dance.</p> <p><b>Financials: opening \$6,585.54 income \$17,009.75 expenses \$13,248.15 balance \$10,347.14 + term deposit \$8,063.49</b></p>	<p><b>Annual Report &amp; Minutes:</b> Everton is participating in the Grow volunteering program that will stimulate and reinforce their governance and planning skills.</p> <p><b>Maintenance:</b> The tennis court reconstruction is currently underway, and the installation of new tennis court lighting and water fixtures at the BBQ shelter, with an opening planned for October 2023.</p> <p>No maintenance issues listed.</p>
Milawa Public Hall	<p>Members: 9</p> <p>Term: 2022-2025</p>	Yes	<p><b>Bookings:</b> Carols in the park, Australia Day Awards, "Friends of the Hall" afternoon tea, Rotary Club high tea. Cheeky food event, birthday parties, cemetery, RCOW. Bookings have slowed with the school cancelling their booking in August and no more Yoga. The netball club have 3 dates booked and regular bookings for the Spinners &amp; Weavers wool day weekend plus their 50<sup>th</sup> Anniversary, Squash Clubs 50th Reunion, Dawn Mauldon's book launch, and an Opera on the 2 March next year. The Milawa market is held quarterly in the hall grounds.</p>	<p><b>Annual Report &amp; Minutes:</b> The Hall underwent an amazing transformation in 2022, with a new ceiling, lights, fans fresh paint and a new floor. Milawa website needs updating, kitchen floor cleaned, cool room removed, hall market signage updated, minor expenses, financials supplied. Approximately 25 market stall holders for the October. Looking into a prepaid Mastercard for purchases – easier than petty cash reimbursements</p> <p><b>Maintenance:</b> the hall renovations addressed all the building's maintenance issues. Future works include Installing 4 double power points in carpark for the food vans and Santa's house and the sound shell will need some electrical work to bring it up to code.</p>

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			<b>Financials: opening \$30,298.89 income \$422.00 expenses \$2,009.42 balance \$28,711.47 + term deposit \$27,752.59</b>	
Moyhu Soldiers Memorial Hall	10 2023-2026	Yes	<p><b>Bookings:</b> The hall has always enjoyed good patronage and support from residents and organisations. The Hall was hired a total of 76 times in 22/23, Moyhu Action Group meetings, Birthday Parties Maternal &amp; Child Health clinics, Community Meals, Moyhu Lions Club functions, Councils Supported Playgroup sessions, RCOW information sessions, Preschool functions, Moyhu &amp; District Youth Club, King Valley Arts live performance, Victorian Electoral Commission, CWA &amp; Greta Valley Landcare Official unveiling and afternoon tea to celebrate the reopening of the hall and completion of works.</p> <p><b>Financials: opening \$10,823.42 income \$5,030.01 expenses \$5,593.51 balance \$10,259.92 + term deposit \$1,045.68</b></p>	<p><b>Annual Report &amp; Minutes:</b> The renovations will see \$350,000-00 spent on upgrades and renovations to the Hall, these include A/C, solar panels, roof replacement, spouting and downpipes, windows and doors on the back wall of the wall reverting back to the original design. New rear landing installed, the floor in the main hall needed restumping and floor was removed and replaced with new Western Australian Jarrah floor. The main hall has been painted internally, the ceiling fans have been replaced and the light fittings will be replaced. External timber trims have also been painted. The original front doors of the hall are being restored. Defibrillator donated – positioned outside on the west side of the kitchen door.</p> <p><b>Maintenance:</b> The old stage curtain mural, project to go ahead price \$7,500.00</p>
Myrrhee Soldiers Memorial Hall	6	Yes	<p><b>Bookings:</b> Highlights for 2023 were the launch of the book swap, toy Swap, and coffee mornings in March. I expect it will become a regular gathering place when we open. Community BBQ held in Feb in conjunction with the Recreation Reserve and attended by 80 people and many young families. The Reserve donated funds to cover food costs we charged \$5pp to break even.</p> <p>Paris in Myrrhee Fundraiser held in June and was very successful, with the generous cash donations received from Sponsors. The success is underpinned by how well the committee work together. We raised about \$5000 from that event which will go back into running other events and hall upkeep.</p> <p>Hall was hired twice by Greta Valley Landcare group for meetings, and seed swap. We supplied supper, making a small profit. Myrrhee School used the hall for Gym</p>	<p><b>Annual Report &amp; Minutes:</b> If it wasn't for our committee members and their "can do" attitude, efforts, and dedication to the Myrrhee Community we would not have a hall and all the other people who come and help us when needed. Robyn at Myrrhee School for printing flyers, Sue for coffee making, Darcy, Ivy, Paul family and friends for helping at events. Thank you to Ann our Treasurer, I hope in this coming year we can be joined by more people and younger members.</p> <p>The Myrrhee Facebook page has increased now to 436 likes and 495 followers. Thanks to Paul and Cath for their management of the page. We were successful to receive a Pitcher This! grant from RCOW of \$750 to assist with equipment purchase and repair, and are currently involved in the GROW program</p> <p><b>Maintenance:</b> Hall Grounds - Parking and Street light needs to be looked at. Birds/bat holes will need fixing along with the small oven, which keeps tripping circuit. Back decking needs repainting.</p>

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			and a visiting puppet show. Plans for High Tea and Orchestra in Spring 2023, Garden Lunch, kids disco, King Valley Arts, line dancing, country and western night, mental health morning tea.  <b>Financials: opening \$1575.41 income \$31203.94 expenses \$17372.22 balance \$15407.13 + term deposit \$1133.46</b>	
Old Murrumbidgee Hall	7 2023-2026  Next meeting: 13.11.2023	Yes	<b>Bookings:</b> A community event was held on 16 <sup>th</sup> October last year to celebrate the opening of our new kitchen. As a result of the upgrade, the hall has been hired 5 times this financial year – 3 weddings and 2 information nights about bats which was planned by the local Burgoogee Creek Landcare group. Looking into the Small hall music events.  <b>Financials: opening \$11,075.21 income \$2,903.14 expenses \$3,397.75 balance \$10,580 + term deposit \$5,601.25</b>	<b>Annual Report &amp; Minutes:</b> The Hall is looking magnificent as usual, thanks to our hard-working community. The hall committee are appreciative of RCOW councillors' commitment to the kitchen upgrade, P Howard and team did a great job. New outdoor bench seat thanks to Jane Witherow and her involvement in the Alpine leadership program. Hamish Preston donated time/materials to repair interior/exterior lights. Looking into Heritage Memorial Plaques.  <b>Maintenance:</b> Work is planned to repair the veranda posts and clean the brickwork on the exterior north wall and the roof around the chimney. Repairs to brickwork and cracks need to be carried out, and fresh paint applied when the work is finished. New exterior light fitting is needed and post and rail fence around hall grounds is something that is being considering.
Oxley Shire Hall	15 2023-2026	Yes	<b>Bookings:</b> Oxley Bush Market returned after two year COVID hiatus. The number of Major Events (weddings etc) have not built up to pre COVID numbers, the Hall has been used more regularly for community events and smaller functions, which is preferable as this is the main purpose of a community hall. Downside is Major Events create more income although lots more work. Oxley Primary School, Ostinato choir, CFA, Weekly Table Tennis, Milawa Markwood Oxley Landcare, Friday night Happy Hours, Zumba Classes, ORA – Remembrance Day, Progressive Dinner, High Tea. The excellent acoustics and ambience of the hall has been acknowledged by music performers and their audiences The Hall has been chosen as a venue for	<b>Annual Report &amp; Minutes:</b> Mower purchased from RCOW Community Grant \$8500.00 Received Federal Volunteer Grant \$2700.00 to purchase 100 light durable folding chairs. RCOW promptly respond to SNAP SEND SOLVE requests fixing a water leak, broken window, replaced fly screens, leak in the roof, spiders spraying.  <b>Maintenance:</b> Future works, carpark is to be sealed, solar panels and battery, split system A/C, security and smoke detection system.

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			the Lyster Opera Company when touring Victoria. Four operas performed, several performances by Ostinato Choir and have booked future events. Professor Matthew Hindson AM from the Sydney Conservatorium of Music is planning a piano performance April 2024  <b>Financials: opening \$5,365.17 income \$2,730.00 expenses \$4,402.06 balance \$3,693.11+ term deposit</b>	
Whitfield Recreation Reserve	7	No	Nothing supplied – emailed and phoned several committee members, letter sent in Nov 23 with notice of non-compliance	
Whorouly Multi-Purpose Centre	13	No	<b>Bookings:</b> The hall and facilities were hired by the Primary School for hire of the Tennis courts, Tennis Club, Moyhu CFA meetings and AGM. FB/NB club functions, Pangerang community hub for movie nights and Be connected and Triva afternoon, art classess, hall hired for private functions, RCOW meetings and catering and Caravaners staying overnight.  <b>Financials: opening \$30,318.79 income \$54,875.99 expenses \$45,944.27 balance \$36,496.67+ \$2,084.20 Tennis Club funds</b>	<b>Annual Report &amp; Minutes:</b> This year confirmation was received that our netball courts will be upgraded, this has been a long project which has been pursued by many people on the committee. We are very grateful to have received tow grants from AFL Country FB/NB and RCOW. The Memorial wall looks great and we are continuing to receive plaques. Two major working bees were undertaken this year with great attendance from the respective club users and community members. The Whorouly Reserve strategic plan was reviewed this year with new initiatives. Australia Day Celebrations recognised 2 local achievers Marion Walker and Jacob McAulife for their dedication & commitment to the Whorouly community.  <b>Maintenance:</b> None reported
Whorouly Public Library Hall	10	Yes	In September 2022 the hall was hired by members of the Fijian & Tongan community. October 2022 for a Chaplaincy event and November for the Inner Wheel town garage sale. A First Birthday Party in April 2023 with approx... 60 people attending with an Alice in Wonderland theme. In June Whorouly & Wangaratta Inner Wheel held a combined, very successful, progressive dinner attended by 40 people.  The Hall looked amazing with candles, fairy lights and floral arrangements. Lots of comments were made about what a wonderful hall it is and that it should be used more often. Laurie Chalmers, came and turned	<b>Annual Report &amp; Minutes:</b> The Hall is still being used very well. Sherren Tilson donated a microwave, 20 dinner plates & 20 bowls, wine glasses and trays to be used for functions. Sue Nicoll donated a 12-piece dinner set. Tony checked the power points in the kitchen and put a few more double power points in for the slow cooker. Brett Harrison came and cut and fixed the risen floorboard. The possum problem finally appears to be fixed, there were two dead possums inside the hall this year. RCOW repaired the guttering and road out the front of the Hall.  <b>Maintenance:</b> The Gas heating is very old and inadequate. We are hoping that through funding we may be able to improve the heating of the hall and make the hall more comfortable for user groups in the

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			<p>the heaters on, it was lovely and warm. Inner Wheel donated \$645.00 which was very generous of them. The school used the Hall for packing and distribution of pies/cakes for their annual Pie Drive. Gateway Health has booked the Hall multiple times during the past year, along with Inner Wheel. CWA didn't use the hall in 2023 as they find it too cold.</p> <p><b>Financials: opening \$986.70 income \$4,839.30 expenses \$1,904.34 balance \$3,921.66 + other account \$1,511.87</b></p>	future.
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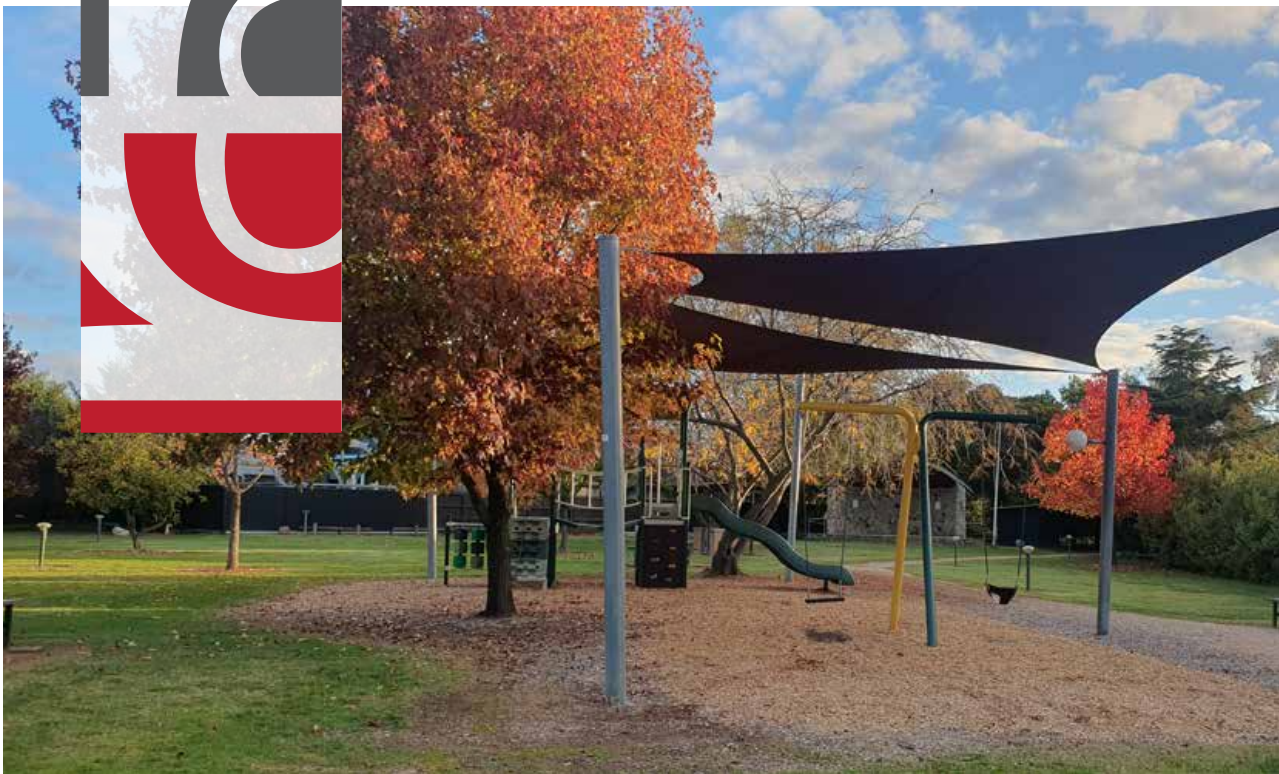
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## Equity Impact Assessment Rec and Open Space

**Equity Impact Assessment Executive Summary**

<b>Policy or Strategy name:</b>	Recreation and Open Space Strategy
<b>Directorate:</b>	Community and Recreation
<b>Date:</b>	1 April 2023
<b>Policy Background</b>	
<p>The Recreation and Open Space Strategy reviews and considers Council's assets in this space, as well as community needs as Wangaratta grows over the next ten years. As well as planning for growth, and formal sports the strategy will include a focus on active recreation and utilisation of play and open spaces throughout the Rural City.</p>	
<b>EIA Focus What was identified as the focus for further research?</b>	We will ensure that the voices and perspectives of women and non-traditional sports participants are captured in the recreation and open space strategy process.
<b>EIA Findings – What did the data, research say? What targeted consultation are you planning/tell you</b>	
<p>Existing data (Placescore) shows that women and older people in Wangaratta value open space, and spaces to gather, but do not believe these spaces are performing well. Rural community members often think open spaces are performing well, but places to gather and recreation spaces are not. Perception of safety is lower in women, especially women in the 25-44 range. Women in this range and older people also want a wider range of play and open spaces suited to all ages.</p> <p>Research shows that involvement of women in sport and active recreation declines in early teen years and continues to decline. It also shows that women and older people all benefit not only from the physicality of active recreation, but from the social aspect as a connector.</p>	
<b>EIA Recommendations - What changes were recommended to the policy in order to create more equitable outcomes for the community?</b>	
<p>In addition to traditional engagement and desktop research, targeted engagement to community including playgroups and schools to capture a wide range of voices, including the voices of women and younger/older people. A wide-reaching survey to capture voices of community who may be non-traditional sport participants.</p>	



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Recreation and open space strategy| 2023



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**We acknowledge the traditional custodians of the lands, which now comprises the Rural City of Wangaratta municipality. This area spans the ancestral lands of the Bpangerang, Gunaikurnai, Taungurung and Yorta Yorta peoples.**



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## Defining key terms

For ease of reference, key terms and their definition have been provided below as these terms may be new, uncommon or specialised to the reader, as they relate to open space, recreation and sport strategic planning.

Active recreation	Recreation activities that require physical exertion but are unstructured, that is not part of a competition
Amenity	A desirable feature of a place and the positive visual impact on the surrounding area
CPTED	Crime prevention through environmental design outlines how physical environments can be designed to lessen the opportunity for crime
Embellishment	Services, facilities and infrastructure that allow a recreation or sport park to be used for its intended purpose e.g. turf irrigation, goal posts, shelters, picnic table and chairs, playgrounds, change rooms
Master Plan	A planning outcome providing a vision for a site, identifying what it should look like and how it should function into the future. It establishes a strong and consistent direction, providing a framework for ongoing improvement
Mitigation	The action of reducing the severity of something (such as a flood event)
Open space	Council-managed land and water bodies that are broadly available for public recreation, pedestrian and cycle movement, sport or for nature conservation purposes. Open space is the over-arching term for sports parks and recreation parks
Outdoor recreation	Range of unstructured activities undertaken in more natural settings that are not reliant on built infrastructure
Passive recreation	Range of unstructured activities and social interactions undertaken for enjoyment, relaxation, and mental health, with limited physical exertion
Rail Trail	Rail trails are shared use paths for walking, cycling and horse riding, created on railway corridors that are no longer used for rail transport.
Rationalise	Re-purposing as an alternate use, 'planting out' with trees to reduce maintenance, sale of the land or returning the land to the State (where State-owned)
Recreation park	Settings for informal recreation and social activities that enhance physical and mental health through activity that provides relaxation, amusement or stimulation such as play
Recreation node	A small area within an open space or park that provides recreation opportunity such as play elements or for rest and relaxation
Reserves	Crown land (typically owned by the State Government) managed as open space. May include sports parks, recreation parks and showgrounds
Sport	A range of structured activities capable of achieving a result requiring physical exertion and/or skill, that is competitive or training for competition
Sport park	Designed to primarily support a range of formal structured sport activities such as competitions, physical skill development and training. These parks are designed to accommodate the playing surface and infrastructure requirements of specific sports
Universal Design	The design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability

## Project limitations

The Strategy focuses on the provision and distribution of open spaces across the Rural City of Wangaratta.

The core outcome of this work was to develop an action plan for Council to follow in relation to upgrading parkland that it manages.

Park audit information contained within this document was accurate as at May 2023 when the site inspections occurred. Any park developments or data updates since the time of inspection will not have been taken into account in this plan.

Land identified as, or potentially for, open space was determined using existing Council mapping, database information and/or officer knowledge.



Rural City of Wangaratta





# Introduction

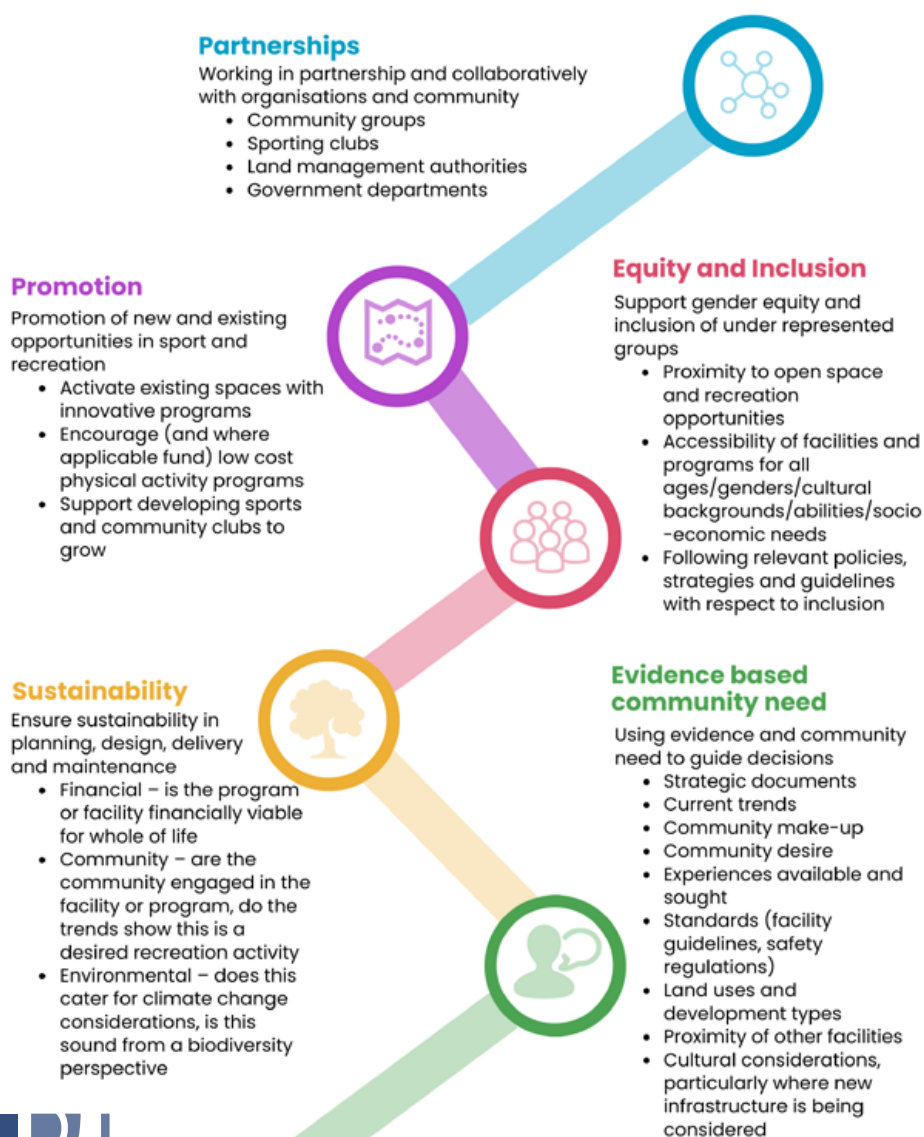
## Vision

*Everyone has the opportunity to be active and connected through sport and recreation.*

## Mission

Plan and manage our facilities and open spaces to enhance community use, enjoyment and well-being

The vision and mission is underpinned by the adjoining principles:



Rural City of Wangaratta

### Benefits of public open space

Public open space plays a vital role in sustaining the social and environmental qualities of the local and visiting community. Appropriately planned, developed and managed public open space provides numerous opportunities to improve the health and well-being of individuals and the community, as well as bringing people together to develop social networks and friendships. Public open space has the potential to boost the local economy by attracting tourists, investment and supporting local businesses by the means of sporting activities and community events.

#### Benefits to personal health

- improved health is available to individuals through participation in sport and recreation. Research has shown that quality access to public open space (specifically parks, sporting fields and their connectivity) increases physical activity frequency
- opportunities to develop physical, social and decision-making skills through participation in sport and recreation
- access to public open space including natural areas can significantly improve the mental and physical well-being of the community and results in a higher satisfaction amongst the community.

#### Benefits to communities

- public open space provision is essential for strengthening and maintaining a healthy community. Public open space can provide a focal point for community gathering, promote interaction and combat social isolation. This became particularly apparent as people used parks to escape mandatory social isolation during the COVID-19 pandemic
- participation in sport and recreation can improve social cohesion, build cultural tolerance and support for seniors and people with a disability
- public open space areas can be used to record and retain history through place names, commemorative buildings and memorials and preserved areas of cultural significance
- public open space can provide connectivity. Recreation paths along open space corridors can link residential areas with key community facilities and open spaces.

#### Benefits to the environment

- public open space can help to maintain a sustainable environment by reducing water run-off and flooding-related problems, offsetting carbon emissions and filtering pollutants (trees)
- where public open space provides for quality active transport opportunities (e.g. cycleways and walking paths/trails) and walking and cycling replace car trips, additional environmental benefits include reduced traffic congestion and reduced greenhouse emissions, noise and air pollution
- daytime temperatures have been found to be up to 3°C cooler in large urban parks than the surrounding streets as a result of moisture released from trees
- public open spaces provide habitats that support ecosystems. Even highly maintained urban open spaces can be host to a range of mammals, insects, birds and aquatic plant life
- public open space can have high environmental values as it can support species and ecosystems not reserved in national parks or other conservation reserves and may act as corridor linkages between larger areas of environmental value.

#### Benefits to the economy

- quality public open space can increase the value of nearby properties
- participation can reduce obesity and health care costs. Improved physical health and the building of stronger families and communities helps lower these costs
- quality public open space and leisure services can attract businesses, employees and tourists. In fact, research has shown that recreation, parks and open space are some of the most important factors when new business locations are considered
- many events are hosted in public open space areas - from small local community-based events, through to those of national and international importance.



## Strategic context

Understanding the makeup, needs and characteristics of the local community, projected population change, trends in public open space planning and the local legislative context are all important factors that influence public open space usage, planning and design.

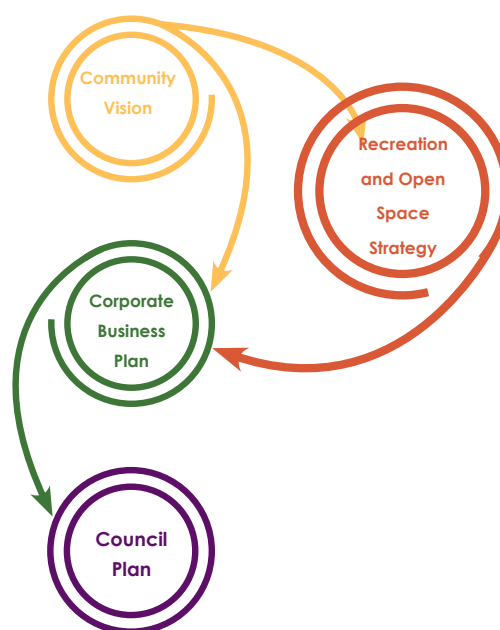
### Strategic context

Policies, plans and strategies reflect community aspirations and expectations representing an important context to public open space planning. Therefore, the development of the Strategy needs to fit within their framework.

A review of a number of relevant Council documents has been undertaken to ensure an understanding of the overall context for the Plan.

Documents considered include:

- RCoW Community Vision 2033
- Council Plan 2021 - 2025
- Wangaratta Planning Scheme 2023
- Planning Practice Note 70 - Open Space Strategies
- Environmental Sustainability Strategy 2021
- Urban Tree Plan 2022
- Open Space Community Insights Report 2021
- Community Access and Inclusion Plan 2019-2022
- Play Space Strategy 2017 - 2027
- Merriwa Park Landscape Master Plan 2022
- Walking and Cycling Strategy 2020
- Parklands Master Plan 2020
- Wareena Park Master Plan 2020
- Wangaratta South Growth Area Structure Plan 2018
- Wangaratta North West Growth Area Structure Plan 2018
- Open Space and Recreation Strategy 2012
- Rural Place Making Projects 2018
- Gateway Health Active Living Mapping Project 2019
- Economic Development Strategy 2018.



Rural City of Wangaratta

**RCoW Community Vision 2033**

Council's role in the delivery of public open space is that it contributes to building healthy, liveable, attractive, sustainable and connected communities.

Council's vision is:

*"We are an inclusive, courageous and compassionate community, that has built our future on a respectful balance between the urban and the rural. We are known for our natural beauty, access to opportunities and innovation, our resilience, and our community strength. We have a mature and healthy landscape that supports our wellbeing and forms a strong part of our identity. We are the place where everyone has the ability to engage, to prosper, to be supported, and to grow."*

**Municipal Public Health and Wellbeing Plan**

Council's Municipal Public Health and Wellbeing Plan (MPHWP) Identifies 'building active communities' as one of the key directions for improving public health and wellbeing. Relevant to this Strategy, the Plan identifies:

- 55% percent of Rural City of Wangaratta adults do not meet the physical activity guidelines
- Above average members of a sporting group (34.2% compared to state average of 26.5%)
- 94.4% of people who rated their community as an active community which is higher than the state average of 81.1%.

Relevant targets have been set in the MPHWP in order to improve upon or maintain these statistics:

- Increase in number of people meeting Australia's Physical Activity and Sedentary Behaviour Guidelines
- Increased number of children participating in local sporting and passive recreation activities
- Increased distance of walking and cycling tracks throughout the municipality.

**Environmental Sustainability Strategy 2021-2026**

The Environmental Sustainability Strategy (ESS) is a plan for a healthy, resilient, and sustainable future for our municipality. Through the strategy Council acknowledges that our municipality is vulnerable to the impacts of climate change and that a healthy natural environment is vital to all species and essential to the health and wellbeing of current and future generations. With increased adverse weather events such as floods, droughts and bushfires, it is acknowledged that it will have a negative impact on the quality of our open spaces, the cost of maintenance and upon the people that use it.

The ESS has many relevant actions for the Recreation and Open Space Strategy in terms of maintaining and improving native habitat, improving connectivity in our green spaces, recognising traditional indigenous Natural Resource Management knowledge, increasing tree canopy cover, incorporating environmentally sustainable design into developments, using alternative sources of water (e.g storm water or recycled) to maintain green spaces and using water wise landscaping where applicable.

**Open Space Community Insights Report 2021**

Council commissioned the report in order to gain liveability insights regarding open space for the LGA. Relevant to this Strategy, the report identified the following:

- The Quality of public space has been identified as a priority area for intervention. It is both highly valued by the community and currently under performing
- The General condition of public open space is the highest valued primary open space metric and is one of the most important contributors to local liveability
- 30% of open space community ideas from respondents aged U25 were requesting a variety of free open spaces for sporting and recreation
- A variety of spaces suitable for play (from toddler to teens) is among the poorest performing primary open space metrics
- Respondents over 64 would like to see more seating within open spaces and parks
- Strengthening the presence and identity of the river will help to enhance the natural environment. 23% of environment related community ideas highlighted the need to improve water quality to enrich it as a place for recreation.

**Urban Tree Plan 2022**

Council's Urban Tree Plan is focussed on trees within open space and streets. The Plan highlights the importance of urban forests, with urban trees offering many environmental, social and economic benefits to the community. Relevant to the Recreation and Open Space Strategy, the Plan sets the following relevant target:

*By 2030 the Rural City of Wangaratta will Increase our Urban Forest Canopy to 25%.*

The Plan is focussed on some nature strips, parks and open spaces, recreation reserves, and Council managed sites including sports grounds.

Opportunities exist within this Strategy to implement outcomes of the Urban Tree Plan, for example, removal of playground equipment is recommended for a number of local recreation parks, with opportunities to increase plantings at these sites and maintain them for visual amenity and environmental purposes.

**Gateway Health - Active Living Mapping Project for Wangaratta and Surrounds**

The aim of the project was to identify the barriers and enablers for physical activity, with a specific focus on older people and people with specific needs which for this project is classified as particular vulnerable groups.

The project found that the biggest barriers to being physically active were lack of time, lack of or poor quality footpaths, cost, weather, health problems, decreasing cognitive ability, lack of motivation and perceived lack of options.

The most common suggestions for increasing physical activity were more/improved footpaths and more free or affordable activity options. These findings have been incorporated within this Strategy.

## Community profile

The way in which a community uses the surrounding public open space and participates in recreation activities is largely influenced by age and demographic considerations. Understanding the spatial and demographic variations in communities, such as concentrations of older residents or youth, is fundamental to responding to, and planning for, the future provision of public open space. Key demographic information is provided here as an input to further analysis of participation in recreation and sport activities by individuals, as well as groups of people with similar demographic characteristics in the community.



### Population

- The population of the RCoW local government area is 29,808.
- 51.7% are female and 48.3% are male.
- 1.9% of the population is Aboriginal or Torres Strait Islander.



### Median age

The median age of the Shire is 45 years. This is seven years higher than the Victorian median of 38 years.



### SEIFA Index of Relative Socio-economic Disadvantage

988.4 is the SEIFA Index for the RCoW, with Wangaratta South the only individual small area scoring below 990 (875.1)



### Income

Overall in RCoW, 14.0% of households earned a high income (more than \$3,000 per week), and 21.7% earned a low income (less than \$650 per week). The median weekly household income is \$1,326.



### Victorian Population Health Survey 2020 for RCoW

Approximately 56.9% of residents are overweight or obese. For mental health and wellbeing, 75.3% self reported good, excellent or very good. For life satisfaction, 80.5% reported high or very high

## KEY IMPLICATIONS

In terms of impacts for the preparation of the Recreation and Open Space Strategy, what these demographic considerations and key health indicators suggest, as well as the relevant principle from this Strategy are:

- demand for additional open space facilities is unlikely to increase moving forward [Evidence based]
- expectations of higher quality open spaces (and open space infrastructure) [Equity and inclusion]
- demand will continue for facilities (and opportunities) that are attractive across all ages - with an increasing focus on facilities targeted at older residents [Equity and inclusion]
- Wangaratta and Wangaratta South may require specific open space outcomes to help counteract their level of disadvantage when compared to the rest of the LGA. Accessibility to open space is important, as well as connectivity to walk/cycle networks [Equity and inclusion]
- the creation and promotion of physical activity opportunities and programs is important when considering the high proportion of the community who are overweight or obese [Equity and inclusion] [Promotion]
- similarly, the low SEIFA Index highlights the importance of extending the existing community garden program through community-led garden beds in open spaces [Partnerships]

**Major trends in open space and recreation**

Participation patterns in recreation are changing at a community level. Factors such as a move toward non-organised or social sport, increased outdoor nature-based recreation and increased use of technology have all had a significant impact on how people recreate and use public open space. Understanding these trends (and their impacts) is important as Council looks to develop strategies, programs and facilities to encourage people to engage in activities in public open spaces.

**Social media**

- Provides new ways for people to engage with parks and share experiences on social media platforms
- The process of sharing and promoting locations can increase visitation
- Open space users are seeking ‘brag-worthy’ experiences to share on social media.

**Technology**

- Shift from outdoor to indoor, and increase in sedentary activity among children and adults
- Rising social media and app use guiding exercise, activity and destination choices
- Opportunity to ‘gamify’ or connect outdoor parks and activities, create brag worthy experiences
- Expectation of interfaces - wifi in key parks, charging hubs, digital information on signs

**Increasing ‘screen time’ during leisure time**

- More of our leisure time is being spent looking at screens, at the cost of active leisure activities
- Excessive screen time has been associated with negative health outcomes as people have less time available to participate in active pursuits such as play and physical activity.

**Motivation and participation**

- Preference for unstructured physical activity alone
- Appreciation of the physical, mental and social benefits
- Cycling rising, but organised cycling and formal club membership is low
- Children’s participation in formal sport is growing, whilst adult’s is decreasing
- Adventure and imaginative play is important - provision of challenging experiences
- Wheeled activities - from scooters to BMX riding - on the rise

**Health and environmental awareness**

- Increasing concern about health with obesity and stress-related illness on the rise
- Residents with easy access to quality natural areas report a higher quality of life
- Growing awareness of the environment has led to growth in visitation to natural areas.

### Girls in open space

#### ParkWatch Report<sup>1</sup>

Given the introduction of Victoria's Gender Equality Act 2020 and the requirement for Local Government to undertake Gender Impact Assessments, recent research relating to use of parks and public places that was released by UK based Make Space for Girls, is relevant and worth considering.

During May 2023, Make Space for Girls asked people count the number of teenagers using local park facilities, and their gender, to collect data for a citizen science project.

Youth parks or facilities designed for teenagers often include skateparks, BMX tracks or multi-use games areas (MUGA's) such as basketball half-courts or similar modified sport facilities. These types of facilities are anecdotally known to be primarily used by boys, however this project sought to collect data. The results are enlightening:

"Our research reveals that overall 88% of the teenagers using these facilities were boys, and for MUGA's, the most common facilities, this was 92%"

Some additional findings:

- Where different types of facilities were provided, including shelters, swings, tennis courts and play areas designed for older children, girls were more than three times more likely to use them
- Facilities dominated by boys, can also be the dominant facility provided, effectively 'designing girls out' of public parks and places
- The impact on girls is that they don't feel that parks are for them, potentially causing them to miss out on the mental and physical health benefits of park use.

Recommendations from the report include:

- When new facilities for teenagers are being provided, councils and developers should consider a far wider range of facilities than skate parks, BMX tracks and MUGAs
- Councils should evaluate what they currently provide for teenagers and whether it meets the needs of girls
- Councils and other bodies should also examine all their policies to ensure that these do not result in the same limited provision
- Every piece of current and future provision should be subject to an Equality Impact Assessment using data or observation
- Most importantly of all, we need better engagement. Teenage girls need to be at the centre of the decision making process, in order to create parks and other spaces which really meet their needs.

The full report, including the methodology provides insights into relatively simple processes that Council may be able to apply to gather data specific to park and facility use across the RCoW to support development of gender impact assessments.

<sup>1</sup> <https://www.makespaceforgirls.co.uk/resources-library>

### Open space design trends

A successful park (the primary version of 'open space') is one which is well-regarded and heavily used by the community. Key qualities in creating quality parks and the relevant principle for this Strategy include:

Open space design trends	Relevant principle
<ul style="list-style-type: none"> <li>– creating a sense of safety and security               <ul style="list-style-type: none"> <li>• parks that are located so that they can be seen from nearby houses, stores or activity areas</li> <li>• parks, their facilities and embellishments are open and visible</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>– Equity and inclusion</li> </ul>
<ul style="list-style-type: none"> <li>– creating an accessible and connected destination               <ul style="list-style-type: none"> <li>• parks that are accessible to and from other parks, and within the parks themselves, giving maximised opportunities for walking and cycling</li> <li>• footpaths that provide linkages to other open spaces, schools, commercial and residential areas</li> <li>• footpath treatments that are safe (for example at road crossings) and are accessible for prams, wheelchairs, scooters and bikes</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>– Equity and inclusion</li> </ul>
<ul style="list-style-type: none"> <li>– creating an attractive destination               <ul style="list-style-type: none"> <li>• parks that are well designed with landscaped open spaces</li> <li>• embellishments that complement the natural environment, such as grassy mounds instead of bench seats</li> <li>• parks that have well shaded areas (naturally and artificially), especially over nodes and activity areas (playgrounds, benches)</li> <li>• infrastructure that is attractive and well maintained</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>– Evidence based community need</li> </ul>
<ul style="list-style-type: none"> <li>– creating sustainable spaces               <ul style="list-style-type: none"> <li>• parks that protect, enhance and connect landscapes and increase the quality of the natural habitat</li> <li>• parks that integrate environmental sustainable design and water sensitive urban design features that acknowledge and respond to a changing climate</li> <li>• parks that utilise local, recycled, natural and sustainable materials where applicable</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>– Sustainability</li> </ul>
<ul style="list-style-type: none"> <li>– providing adequate facilities and range of activities               <ul style="list-style-type: none"> <li>• parks that provide embellishments for comfort and recreation</li> <li>• parks that have a range of infrastructure that allows participation for all ages and considers the needs of different groups (including all ages and abilities)</li> <li>• parks that encourage children to use their imaginations, learn social skills, build their self-confidence and test their physical skills through adventure and exploration</li> <li>• parks that introduce risk back into play (such as high tree house structures, sky walks and natural elements), enabling children to develop an awareness of limits and boundaries</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>– Evidence based community need</li> <li>– Equity and inclusion</li> </ul>
<ul style="list-style-type: none"> <li>– developing a sense of community               <ul style="list-style-type: none"> <li>• parks that provide spaces for events, gatherings of family and friends, and meetings</li> <li>• parks that have a sense of identity that create community awareness</li> <li>• parks that the community feel is theirs and that they can be proud of.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>– Partnerships</li> <li>– Promotion</li> </ul>

**KEY IMPLICATIONS**

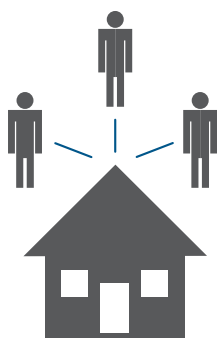
Considered together, these trends suggest:

- technological advances will continue to influence how we interact with the physical environment (and how much time people have available for recreation pursuits) [Evidence based]
- participation in unstructured physical activity is increasing, compared with declining participation in sport. Sport remains important particularly for children) [Evidence based]
- people are increasingly aware of living well into older age [Evidence based]
- careful park planning is required to ensure opportunities that are inclusive to all residents and visitors [Equity and inclusion]



# Community engagement

In developing the Strategy, consultation was held with a broad cross-section of the community. The findings from community engagement have been used in conjunction with other primary sources of data, background research and trends to create the report recommendations. A snapshot of key findings is detailed below.



## Community survey

Key results of the survey are summarised here and provide an overview of residents' thoughts and motivations relating to open space and recreation provision and opportunities.

*“Open space in Wangaratta is exceptional and should be invested in and protected”*

*“Open spaces are very important for community wellbeing and health”*

*“I am recently new to the area and have found Wangaratta to have many great open spaces”.*



## Participation in recreation activities (not organised sport)

Respondents overwhelmingly indicated that *walking* was the most popular form of recreation for residents. With *bushwalking* the second most popular – clearly this form of recreation (and exercise) needs to be a key focus for Council.

Respondents identified that their preferred place to recreate is footpaths (69%).



## Participation in organised sport

More than 72% of community survey respondents rate the provision of sporting opportunities as *important* or *very important*.

The top sports for respondents in RCoW are Netball (29%), AFL (21%), Soccer (19%), Hockey (16%) and Tennis (12%).

Almost a quarter of survey respondents travel more than 50km to participate in their preferred sport.



## Visiting parks and sport facilities

92% of respondents visiting open space and recreation facilities at least weekly.

Limited barriers to participation were identified by respondents – with only *lack of toilets* (35%) and *lack of seating* (30%) reported by respondents.

## Favourite open space/park in the area

Apex Park was nominated as the favourite open space/park within the LGA. Merriwa Park, Ovens River and King George Gardens were also popular open spaces.

## Open space values

The natural setting (70%) and interaction with nature (63%) were the most valued elements of open space within RCoW.



**Top three open space priorities**

Residents nominated the top three priorities for open space over the next 10 years:

1. New/upgraded playgrounds (30%);
2. Improved access to lakes/rivers/creeks (28%)
3. New/upgraded paths (26%).

The provision of additional dog off-leash areas (preferably fenced) was highlighted as a further priority.

**Young people**

For boys, participation in AFL, football (soccer), cricket, basketball and swimming (for primary students) were popular. Netball, gymnastics, dance and tennis were popular sports for girls.

Primary-aged students identified Apex Park and WISAC as preferred locations for play and recreation. In contrast, secondary-aged students preferred 'hanging' with friends at rivers. Older students noted that Apex Park was not attractive to them (and that the parkour facility in particular was not popular).

Primary students indicated desire for more spinning and moving elements in playgrounds, additional bike and scooter facilities (like pathways (in rural townships) and pump tracks) and more outdoor active recreation facilities such as half courts and rebound walls.

Older students are seeking greater access to rivers (and river-side facilities such as picnic shelters and water bubblers); indoor activity spaces such as rock climbing and trampolining; and concerts and events targeted at youth.

**Additional response directions**

Respondents provided comments on additional aspects of open space, recreation and sport provision, resulting in more than 1,300 responses. Analysis of these responses highlighted a number of key themes:

- The regular flooding of Apex Park detracts from the site and reduces the Park's potential as the LGA's 'feature' park
- Ongoing development of Merriwa Park may require a review with a number of existing embellishments identified as needing removal, replacement and/or upgrade
- King George Gardens is popular and has been noted as a site requiring additional planning and infrastructure
- Riverside tracks, paths and beaches are highly regarded by the community. Respondents indicated that resource allocation for maintenance and infrastructure upgrades and development at these facilities needs to be increased (with a notion that resource allocation for formal sport was high in comparison to Riverside locations that are open to all sections of the community)
- Demand for additional fenced dog off-leash areas (particularly on the western side of Wangaratta) and need for greater enforcement of dog owner responsibilities such as dogs being on-leash on paths
- Suggestion that access to the aquatic centre is difficult – both from a public transport perspective and from entry fees being beyond the means of some respondents
- Demand for mountain bike facilities in the LGA
- Demand for additional support at the existing community garden in Wangaratta and demand for additional community gardens (plantings) in existing open spaces.

### Sporting clubs

77% of sporting clubs expect membership increases over the next three years. More than half of the respondents also highlight being *somewhat concerned* or *very concerned* about falling memberships.

National and state formal sport participation trends indicate junior participation increasing slightly (or steady), while senior participation continues to decline. Individual club surveys and interviews suggest that junior AFL, football (soccer), junior swimming, baseball, basketball, hockey and pickleball appear to be the sports growing well locally.

### Sports facilities

More than half of the clubs surveyed indicated that their facilities were *not suitable* (did not currently meet club needs – yet more than 63% indicate that their facility meets the requirements of their sporting code).

Almost 80% of clubs suggested that the condition of their playing facilities was *suitable* or *exceeded their needs*. The main concerns for clubs were ancillary facilities (and not the need for additional fields/courts/ovals) such as :

- change facilities (particularly gender appropriate facilities)
- shade and seating
- playing facility lighting
- storage areas.

Current and future desired facility improvements were also themed around ancillary facilities. Upgrades and/or new infrastructure requests included:

- better quality change rooms and toilets
- lighting (both at playing facilities and general facility surrounds)
- storage facilities
- shaded spectator areas
- canteen/kiosk upgrades
- clubhouse upgrades.

### Government agencies

A number of relevant government organisations and agencies have been consulted in the development of the Strategy, with input from specialist agencies including Sport and Recreation Victoria, Gateway Health, Sport North East, Tourism North East and Parks Victoria.

### Gateway Health - RESPOND Workshops

Council, Gateway Health and Northeast Health Wangaratta recently engaged the local community through a series of community workshops regarding children's health and wellbeing. A number of ideas that came up in the workshop are relevant for this Strategy, these are listed below:

- The development of community-led garden beds
- The development of a series of up-to date community directories to promote what activities and programs exist within the community
- The creation of regular 'come and try' days or expos for the community to experience new activities that they didn't know existed or hadn't thought about previously.



Baltimore Park



## Open space in the RCoW

The Rural City of Wangaratta is well provided for in public open space across its urban and rural areas.

It is proposed that locally appropriate guidelines, instead of firm standards (i.e. hectares per 1,000 people), be the preferred planning tool for the provision of public open space in RCoW. Three key considerations will direct future planning and provision:

- a range of quality recreation opportunities will be available across RCoW
- the majority of residents living within urban areas of Wangaratta will live within walking distance (500m) of a recreation park
- (most importantly) the open space network will be sustainable, ensuring Council can appropriately resource maintenance and upgrade requirements.

### Classification framework

Understanding what constitutes different types of open space and how they are used is a key consideration in order to develop well designed, community-focused public open spaces. Various public open spaces possess different values, functions and settings. As such, public open space is usually classified according to its existing function (classification) and its role (hierarchy) within that function.

The framework applied to RCoW's public open space network consists of two central categories - classification and hierarchy:

- Classification (primary use and expected activities)
  - recreation parks
  - sports parks
  - natural areas
- Hierarchy (service catchment, size and embellishments)
  - local
  - district
  - citywide
  - rural township.

A public open space classification framework for RCoW has been provided in the following table.



Rural City of Wangaratta

### Open space classification framework

Classification	Hierarchy	Description	Examples
Recreation park	Citywide	<p>City recreation parks have unique values that differentiate them from other types of recreation parks. They are usually associated with attractive natural landscapes that make them very popular with residents and visitors.</p> <p>Typically the park will offer high order play experiences for toddlers through to youth. The park should also contain a sufficient number of picnic facilities such as barbecues and shelters, and clean, contemporary public amenities to keep visitors entertained and comfortable for several hours. Depending on location, these parks may also include walking paths and water access.</p>	<p>Located within the urban areas of Wangaratta only</p> <ul style="list-style-type: none"> <li>– Apex Park</li> <li>– Mitchell Avenue Reserve</li> </ul>
	Local	<p>Local recreation parks are generally smaller land parcels that service the recreation needs of the immediate residential population. They offer residents a supplementary open space to complement their backyards, attract users from a small catchment and cater for short visits by small groups.</p> <p>These parks provide a green buffer and possible amenity mitigation against development. They should be planted with trees and have a lower level of maintenance than a regional park.</p> <p>A local park is likely to have only basic embellishments such as a simple shaded play node supported by seating, tables and bins. Additional infrastructure may include robust elements such as a rebound wall, internal path circuit and path links to the wider pedestrian network.</p>	<p>Located within the urban areas of Wangaratta only</p> <ul style="list-style-type: none"> <li>– Brien Crescent Park</li> <li>– Baltimore Park</li> </ul>
	Amenity	Open space generally dedicated for their attractiveness and to add to or protect the character/history of the area. Often highly landscaped parks such as entrance statements, monuments, memorials and lookouts	Amenity parks to be developed from recreation parks where play equipment is rationalised in the future (as per strategy recommendations)
	Township	<p>Township recreation parks are similar to the local recreation park however often form the focal point of a township. They can be stand-alone parks or co-located with a community hall and/or recreation reserve.</p> <p>They contain more infrastructure than a local park, often with a toilet, barbecue and additional play elements. They can contain community gathering places such as a stage, amphitheatre or space for a market. Community gardens or planting beds can also form part of parks. They can act as a rest stop or trail head and provide important infrastructure including water, shade and seating.</p>	<p>Located within the rural areas and s of the LGA</p> <ul style="list-style-type: none"> <li>– John McAleese Community Park</li> <li>– Moyhu Lions Park</li> </ul>
Sports parks	District	Open space that is designed to primarily support a variety of formal sporting activities through the provision of a range of training and competition infrastructure. These include facilities for undertaking competitive organised activities and training and ancillary infrastructure to support these activities. Free, unrestricted access to the community is provided at times when formal sporting activities are not being conducted.	<p>Located across the LGA</p> <ul style="list-style-type: none"> <li>– South Wangaratta Recreation Reserve</li> <li>– Whorouly Recreation Reserve</li> <li>– Milawa Recreation Reserve</li> </ul>
Natural areas	N/a	Council owned and/or managed bushland reserves with ecological significance. The reserves vary in size and are home to native plants and animals, and can provide the last remaining refuges for threatened and endangered species.	<ul style="list-style-type: none"> <li>– One Mile Creek corridor</li> </ul>

### Needs-based approach

A needs-based approach to open space provision considers the social, demographic, cultural and environmental characteristics of a local area and the type of embellishments required in open space. The needs-based approach assesses the demands for activity at a park rather than having standards for amount of land to be allocated in the open space network.

Further, a needs-based approach is based on the experiences gained by the user, rather than fixed facilities within standard spaces for set population sizes. Typically, implementation of a needs-based approach is undertaken at a neighbourhood-level in which to determine the needs of both the neighbourhood network and individual open spaces.

### Elements of a needs-based approach

In regards to implementing a needs-based approach to open space planning, there is a need to understand a range of base information about the existing and future community and land-uses of an area. A local planning process is undertaken in conjunction with the community of a defined neighbourhood. The information below provides an example of the type of information required to undertake the local planning process.

Experiences - What already exists? What does the community want?	Who are the local community?	Land uses and development type
<p>Examples include:</p> <ul style="list-style-type: none"> <li>– play</li> <li>– competition</li> <li>– nature</li> <li>– escape, break-out and relaxation</li> <li>– adventure and challenge</li> <li>– exercise</li> <li>– socialisation</li> <li>– activity and hobby</li> <li>– connectivity</li> <li>– amenity and views</li> <li>– events, programs and community building</li> </ul>	<ul style="list-style-type: none"> <li>– demographics</li> <li>– family type</li> <li>– density</li> <li>– number of vehicles</li> <li>– access to transport</li> <li>– SEIFA Index</li> <li>– school enrolments</li> <li>– active community organisations</li> <li>– levels of physical activity</li> </ul>	<ul style="list-style-type: none"> <li>– greenfield development</li> <li>– infill development</li> <li>– new housing estate</li> <li>– established housing area</li> <li>– new park</li> <li>– upgrade of existing park</li> <li>– renewal of park assets</li> <li>– physical barriers to connectivity within the local area</li> <li>– proximity to schools</li> <li>– proximity to aged care and disability providers</li> </ul>

### Open space in new subdivisions

In addition to the needs-based approach, Council's Planning Scheme outlines the required open space land to be provided for within new subdivisions. Standard C13 of Clause 56.02 which states:

- Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences
- Additional small local parks or public squares in activity centres and higher density residential areas
- Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings.

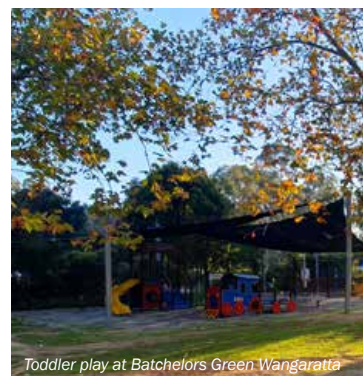


Rural City of Wangaratta

### Provision of diverse experiences

Preferably, each planning district will contain a range of activities. These may include (some/or all of):

- play opportunities and differing play experiences for people of all ages, including:
  - toddlers
  - small children
  - older children
  - youth
  - adults
  - older adults
- nature-based play
- natural spaces for enjoyment and relaxation
- adventure play
- active and passive recreation areas
- picnicking facilities for small, medium and large groups
- footpaths and connections
- public toilets
- shaded areas
- car parking (maybe adjacent to park or shared with neighbouring land uses)
- bins, seats and water bubblers
- signage
- landscaping
- dog off-leash areas (fenced and unfenced)
- walking tracks and circuits (using parkland and waterway corridors where appropriate)
- areas suitable to host community events
- public art
- areas suitable to host private events (weddings, birthday parties)
- programs and activities in parks and community halls/venues (commercial and community based), these could consider:
  - tai chi
  - yoga
  - boot camps
  - running
  - school holiday activities.



## Current provision - Recreation and physical activity

### Informal recreation and physical activity

#### Walking

Across the LGA, participation in informal recreation activities is increasing. In line with national and state sporting trends, walking is the most popular activity for residents. Council has, and is being proactive at providing, quality infrastructure to support this growing trend:

- Review the Walking and Cycling Strategy
- Include complementing infrastructure, such as bench seats, water bubblers, bike racks and wayfinding/directional signage. These facilities will also promote areas of recreation, scenic and/or cultural importance.

#### Play

Despite the abundance of natural play opportunities around the LGA, the area lacks diversity in playgrounds. Children at school visits expressed that the existing play was 'boring' and only catered for younger children and toddlers. Many wanted to see larger, more risky play activities such as flying foxes, climbing nets and giant slides:

- Review the Playspace Strategy in line with this Strategy
- Look to upgrade some local parks with challenging equipment to become destination parks for the area
- Investigate play elements for older adults such as outdoor table tennis and chess
- Develop multi-generational play and exercise space at Wareena Park.

#### Youth activities

A lack of activities for youth within the RCoW is a concern. Wheeled Action Sport Precincts (WASPs) are considered quality facilities to develop for youth as they not only provide an activity space for users but also an area for youth to socialise (when suitable ancillary facilities such as covered seating, bubblers and power are provided). A number of other opportunities have been identified including soccer goal, re-bound walls and climbing structures;

- Look to diversify a number of local parks with elements for older children/youth including Wangaratta Skatepark, Burke Reserve, Baltimore Park, Baroona Court Playground, Brien Crescent Park, Dalton Reserve, Kendall and Orange Court Reserve.

#### Dogs in open space

A number of existing dog-off leash areas exist across the urban areas of Wangaratta. Dogs are permitted in designated off-leash areas only, and are not permitted on sporting grounds.

Future dog off-leash areas should only be considered where the health of waterways, biodiversity and safety of community is not impacted.

Existing sites include:

- Northern Beaches
- Willow Park Reserve
- Collyn-Dale Drive Parkland
- South Wangaratta Sporting Reserve\*
- Creek View End Reserve
- Mitchell Avenue Reserve Dog Park
- Targoora Park\*.

\*Excludes use of sporting grounds, fields and courts.

There is strong community demand for additional fenced dog-off leash areas within Wangaratta.

Fig. 01 Existing dog off-leash areas in Wangaratta



#### Legend

- Open space
- Dog off leash areas

## Programming

### Community gardens

Gardening was identified as the third most popular recreation activity undertaken by residents within the LGA. There is currently just the one community garden in Wangaratta.

It was identified through community engagement that there are limited programs or activities for youth. Community gardens are a great way to educate people of all ages about sustainable gardening and healthy eating. Additionally, they can encourage inter-generational relationships that can provide social and mental benefits to both youth and older adults.

Council, Gateway Health and Northeast Health Wangaratta recently engaged the community through a series of workshop regarding children's health and wellbeing. A key outcome was the desire for garden beds in public open spaces and near playgrounds in order to increase knowledge and skills in growing fruit and vegetables. Improving nutrition, food security and inter-generational connection is a key outcome sought.

### Physical activity programs

There is a lack of physical activity programs within the LGA that allows residents to participate in low cost and/or free physical activities to support a healthy lifestyle.

Programs can be a great incentive to get people active. The range of activities available should accommodate all ages and also target specific demographics. For example, programs specifically aimed at new mothers can not only provide physical benefits, but mental and social benefits. They are also a way of sharing advice on parenting, nutrition and health. Similarly, programs for older adults can improve physical activity as well as reduce social isolation and loneliness.

Council is undertaking steps to counteract this with its Active Wangaratta Grants Program 2023 in which Council will provide financial support to local community groups in developing programs, activities and projects for those who are vulnerable to being disengaged in sport and physical activity.

Wangaratta's Indoor Sports and Aquatic Centre (WISAC) currently runs groups fitness classes. This venue may provide an opportunity to run further low cost or free physical activity programs in the future.

Examples of successful physical activity programs run by RCoW and other local governments include:

- Group fitness classes
  - bootcamps and circuit classes
  - gentle exercise and low-impact
  - muay thai, zumba and dance classes
- Wellbeing activities
  - yoga, meditation, pilates and tai chi
- Kids
  - Kids fitness
  - Kids nature play
- Youth connect activities
  - skateboarding workshops
  - pool parties and movie nights
- Social sport
  - croquet, soccer and tennis
  - social sports program for disability participants
- Running, walking and cycling
  - walking groups
  - parkrun
  - running group fitness
  - beginners group rides
  - social bike rides
- Getting outdoors
  - eco-gym (bushland conservation activities)
  - outdoor gym classes
- Food and healthy eating
  - nutrition courses
  - community gardening program.

### Performing arts/events in open space

RCoW's residents enjoy being outdoors and are enthusiastic supporters of community events.

Council recognises the importance of open space as an event space and supports the delivery of a range of events at spaces including John McAleese Community Park and Milawa Public Hall, Merriwa Park and Showgrounds.

There is opportunity to further activate a number of popular recreation parks by informally embracing the performing arts. Council has designated busking locations, however King George V Gardens is currently the only open space listed.

### Recreation and cultural trails

Council is responsible for the management of a large network of linear corridors and bushland reserves. Fronting popular creeks and rivers many of Council's bushland reserves also support low-impact nature-based recreation in the form of recreation trails and shared paths.

The natural setting of the RCoW's open space network and the opportunities it provides for interaction with the natural environment is highly valued by the majority of residents that completed the community survey. With 70% of respondents listing the *natural setting* as what they valued the most about open space within RCoW. This was closely followed by *interaction with nature* at 63%.

Wangaratta is the hub where the majority of the City's trails start or traverse. Noting there are a number of trails, some of the higher order trails include:

- Three Mile Creek Trail
- One Mile Creek Trail
- Bullawah Cultural Trail
- Murray to Mountains Rail Trail.

There is a need to continue to expand on the LGA's network of recreational and cultural trails and paths as well as provide supporting infrastructure including signage, seating, access to water and bike racks.

### Waterside recreation

Riverside open spaces including pathways and beaches are highly regarded by the community. Respondents indicated that resource allocation for maintenance and infrastructure upgrades and development at these facilities needs to be increased (with a notion that resource allocation for formal sport was high in comparison to riverside locations that are open to all sections of the community).

The LGA has a significant network of riverside natural areas that offer a range of water-based and nature-based recreation opportunities.

Within Wangaratta these areas feature heavily along the One Mile and Three Mile Creeks, as well as the Ovens and King Rivers.

Important sites include:

- Northern Beaches - Platypus Beach and Kingfisher Beach
- Sydney Beach
- Frank Garth Reserve
- Mullinmur Billabongs
- Merriwa Park

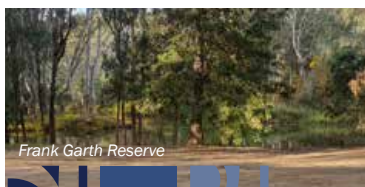
Additionally, Wangaratta is home to a number of other important natural areas (not all are council owned or managed):

- Wangaratta Common
- Kaluna Park Bushland Reserve
- East Wangaratta Nature Conservation Reserve.

Outside of urban Wangaratta, the RCoW community have access to a number of waterside recreation opportunities including:

- Pioneer Bridges Rest Area (Ovens River, Everton) for swimming, fishing and paddling
- North Boorhaman Recreation Reserve for fishing and paddling
- Fosters Lake (Glenrowan) - a stocked fishing lake
- Lake William Hovell (Cheshunt) for paddling, boating and fishing
- Lake Cobbler (Wabonga) for boating, paddling and fishing
- Top Cut Lake (Eldorado) for paddling
- River Road Reserve (Tarrawingee) for fishing, paddling and swimming
- The King River for paddling and fishing
- The Ovens River for swimming, paddling, camping and fishing
- Edi Cutting Reserve (Edi) for fishing and swimming
- Frosts Reserve (Killawarra) for swimming, fishing and paddling.

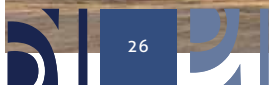
There is a need to formalise some of these sites in order to enhance the recreation opportunities available in line with the high level of community use and desire for supporting infrastructure. The cultural and ecological significance of sites needs to be recognised and protected.



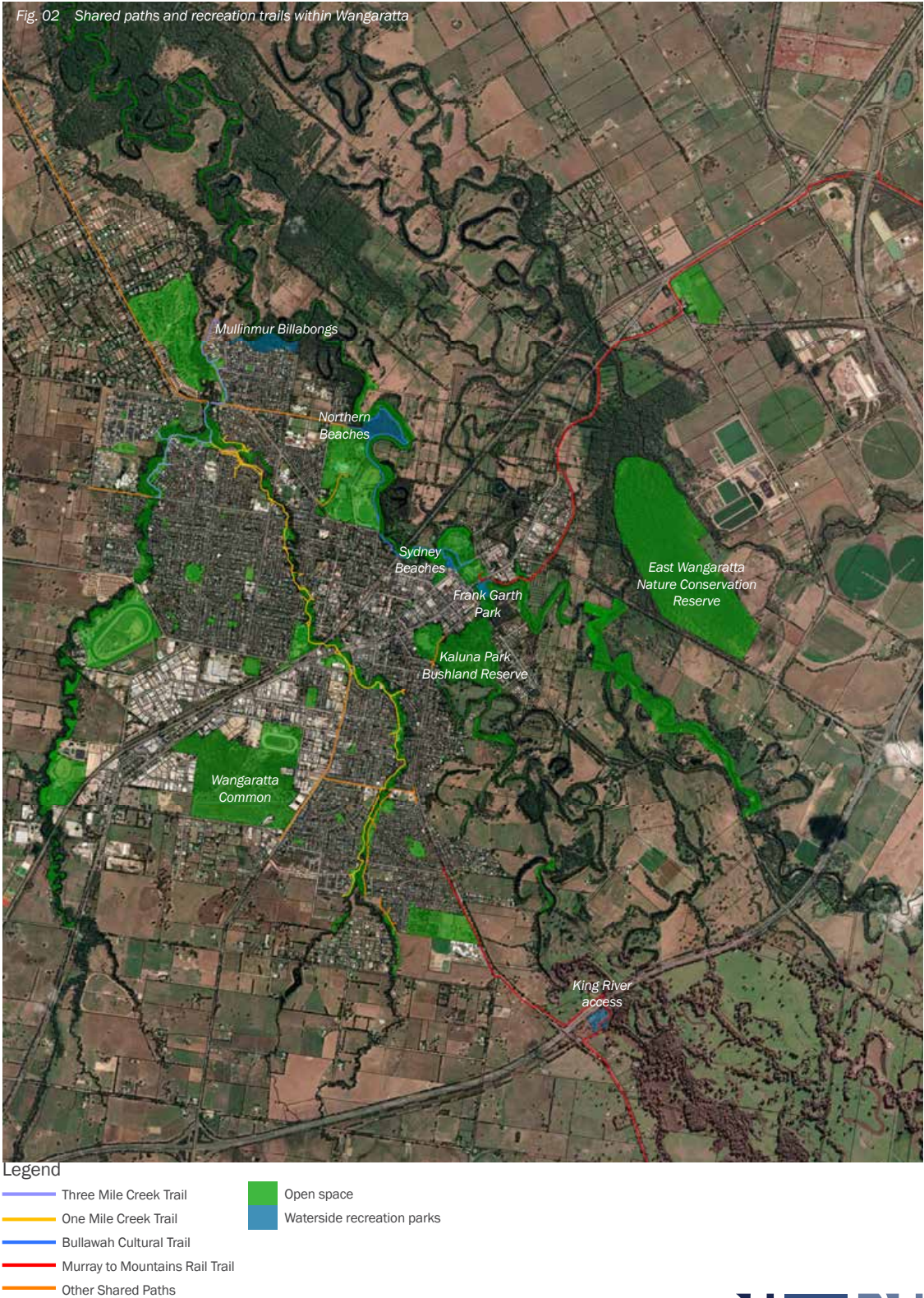
Frank Garth Reserve



Sydney beach



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### Recreation and physical activity - access to experiences

The RCoW's open space network offers a large variety of experiences and activities for residents and visitors. Creating supportive environments for these activities and experiences is also an important ingredient to facilitating increased use and value of the open space network.

The table below summarises the experiences provided across the LGA. Note: A high provision of activity/experience does not mean that there is an over-supply.

#### Existing provision of experiences across the Rural City of Wangaratta

Activity/ Experience	Supporting embellishments/ facilities	High provision	Moderate provision	Lacking in provision
Water-based recreation	Boat ramps			●
	Canoe/kayak launching point/facility		●	
Access to nature	Undeveloped green space		●	
	Natural areas	●		
	Waterways	●		
Escape, break-out and recreation areas	Lookouts		●	
	Shaded seating areas		●	
	Formal/structured gardens			●
Comfort	Public toilets		●	
	Changing place			●
Dog-friendly areas	Off-leash			●
	On-leash		●	
Economic opportunities	Equipment/activity hire			●
	Café's		●	
Indoor recreation/ community meetings	Indoor courts and sports spaces		●	
Outdoor recreation	Bushwalking trails		●	
	Mountain biking			●
	Fishing facilities			●
Activity/ Experience	Supporting embellishments/ facilities	High provision	Moderate provision	Lacking in provision
Picnics	Covered gazebos to cater for large groups			●
	Table, seats and shade		●	
	BBQ facilities (gas)		●	
Playgrounds	Toddler	●		
	Young children	●		
	Youth			●
Sport	Fields/ovals (Council)	●		
	Fields/ovals (schools)		●	
Activities	Community garden			●
	Skate park		●	
	BMX track			●
	Outdoor fitness equipment		●	
Walking and cycling	Footpaths	●		
	Shared paths/cycleways	●		
	Bicycle parking			●
Cultural/ community events	Open space for events		●	
	Amphitheatre/gazebo/ stage		●	
Art and culture	Public art			●
	Interpretive information and signage			●

## Findings for recreation and physical activity



### Youth and young people

With the exception of Apex Park, the Mitchell Avenue Reserve and Wangaratta Skate Park, there are little opportunities for youth to participate in active recreation.

- Continue to develop (and to upgrade) youth appropriate recreation opportunities across the LGA to provide continued challenge and stimulation for regular users; outdoor basketball, rebound walls, ninja warrior style equipment, pump tracks, climbing equipment and legitimate places to socialise.



### Older adults

There is a need to provide additional recreation opportunities for older adults across the RCoW, including the recommendations from the Wareena Park Master Plan which identifies the need for an intergenerational exercise and play area.

- Additional shaded seating along formed paths and trails, access to public toilets, and opportunities for gentle exercise and social connection - community garden beds, outdoor table tennis and chess tables.



### Dog off-leash areas

While a number of dog off-leash areas exist, there is a need to map and promote the existing off leash spaces, and to provide an additional fenced off leash area.



### Access to water

Access to waterside open space for recreation is highly desired by the community. There is a need to formalise key spaces including Northern Beaches, Sydney Beach, Frank Garth Reserve and Pioneer Bridges in line with usage and demand.

- This includes signage, seating, picnic tables and designated car parking areas where appropriate. Any improvements need to consider the conservation and cultural heritage values of the sites and ensure the Bangerang elders and other relevant stakeholders are included in any planning
- Public toilets conveniently located to the area would also enhance users experience.



### Physical activity programs

There is a need to facilitate and promote physical activity programs, community programs, events and performing arts within the open space network. This will require ongoing close liaison between Council departments to ensure an approach that balances activation with sustainable use.



### Community gardens

In addition to the existing community garden in Wangaratta, a trial for the installation of community garden beds in some parks to support the need for improved knowledge and skills in growing fruit and vegetables. Improving nutrition, food security and inter-generational connection is a key outcome sought. Trial areas could include Wareena Park, as well as other urban parks and playgrounds where an interested community group exists. These sites would need to be over-seen by an interested community group or organisation to ensure viability and ongoing maintenance.

### Formal sport considerations

Council currently manages 14 sports parks (approximately 100ha) that provide a variety of traditional and non-traditional sporting opportunities to the region's residents (and visitors). These sites also host event opportunities such as caravan and camping shows and circuses.

This section of the Strategy provides an overall analysis of formal sporting opportunities at a Council-wide level. More detailed consideration of individual key sports requiring further consideration follows this over-arching summary.

### Master plans

Master plans are important tools to guide facility decision-making. They are particularly important for sports facilities where changes in club officials can alter former preferred directions.

Council has overseen development of a number of master plans for sports facilities over the years. However, there is a perception from the sporting clubs, that these master plans rarely result in suitable budget allocations. Council needs to better communicate during the master planning process around the budgetary implications for the actions, and the need for Local Government to rely on state and federal contributions to develop the works.

### Future direction of sport

The following section provides recommendations for key sports, which is supported by site specific recommendations within each of the planning districts. The following guiding principles have been developed to guide the future provision and management of sport within the RCoW:

1. ensure maximisation of facilities (formal and informal activities)
2. base decision-making on sound data, demand and sustainable delivery
3. master planning of all major sports parks to ensure there is a demonstrated need for infrastructure upgrades (and to direct future budget preparation)
4. continue to provide communication and networking opportunities to sporting clubs
5. ensure ancillary facilities reflect the needs of participants, officials and spectators.

### Sport parks within Wangaratta

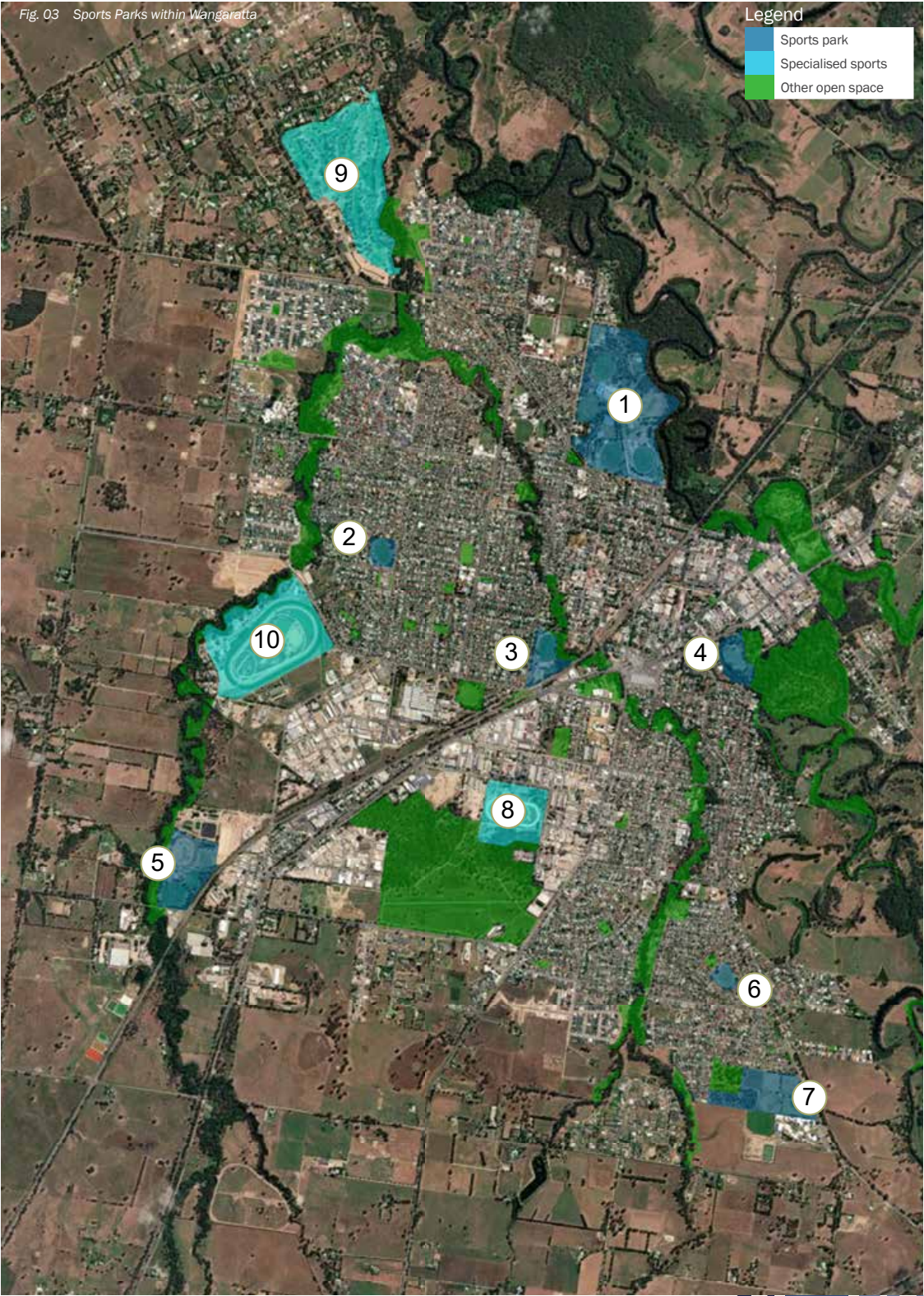
Whilst the rural townships play a large role in the provision of sport within the LGA, Wangaratta is the home of sport given its the population base for the City. The adjoining map shows the existing Council owned and controlled sports park network within Wangaratta. Whilst not shown on the adjoining map, Council also manages North Wangaratta Recreation Reserve.

Map Ref	Site
Sports parks	
1	Wangaratta Sports and Events Precinct encompassing WISAC, Wangaratta Showgrounds, WJ Findlay Reserve and Barr Reserve
2	Bill Eaton Athletics Complex
3	Wareena Park
4	Merriwa Park
5	South Wangaratta Reserve
6	Bindall Avenue Reserve
7	Taroonga Park
Specialised sport	
8	Avian Park Recreation Reserve
9	Wangaratta Golf Club
10	Wangaratta Racecourse Reserve

In addition to these Council owned and managed sports facilities, a number of private facilities exist across the LGA, including schools.



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### Key sport analysis

An analysis of a number of sports has been undertaken in order to inform future provision and facility development (and guide club and Council decision-making). The sports chosen reflect those with existing (or projected future) infrastructure requirements of key significance. For each sport, a range of elements have been considered including:

- existing facilities and the number of courts/fields/ovals
- registered player numbers
- pattern of participation
- carrying capacity of the site(s)
- future direction of the sport
- relevant actions from current master plans and sport strategic plans (including peak body expectations)
- key issues for clubs and the sport
- legislative directions, such as the development of the Fair Access Policy at a State, Local Government and club level.

The information provided on the following pages has been taken directly from club and organisation surveys and follow-up interviews (including with relevant peak bodies). The future directions are informed by club and peak body preferences and by the consultants' analysis of each sport's local participation profile in relation to State and National trends.

Council currently is in the process of implementing master plans for sport and recreation, notably the Parklands Masterplan and Wareena Park Masterplan. These are key planning documents and their recommendations have been reviewed and embedded into this Strategy where appropriate.

It is recognised that there are many additional sports being undertaken across the RCoW area. Requests from these sports (representative clubs) should be reviewed by Council on a case-by-case basis and include consideration of existing planning, peak body preferences and potential impacts on the wider sporting network.

### Archery

Wangaratta Archers provide a year-round archery program from their facility at South Wangaratta Reserve. With weekly training and (at least) monthly competition, the small club is vibrant and maintains a quality facility with both outdoor and indoor (allocated at ) ranges.

### Future Directions

As part of a South Wangaratta Master Plan process, development of a small amenities building (with access to power and water) near to the outdoor range would greatly assist the Wangaratta Archers.

### Athletics

The Wangaratta Little Athletics Centre is a thriving Club operating out of Bill Eaton Athletics Complex. The Complex is also used extensively by schools for both carnivals and regular practice, by the Wangaratta Runners, as well as for over-flow training (running and drills) for soccer and rugby league.

### Future Directions

There is a need to replace and widen the long jump run up to allow for a 100m synthetic sprint/warm-up surface. The shot put and discus pits require repair/upgrade. In order to improve the training opportunities for other sports, the interior grass surface is in need of improvement, as well as the inclusion of portable soccer goals. A master plan is recommended in order to ensure best outcomes for all groups.



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### **Australian Rules Football (AFL)**

AFL is delivered across the RCoW through four community leagues and through three Auskick centres. Together, these opportunities represent more than 1,700 registered AFL participants.

While participation at senior level is steady at national, state and local levels; participation in junior AFL continues to increase (with the local Auskick programs growing by a combined 20% since 2020).

### **Future Directions**

While the availability of grounds across the LGA is appropriate for competition purposes and for meeting the needs of most individual clubs, overuse and capacity issues are beginning to cause difficulties within Wangaratta. Access to additional grounds is required for training purposes within Wangaratta and close surrounds:

- investigate facility upgrades (and shared use arrangements) to accommodate AFL training at the former Rodeo ground at the Wangaratta Events and Sports Precinct, Avian Park and development of a training oval at Wareena Park (once bowls is relocated)
- installation of lighting and amenity improvements at Bindall Avenue Reserve to assist with an additional junior training ground
- council to assist AFL North East Border access suitable training arrangements at local schools
- develop a pavilion at Barr Oval 2 to provide suitable ancillary facilities for the sports based at the facility - the south-west corner of the site (near to the cricket practice nets) would be the most appropriate location
- development of female friendly change facilities are required at WJ Findlay Oval, Wareena Park and North Wangaratta are a priority.

Council needs to carefully investigate requests for facility upgrades at the football-netball venues in rural townships. It is not feasible to upgrade every facility to a high-level beyond the capacity of the local community (and reflecting the fact that these rural townships are generally decreasing in population base and cannot field teams from a local catchment). For example large-scale pavilions and function rooms and competition-level lighting.



Barr Oval 2



Moyhu Recreation Reserve



North Wangaratta Recreation Reserve



Whorouly Recreation Reserve



Tarooga Park



Tarooga Park



Wangaratta Sports and Aquatic Centre

### Baseball and Softball

Wangaratta Baseball-Softball Club provide baseball opportunities in the winter sporting season and softball in the summer sporting season. Baseball is strong and growing with six teams, while softball will host two teams in the 2023/24 season.

### Future Directions

Tarooga Park meets the needs of both sports well. With access to four diamonds, it is fast-becoming a preferred site for baseball carnivals. Improvements are needed to continue to support these sports:

- drainage works are required across all diamonds
- base cut outs
- lighting on Diamond 1 needs to be upgraded to meet training standard.

### Basketball

The Wangaratta North East Bushrangers Basketball Club has grown well in recent years (almost doubling since inception in 2018). The Club is based at the Wangaratta Sports and Aquatic Centre (WISAC) where training is undertaken two times each week. However, with demand for court space at WISAC high, the Club also uses Wangaratta High School and Cathedral College regularly.

### Future Directions

The development of two additional courts at WISAC will ease capacity and booking issues at WISAC. However, with Wangaratta Basketball also running its fixtures and representative programs from the venue, expectation is that the sport of basketball could quickly outgrow the venue (once again).

- council to consider ongoing discussions with formal indoor sport clubs based in Wangaratta. If capacity issues appear evident at WISAC, formalise arrangements with local schools that have appropriate indoor courts to achieve suitable access for community clubs.

### Bowls

There are currently two Bowls clubs based within Wangaratta and a further two in the rural areas of Milawa and Moyhu. Those clubs based in rural townships play important roles as community hubs for social interaction and should continue to be supported in growing their membership and as a social connector.

The two Wangaratta-based clubs are currently facing mixed fortunes:

- Wareena Park Bowling Club has one synthetic green and has a dwindling membership base (of less than 30) – indeed the Club is seriously concerned about its ongoing operation and is currently only providing social bowls opportunities
- Wangaratta Bowls and Sports Club is a vibrant club with strong membership (100 bowlers), regular use and four grass greens.

### Future Directions

It would appear that Wangaratta can no longer support two bowls clubs. Council needs to work with the two clubs to investigate relocation and amalgamation with the Wangaratta Bowls and Sports club – where facilities can accommodate potential growth in the sport.

A range of facility upgrades have been proposed for the Wangaratta Bowls and Sports Club (to meet the Club's needs and provide further impetus for this to become the home for bowls in Wangaratta:

- cover the south-west green to provide an all-weather venue
- open up one of the greens for sports requiring similar facilities (likely croquet)
- light at least two of the greens
- provide a covered spectator viewing area overlooking the covered green
- undertake amenities upgrades
- formalise parking.

Amalgamation of the Wareena Park Bowls Club to the bowls facility at the Wangaratta Events and Sports Precinct would trigger an opportunity to re-visit the Wareena Park Master Plan.



Wangaratta Bowls Club



Milawa Recreation Reserve



Moyhu Bowls Club

### Cricket

Cricket is one of the 'traditional' summer season sports across the region. Within Wangaratta, the Association has access to four turf wicket public ovals at the Wangaratta Sports and Events Precinct and four synthetic wicket public ovals at North Wangaratta Recreation Reserve, South Wangaratta Recreation Reserve, Bindall Avenue Reserve (not used in winter and restricted by oval size and lack of facilities) and Wareena Park. However, all of these facilities are also used for winter season sports – impacting access for pre-season training and turf wicket preparation. A number of the local schools also have ovals with synthetic wickets.

### Future Directions

From a trends perspective, cricket is showing a slight declining membership in both senior and junior ranks (despite significant increase in female participation). Locally, participation appears to be steady - although strong numbers in the Blasters (beginner's) program indicates that the junior numbers should increase in coming seasons. Demand for additional ovals with synthetic wickets is projected in the short-term.

With such high demand for field space during the winter sporting season, access for off-season cricket practice is very limited.

- council to work with the District Cricket Association and local schools to formalise arrangements for community use
- convert Barr 1 to synthetic wicket to cater for the predicted increase in junior participation
- develop a pavilion at Barr Oval 2 to provide suitable ancillary facilities for the sports based at the facility - the south-west corner of the site (near to the cricket practice nets) would be the most appropriate location
- the development of an indoor cricket training facility (shared with other sports) would address the gap in the network. The Wangaratta Sports and Events Precinct previously had an indoor training facility (before it was condemned) and this Park has again been identified as the preferred site within Wangaratta
- in line with the Parklands Master Plan, Rovers United Bruck Cricket Club have confirmed the need for female friendly change facilities, and access to storage at WJ Findlay Oval.



Wangaratta



Bindle Avenue Wangaratta



Wareena Park

### Croquet

The Wangaratta Croquet Club is a small club of approximately 40 members, based at two locations; Merriwa Park and Ryan Avenue. They have a steady membership however their clubrooms are aging.

### Future Directions

Monitor the need for upgrade of the ageing clubrooms.

### Cycling and Mountain Biking

Wangaratta has a proud history in various cycling and mountain bike disciplines. The Wangaratta Cycling Club previously hosted regular training and racing at the velodrome at the Wangaratta Sports and Events Precinct. However, this track is in poor condition and is no longer suitable for regular training or competition. Monthly road races (and weekly training rides) have also previously been hosted by the Club.

### Future Directions

A small group of cycling enthusiasts are keen to reignite the sport within Wangaratta and have made a number of proposals to Council. AusCycling having a clear preference for indoor velodromes:

- the velodrome at the Wangaratta Sports and Events Precinct should be removed (as per the Master Plan)
- council to work closely with the Cycling Club to determine preferred routes for road racing and criterium events and assist with gaining suitable regular access
- complete an analysis of cycling infrastructure across the LGA, including feasibility for development of a precinct
- mountain biking continues to grow as both a recreation and formal sport across the country. Wangaratta is well-placed to accommodate these activities if Council can continue to advocate for the sport with relevant land managers to achieve suitable community access
- King Valley may be an appropriate area for further investigation given the potential opportunities to build upon the tourism activities
- investigate opportunities for mountain biking in close proximity to urban Wangaratta through discussions with Parks Victoria to determine the suitability of their existing trails in key locations such as the Warby-Ovens National Park.



**Equestrian**

Oxley Recreation Reserve is the 'home' for equestrian sports for the region. The site includes a sports oval and multiple sand arenas. The facility is used daily for training and hosts monthly competitions.

**Future Directions**

- the facility requires a watering system to suppress dust from the sand arenas
- development of lighting across the sand arenas would allow for greater hours of use during the cooler months and for evening use (when it is cooler) during the hotter months
- if the user groups and enthusiasm for equestrian activities was to continue to grow, Council could investigate the development of a cover over the large sand arena to create an all-weather facility.





### Football (soccer)

Football is one of the stronger formal sports in Wangaratta. The Wangaratta City Football Club has grown significantly in recent years – with more than 450 players in the 2023 season (and an increase of 80 in the miniroos program alone in the last year). The Club provides formal football opportunities for males and females of all ages. It also hosts an all-abilities team.

South Wangaratta Recreation Reserve is the home of football for the RCoW. The venue includes three full-size fields (two that are lit). With such a large playing base and only two lit fields, training is spread across five nights each week. Matches are played one evening mid-week and on Sundays. Given these high loads, it is not surprising that the two lit fields are used well above capacity and are in poor condition. This is exacerbated by poor drainage at the site. Additionally, the aging clubhouse does not meet the needs of the Club – with inadequate changerooms, little storage, dated amenities and canteen and no club function area. Finally, the site has limited car parking for the large numbers it attracts.

### Future Directions

With a projected membership in excess of 500 in 2024, immediate upgrades are essential at South Wangaratta Recreation Reserve to meet current demand for football. Based on the high club membership and continued trends in the sport, it is anticipated that a second site will be required to meet soccer's needs in the near future - the development of a second club is likely given the League's restrictions on team numbers per club for each age division.

The second site will need to be large enough to accommodate a large central clubhouse, at least two lit fields, spectator facilities and suitable car parking. A master plan will need to be developed for this site (focussed on football) as soon as a land parcel is determined by Council.

Short-term upgrades are required at South Wangaratta Recreation Reserve include:

- field upgrades to the two southern fields (irrigation upgrades, drainage upgrades and surface upgrades)
- lighting the main field.

### Hockey

Wangaratta Hockey Club is based at the synthetic pitch at Cathedral College. The Club has enjoyed recent growth and currently has in excess of 110 players. With a strong culture and quality programs, this growth is projected to continue moving forward. However, the existing facilities will potentially hamstring this growth. The synthetic pitch is not lit and is dual marked for hockey and mini tennis, as well as there being no amenities or change facilities in close proximity to the pitch. Not having a lit field means that senior training as well as the teams involved in the junior Friday night competition have to play all of their games away. Additionally, being based at a private facility significantly limits opportunities for the Club to attract grants.

### Future Directions

In the short-term, Council should lead conversations with Cathedral College and the Club to investigate:

- opportunities for a temporary building (with amenities and changerooms) to be placed near to the pitch
- temporary lighting towers to be installed to allow night training.

In the long term:

- a purpose-built synthetic pitch to be investigated for inclusion at the new greenfield sport site being developed in the north-west growth area
- the site needs to include a central clubhouse, a lit synthetic pitch, spectator facilities and suitable car parking
- a master plan needs to be developed for this site as soon as a land parcel is determined by Council
- future stages of the master plan development should consider a second training pitch for hockey in line with participation and demand.

### Motorsports

Wangaratta Motor Sports Club provides a range of speedway class activities at South Wangaratta Recreation Reserve. The facility is used on a monthly basis. Despite having to hire in temporary lighting for race meets, the Club and the races it conducts are growing well (with races regularly attracting in excess of 100 vehicles).

### Future Directions

The Club has outlined a number of facility upgrades required to retain Speedway Australia Track accreditation:

- Lighting upgrade
- Concrete wall and fencing upgrade
- Power supply upgrade
- Canteen upgrade.



### Netball

The sport of netball is delivered from a number of fronts across the region. Football netball clubs each have their own courts and deliver netball through the various leagues. These clubs report steady membership bases. Additionally, the Wangaratta Netball Association conducts a junior netball program throughout the winter sporting season based at the 15-court facility at the Wangaratta Sports and Events Precinct. In recent seasons, the Association has struggled somewhat with a decreasing membership base.

### Future Directions

The facility at the Wangaratta Netball Association will be re-developed by Council as a lit 12-court facility. The existing pavilion will be removed with these functions to be absorbed within the WISAC upgrade. These changes will see the Association needs being met for the foreseeable future.

The Parklands Master Plan includes development of new netball facilities for the Wangaratta Rovers Football Netball Club and the Wangaratta Magpies Football Netball Club.



Wangaratta Netball Association



Whitfield Recreation Reserve

### Pickleball

Pickleball is recognised as the fastest growing sport globally. This trend is well in-train in Australia. Locally, pickleball is played year-round and has established a four-court base on the hard courts at Merriwa Park.

### Future Directions

Wangaratta Pickleball will outgrow the Merriwa Park facility quickly. The Wangaratta Hardcourt Association currently has access to 12 hard courts and one shared netball-tennis hardcourt at their facility at the Wangaratta Sports and Events Precinct.

- opportunity exists for the redevelopment of a number of these tennis hardcourts (that receive limited use) as 8 pickleball courts
- this Strategy has recommended the development of an indoor sport facility centrally within the Wangaratta Events and Sports Precinct. This facility would be designed to cater for non-traditional sports such as pickleball, table tennis, in-line hockey and indoor cricket (outdoor cricket training).



Whorouly Recreation Reserve

### Rugby League

There are two rugby league clubs based within the RCoW – Wangaratta Knights Rugby League Club based at Glenrowan Recreation Reserve and Wolfpack Rugby League Club based at Centennial Park (Eldorado) but training between Bindall Avenue Oval and Bill Eaton Athletics Oval. Bill Eaton provides lighting.

Knights are growing well and have established a strong membership base and quality facility. In fact, the Glenrowan Recreation Reserve has become a preferred venue for hosting Association finals. The Club is looking to establish a junior team in 2024.

Wolfpack has grown in 2023 to include two senior men's teams and a female team. Like Knights, the Club is looking to establish at least one junior team in 2024.

### Future Directions

- upgrade the lighting at Glenrowan Recreation Reserve to allow night fixtures and install reserves benches
- if the Wolfpack Club continues to grow, investigate the potential development of changeroom facilities at Centennial Park. Consider opportunities to use a relocatable building in the short-term
- additional storage and a minor canteen upgrade are also required at Centennial Park.

### Shooting disciplines

There are three shooting clubs within RCoW. The Wangaratta Small Bore Rifle Club operates out of the Wangaratta Sports and Events Precinct with less than 50 members.

The Wangaratta Rifle Club operate out of the Glenrowan Rifle Range with approximately 40-50 members.

The Wangaratta Clay Target Club operate out of the North Wangaratta Recreation Reserve.

### Future Directions

Continue to work with the three clubs in providing shooting sports for the community.



Glenrowan Recreation Reserve



Glenrowan Recreation Reserve



Centennial Park Eldorado

### Swimming

The Wangaratta Amateur Swimming Club bases its swimming and strength and conditioning activities at WISAC. The Club continues to show strong growth (with a membership of almost 100) but reports being limited by available lane space for its daily training activities. The Wangaratta Stingrays Swim Club also undertake regular training and competition at WISAC. It is acknowledged that there is currently no active waterpolo club or competition that operate at WISAC.

### Future Directions

- continue to work closely with the tenant groups using pool space at WISAC to ensure equitable access that reflects user demands
- there is a need to activate the purpose-built waterpolo pool through actively supporting the development of a local competition at WISAC
- look to provide storage for the Stingrays and Swim Club at WISAC as well as access to facilities for meetings on site or at nearby HP Barr Community Centre.

### Table Tennis

The Wangaratta Table Tennis Association conducts year-round competition for juniors, seniors and keen-agers (active older adults) at the Association facility at the Wangaratta Events and Sports Precinct. The facility is now too small for the Association and is nearing (or past) the end of its useful life. Fixtures are played one night each week with social keen-ager play conducted two mornings mid-week.

### Future Directions

This Strategy has recommended the development of an indoor sport facility centrally within the Wangaratta Sports and Events Precinct. This facility would be designed to cater for non-traditional sports such as pickleball, table tennis, in-line hockey and indoor cricket (outdoor cricket training). Opportunity would exist within this building for available space for 10 table tennis tables and suitable spectator areas (with additional space for temporary tables to be erected for larger tournaments).



### Tennis

Tennis facilities are spread across the LGA. A number of the facilities in rural townships are under-utilised or no longer in use, while larger multi-court facilities such as the lawn tennis facility at Merriwa Park and hard court facility at the Wangaratta Sports and Events Precinct rarely have all courts in use.

Tennis continues to show player decline as a national and state trend. This trend appears to also be prevalent across RCoW. In addition to the many under-utilised and disused courts located outside Wangaratta, the two primary providers of tennis in Wangaratta are also seeing decreasing use. In fact, the Wangaratta Hardcourt Association are currently only providing tennis activities 3 days each week and have a number of courts not in use. Similarly, while the Wangaratta Lawn Tennis Club conducts coaching, fixtures and social play across five days each week, they have excess court capacity such that the facility is now also used for pickleball (two times each week) and croquet (three times each week).

### Future Directions

A rationalisation approach to tennis provision is required across RCoW. While tennis was once a thriving year-round sport – this is no longer the case. Where courts are left disused for many years and reach a point of disrepair they should be removed. Also, where opportunity exists to have under-utilised tennis courts re-purposed for alternate uses (such as croquet and pickleball) this should be highly encouraged. Finally, where practical, opportunities to provide free public access courts should also be pursued (e.g. the Tarrawingee Recreation Reserve tennis courts).

- opportunity exists for the redevelopment of a number of the under-utilised tennis hardcourts at the Wangaratta Sports and Events Precinct as 8 pickleball courts
- key facility upgrades requiring attention at the tennis facility at Merriwa Park include replacement of the court fencing (preferably with black plastic-coated fencing); provision of all-abilities access to the clubhouse and upgrade to amenities to support all-abilities access; and car park re-surfacing.



Merriwa Park



Everton Public Park Reserve



Tarrawingee Recreation Reserve

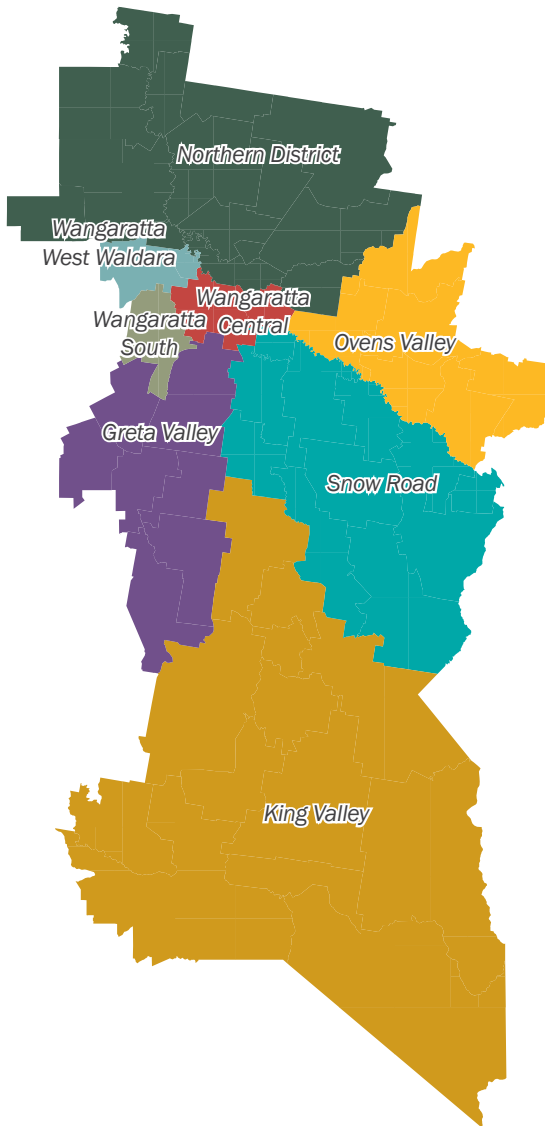




# Demand analysis

## Open space by planning district

In order to assess (and plan) the RCoW public open space network, the LGA has been divided into urban and rural planning districts.



	Planning district	Localities
Rural districts	Greta Valley District	Greta Greta South Greta West Hansonville
	King Valley District	Whitlands Whitfield Myrrhee King Valley Cheshunt Cheshunt South Wabonga
	Northern District	Boorhaman Boorhaman East Boorhaman North Boralma Boweya Bowser North Wangaratta
	Ovens Valley District	Tarrawingee Bowmans Forest Everton
	Snow Road District	Carboor Docker Whorouly Whorouly South Whorouly East
Urban districts	Wangaratta - Central East	East Wangaratta Wangaratta
	Wangaratta South	Wangaratta South
	Wangaratta West - Waldara	Waldara Wangandary

### Recreation needs and demand considerations

With the formal sport considerations discussed in the previous section at an LGA level, an assessment of the recreation needs of the rural and urban communities have been undertaken by planning district.

The following section includes an assessment of open spaces within each planning district including recreation parks, sports parks (including recreation reserves) and provides commentary on connectivity, access to experiences and priority actions.

A number of existing Council Plans were reviewed and referenced as part of the review including:

- Open Space and Recreation Strategy 2012
- Rural Place Making Projects 2018
  - Greta Valley District Plan
  - King Valley District Plan
  - Northern District Plan
  - Ovens Valley District Plan
  - Snow Road District Plan
- Township Development Plans
  - Glenrowan Township Development Plan 2015
  - Oxley Township Development Plan 2015
  - Milawa Township Development Plan 2015
  - Moyhu Township Development Plan (under development).

## Urban planning districts

### Wangaratta Central East District

The Wangaratta Central East Planning District is the population centre of the LGA providing the majority of RCoW's open space network.

The Planning District provides the higher order open spaces for the LGA, including the only Citywide Recreation Parks. It also contains a number of significant natural area (both council owned and controlled as well as areas under private control and controlled by other agencies. These important sites include Kaluna Park Bushland Reserve and Wangaratta Common.

### Demographic profile

Township	Population as at 2022	Median age
East Wangaratta	66	51
Wangaratta	19,712	44

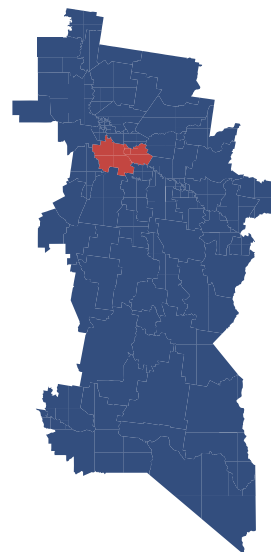
### Council's current planning

Relevant to the Strategy, the following projects have been identified within Council's current planning:

- Parklands Master Plan
- Merriwa Park Master Plan
- Wareena Park Master Plan
- WISAC expansion
- Parklands netball court upgrades.

Council's Open Space Strategy 2012 identified a number of actions which have been considered within the assessment of community demand for this Strategy:

- Improve the bicycle network along the Ovens River to provide continuous linkages, including the shared path linkage between the Northern Beaches and central Wangaratta
- Enhance the trail network along One Mile Creek and better link urban areas to the CBD
- Explore the possible location of a neighbourhood park in the eastern part of Kaluna Park near Wilson Road
- Enhance Kaluna Park as natural area with minimum infrastructure and continue current rehabilitation
- Conserve the heritage values of King George V Gardens and encourage use by visitors to the central business area by enhancing pedestrian connections





**Local recreation parks**

1. Swinburne Drive Playground
2. Baltimore Park
3. Dalton Reserve
4. Barooka Reserve
5. Jaycees Park
6. Evalyn Reserve
7. Sadler Reserve
8. Brien Park
9. Rangeview Park
10. Dodsworth Reserve
11. Burns Reserve
12. Batchelors Green
13. Ryan Reserve
14. Dundas Reserve
15. Smith Reserve
16. Wangaratta Community Garden
17. Kiwanis Park
18. Burke Reserve
19. Kendall and Orange Court Reserve
20. Wenhams Lane Reserve
21. Murdoch Reserve
22. Pelican Court Place
23. Wareena Park

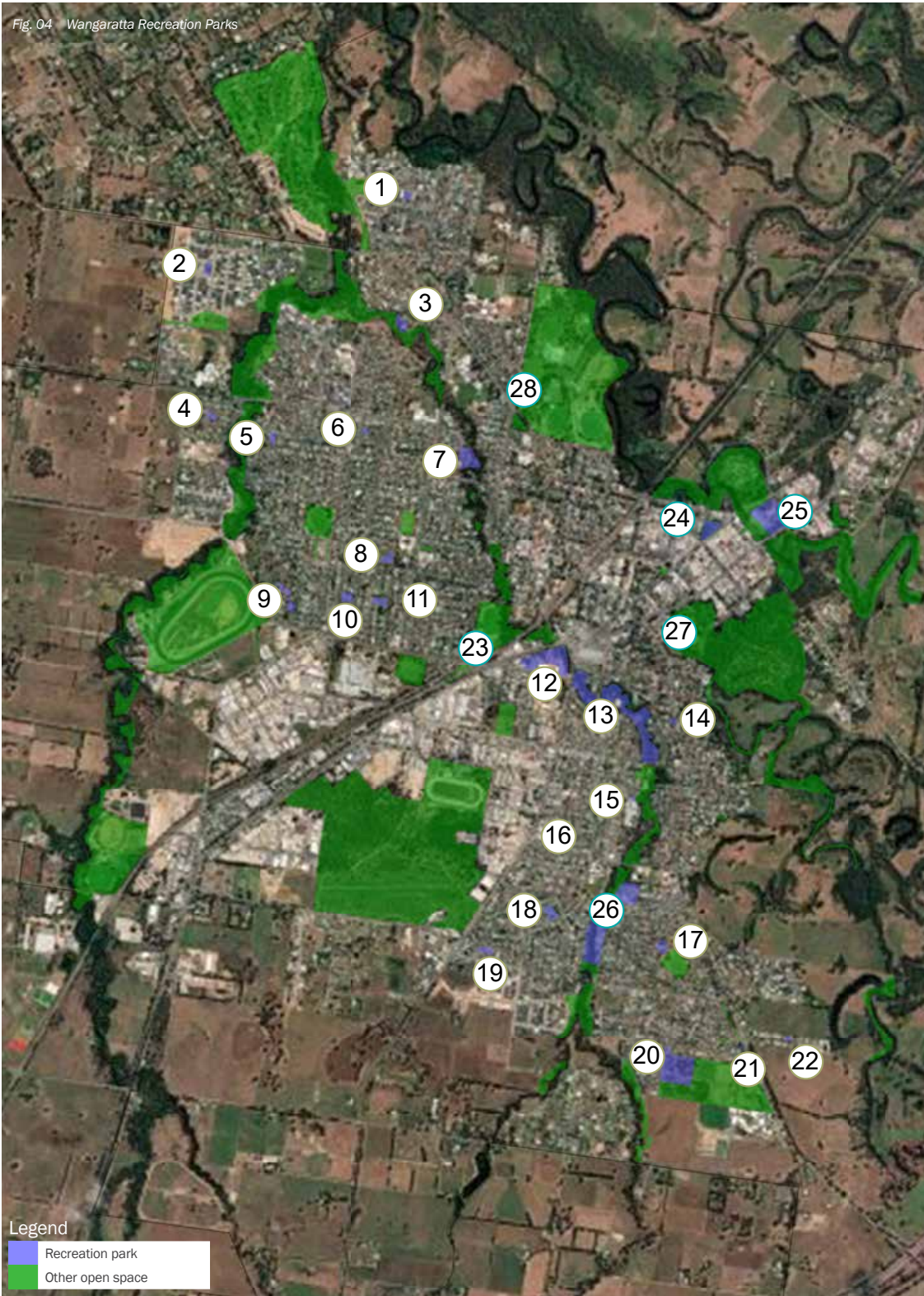
**Citywide recreation parks**

24. King George V Gardens
25. Apex Park
26. Mitchell Avenue Reserve
27. Merriwa Park
28. Wangaratta Skatepark



50

Rural City of Wangaratta



## Local recreation parks

### 1. Swinburne Drive Playground

Swinburne Park has road frontage to Swinburne Drive and is connected to the local footpath network.

The park provides recreation opportunities for young children as well as shade, seating and water.

*Recommendation - Continue to maintain the park as it is.*



### 2. Baltimore Park

Baltimore Park has complete road frontage access and is connected to the local footpath network.

The newly developed park has basic play elements including a swing set and spring toy and provides a large grassed kick-about area for informal games.

*Recommendation - opportunity to install a soccer goal or rebound ball wall to enhance opportunities for an older age range.*



### 3. Dalton Reserve

Dalton Reserve is a recreation node within the One Mile Creek linear open space. The playground has access from Dalton Court as well as the One Mile Creek path network.

The park has natural shade and provides recreation opportunities for young children as well as seating.

*Recommendation - opportunity to diversify the age range of the play equipment.*



### 4. Baroona Court Playground

Baroona Reserve is an irregular shaped park, hidden behind a number of houses. It has limited road frontage and surveillance, with access points from Baroona Court, Cooba Court and Barkoo Avenue.

This type of park is undesirable due to a lack of surveillance from the road and solid fences from adjoining neighbours.

The park has a basic playground with little shade or amenity,

*Recommendation - install shade over the playground and seek to diversify the age range of the play equipment.*



### 5. Jaycees Park

Jaycees Park has road frontage to Franklin and Esmond Streets and provides pedestrian access through the park via a local footpath.

The playground is shaded with seating and provides play opportunities for younger children. The park has a large grassed area providing opportunities for informal games and kick-about.

There are a number of local recreation parks in close proximity to this park.

*Recommendation - Investigate diversification of play equipment.*



### 6. Evalyn Reserve

Evalyn Reserve has limited road frontage, with access from Evalyn and Doreen Courts. It provides pedestrian access between the two streets.

The park has very basic play equipment including a slide, a spring toy and a swing. There is a picnic table, however, no shade over the playground.

*Recommendation - Remove the play equipment at the end of its useful life and investigate opportunities to rationalise the park or maintain as amenity only i.e. more plantings.*



### 7. Sadler Reserve/One Mile Creek Outdoor Gym

Sadler Reserve is a recreation node along One Mile Creek linear parkland providing outdoor exercise equipment. The recreation node is connected by the One Mile Creek Trail and local footpath network.

*Recommendation - monitor usage of the exercise equipment and consider running 'how to use' sessions for the community. Provision of QR Codes linking people with how to use the equipment is also recommended*



### 8. Brien Crescent Park

Brien Park has complete road frontage on all sides, with Brien Crescent, Donald and O'Leary Streets. The park is connected to the local footpath network on Donald and O'Leary Streets.

The playground provides local recreation opportunities for young children and is shaded. The park provides grassed areas for kick-about and informal games. The mature trees provide local amenity.

*Recommendation - opportunity to diversify the age range of the play equipment by providing a climbing structure, monkey bars or similar activity for older children.*



### 9. Rangeview Park

Rangeview park is an irregular shaped park with access from Rangeview Avenue, Ross, Lowe and Barrington Courts. The section on Rangeview Avenue and Tilson Grove has good road frontage, however, the remainder of the park runs behind houses and has limited surveillance. The park has a limited range of play equipment including a slide, swing set and a spring toy. The playground is not shaded, however, the park itself has a number of mature trees.

*Recommendation - investigate opportunities to develop a fenced dog-off leash rationalise area within the linear section of the park that runs behind the houses.*



### 10. Dodsworth Reserve

Dodsworth Reserve has road frontage to Hinchley and Dodsworth Streets and is connected to the local footpath network. The park has a sheltered playground catering for younger children and has a large grassed area for informal games and kick-about. There are a number of local recreation parks in close proximity to this park.

*Recommendation - Continue to maintain the park as it is.*



### 11. Burns Reserve

Burns Reserve has road frontage to both Burns and Donald's Street and is connected to the local footpath network. The park provides basic recreation opportunities including a slide, swings and a spring toy. The playground is not shaded however the park itself has a number of mature trees.

There are a number of local recreation parks in close proximity to this park.

*Recommendation - Investigate opportunities to rationalise play equipment and create a fenced off-leash dog park.*



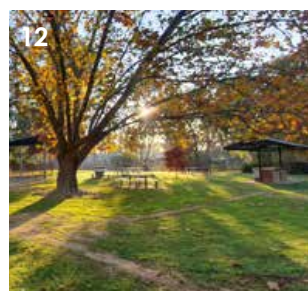
### 12. Batchelors Green - Wangaratta Lions Park

Batchelors Green has road frontage to three sides and is connected to the One Mile Creek Trail. While the park forms part of the One Mile Creek linear parkland it is severed by Tone Road.

The park is shaded and provides recreation opportunities for toddlers as well as a liberty swing for children in wheel chairs.

The park contains a number of picnic tables and shelters as well as barbecues.

*Recommendation - Continue to maintain the park as it is.*



### 13. Ryan Reserve - Apex Road Safety School

The Road Safety School is a locked facility owned and managed by Apex. The facility is open for hire and private bookings only.

*Recommendation - investigate the opportunity to open the facility for public use on a regular basis.*



### 14. Dundas Reserve

Dundas Reserve has good road frontage to half the park and is connected to the local footpath network. The park contains a slide and a seat.

There are a number of local recreation parks in close proximity to this park.

*Recommendation - Investigate opportunities to rationalise Dundas Reserve.*



### 15. Smith Reserve

Smith Reserve has very little road frontage and poor surveillance. The park backs on to the One Mile Creek linear park and is connected to the One Mile Creek trail.

The playground equipment has been recently upgraded.

*Recommendation - Continue to maintain the park as it is.*



### 16. Kiwanis Park

Kiwanis Park has road frontage to Mather Street and adjoins Bindle Avenue Sports Reserve. The park is connected to the local footpath network.

The park contains a slide, a swing set and two spring toys. The park has no shade and provides little amenity or recreation opportunity in its current state.

There are a number of local recreation parks in close proximity to this park as well as the high quality Mitchell Avenue Reserve.

*Recommendation - Investigate opportunities to rationalise the equipment from Kiwanis Park and improve amenity through plantings, seating and informal recreation opportunities. The addition of play equipment for older children should be installed at the adjoining Bindall Avenue Reserve*



### 17. Wangaratta Community Garden

The community garden is a fenced facility run by volunteers. The garden is connected to the local footpath network and provides plots and equipment for members to grow food and connect socially with other members.

*Recommendation - Work closely with the community garden committee to investigate opportunities for all-abilities access paths and some raised planting beds.*



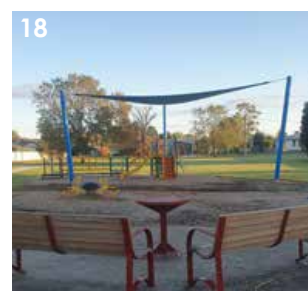
### 18. Burke Reserve

Burke Reserve has road frontage to Burke Street and Manley Crescent and is connected to the local footpath network.

The park provides a shaded playground for young children as well as a large grassed kick-about area and seating.

There are a number of local recreation parks in close proximity to this park as well as the high quality Mitchell Avenue Reserve.

*Recommendation - Investigate opportunities to diversify the recreation opportunities at Burke Reserve to cater for older children and youth.*

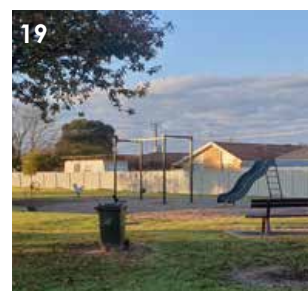


### 19. Kendall and Orange Court Reserve

Kendall and Orange Court Reserve has limited road frontage with access from both Kendall and Orange Courts. The park is connected to the local footpath network.

The park has an unshaded playground with little recreation experience; a swing, spring toy and slide. The park has a large grassed area for kick-about and has a number of mature trees.

*Recommendation - Investigate opportunities to diversify the recreation opportunities at Kendall and Orange Court Reserve to cater for older children and youth.*



### 20. Wenhams Lane Reserve

The park has road frontage to Wenhams Lane and adjoins Wenhams Lane Bushland Reserve and Tarooga Park. The playground caters for young children and toddlers with a shaded seating area. The playground itself is not shaded. The park is connected to the local footpath network, the Murray to Mountains Rail Trail and One Mile Creek Trail.

The park lacks shade and amenity.

*Recommendation - Investigate opportunities to improve the amenity of the park and provide additional plantings for shade.*



**21. Murdoch Reserve**

Murdoch Reserve has frontage to Wangaratta-Whitfield Road/Murdoch Road and is connected to the local footpath network and Murray to Mountains Rail Trail. The park forms part of the rail trail/road corridor easement.

The park has a swing set and spring toy that appears to be well past the end of their useful life.

The park's mature trees provide amenity to the local area.

*Recommendation - Remove the swing set and spring toy and increase plantings. Maintain the park for local amenity.*

**22. Pelican Court Place**

The park has road frontage to Pelican Court and is connected to the local footpath network.

The park has a swing set and a seat.

The park lacks amenity and recreation experience in its current state.

*Recommendation - Install additional play equipment such as a climbing net and increase plantings.*

**23. Wareena Park**

Wareena Park is predominately a Sports Park, providing an AFL and cricket oval, and a bowls club. There is a need to formalise a training area for AFL and potentially combine the bowls club with the Wangaratta Bowls and Sports Club. To enhance the parks appeal and available recreation opportunities, there is a need to develop formal play opportunities that cater for a number of age groups. Utilise the central location of the Park, as well as its existing connections it has to walk and cycle networks and transport.

*Recommendation - develop an inter-generational play node and exercise space at Wareena Park.*



## Citywide recreation parks

### 24. King George V Gardens

King George V Gardens is an important park within the Wangaratta town centre for its role in providing amenity and recreation for the City's residents and visitors. The park is connected to the local footpath network and has road frontage to Ovens and Templeton Streets.

The park has a shaded playground catering for young children as well as picnic facilities including a covered gazebo.

The internal pathway is surrounded by an avenue of trees providing both shade and amenity for park users.

King George V Gardens rated highly within the community consultation as a site requiring additional planning and infrastructure. Whilst the intent of the park as a formal garden and amenity park needs to be maintained, a master planning process would confirm the future direction as confirmed by the community.

*Recommendation - undertake a master planning process with the local community to confirm its future direction, whilst maintaining the parks intent as a formal garden and amenity park.*



### 25. Apex Park

Apex Park is one of RCoW's citywide recreation parks providing community and visitors with a wide range of recreation opportunities for toddlers, small children, older children and youth with a children's adventure playground and parkour park. It provides picnicking facilities and plenty of grassed areas for informal games and kick-about. The Park has toilets and barbecues with large shelters for groups.

The Park experiences regular flooding given its riverside location.

The park is well connected to the local footpath network, as well as to higher order pathways including the Bullawah Cultural Trail and the Murray to Mountains Rail Trail.

The park is one of the few in the LGA that caters for older children and youth.

*Recommendation - Remove the CFA training track and open up the views from the park to the river, Replace the training track with interpretive signage about the historical use of the site*



### 26. Mitchell Avenue Reserve

The Mitchell Avenue Reserve is a citywide recreation park that provides a number of high quality elements in a linear corridor. The park caters for all ages and abilities:

- Splash Park
- Converted tennis court - model cars, basketball hoop
- Flying fox with accessible swing
- Barbecues
- Seating and shelters
- Toilets
- Shaded young children's playground
- Swings
- Outdoor fitness equipment
- Children's garden
- Skate park and pump track.

The park is well connected to the local footpath network and the One Mile Creek shared path.

*Recommendation - investigate the provision of a public toilet and drinking water at the skate park.*



### 27. Merriwa Park

Merriwa Park is a citywide park for its function as a community and events space as well as recreation park and sports park. The recreation opportunities predominately cater for young children and toddlers.

Families are well provided for with barbecues, picnic tables, toilets, a fernery and plenty of grassed areas for informal games and kick-about.

The Park lacks recreation opportunities for older children/youth

#### *Recommendations:*

- Investigate the removal of the sound shell. It is poorly located and does not adequately provide for events
- In line with the Merriwa Park Masterplan, upgrade the playground at the end of its useful life with more diverse play elements catering for toddlers, young children and youth. The Park's setting would be ideal for an adventure style nature playground, as well as for hosting adventure-style events including obstacle courses, colour-run and giant inflatable courses.



**28. Wangaratta Skatepark**

The Wangaratta Skatepark is suitably located in close proximity to two high schools, as well as on the periphery of the Wangaratta Sports and Events Precinct with good passive surveillance.

The skatepark is well used by the community.

*Recommendation - add older youth recreation opportunities to the skatepark with additional wheeled sports elements to increase its functionality and appeal.*





Wangaratta Clay Target Club

### Recreation accessibility

When considering an ideal accessibility of most residences within 400m of a recreation park (within urban areas only), a number of access deficiencies exist. The adjoining map shows 400m buffers of existing recreation parks within Wangaratta, with an assessment below of the areas with an identified access deficiency.

#### **Inset 1**

There is a pocket of low density residential in the vicinity of Firkbank Drive with an access shortfall to recreation parks. These are large residential lots with varying minimum lot sizes.

The Wangaratta North West Growth Area adjoins this area and has passive open space in the form of local recreation parks proposed. Given the large lot sizes and the proximity of the proposed local recreation parks, no further recreation parks are required.

#### **Inset 2**

The general residential zone in the vicinity of Pauline Terrace and Red Gum Way has an accessibility deficiency. This area is well connected to the local footpath network and Three Mile Creek pathway. While this area has an access deficiency to recreation parks, it has direct access to the Fifteen Mile Creek linear open space corridor. No additional recreation parks are required to meet the deficiency.

#### **Inset 3**

There is a small deficiency area zoned general residential in the vicinity of Mayfair Court and Berry Place. It is an isolated pocket of residents adjoining the Ovens River. This area has no footpath network and there is little opportunity to improve accessibility to recreation parks. It is recommended that Council seek to purchase private land along the Ovens River (where opportunities become available) to improve open space connectivity along the waterway.

#### **Inset 4**

An area of general residential zone along Park Crescent has an accessibility deficiency. Parts of the area are connected to the local footpath network, and residents have direct access to the Wangaratta Sports and Events Precinct for active and passive recreation needs. There is no need for an additional recreation park.

#### **Inset 5**

This area has an access deficiency, however, is highly walkable with a comprehensive local footpath network. It is zoned neighbourhood residential and has direct access to Wangaratta Sports and Events Precinct for active or passive recreation. There is no need for an additional recreation park.

#### **Inset 6**

There is a small pocket around Wilson Road with an access deficiency zoned general residential. This area has direct access to Kaluna Island. The Merriwa Park Master Plan recommends improved connectivity and access in this area.

#### **Inset 7**

This deficiency area is zoned industrial 1 and, therefore, will not require any additional provision of recreation parks.

#### **Inset 8**

This is a small pocket of deficiency that is zoned industrial 1 and commercial 2 zones. With no residential there is no additional need for the provision of a recreation park.

#### **Inset 9**

This deficiency area is zoned industrial 1 and, therefore, will not require any additional provision of recreation parks.

#### **Inset 10**

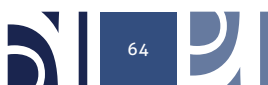
This deficiency area is zoned industrial 1 and, therefore, will not require any additional provision of recreation parks.

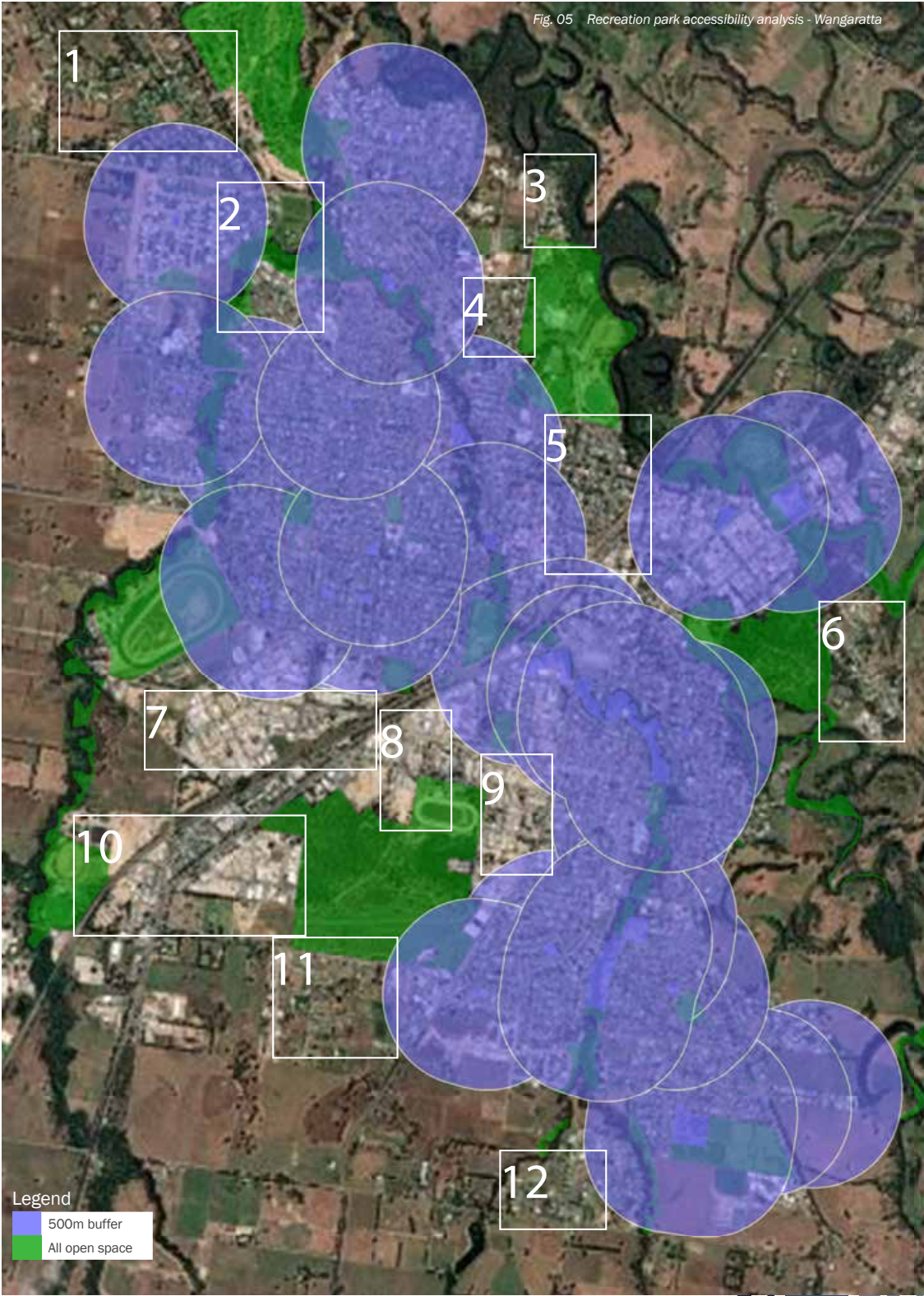
#### **Inset 11**

There is a small area of access deficiency in the vicinity of Tavern Terrace and Liddell Drive. The area is low density residential zone. The area has direct access to Wangaratta Common. The Wangaratta South Growth Area is in close proximity which proposes passive recreation in the form of local parks. These proposed local parks in conjunction with the close access to the Wangaratta Common negates the need for additional recreation parks in this area.

#### **Inset 12**

There is a small area of access deficiency in the vicinity of Tathra Place. The area is low density residential zone with varied minimum lot sizes. The area has direct access to One Mile Creek linear open space. The Wangaratta South Growth Area is in close proximity which proposes passive recreation in the form of local parks. These proposed local parks in conjunction with the close access to the One Mile Creek will relieve this deficiency.





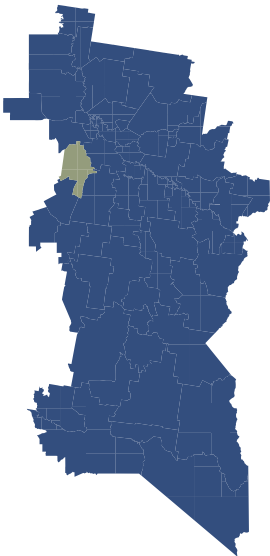
# Wangaratta South District

This planning district contains no formal open space, however contains significant public conservation and resource zone in the Warby-Ovens National Park.

The planning district is mostly comprised of rural living zone and farming zone under Council's Planning Scheme.

## Demographic profile

Township	Population as at 2022	Median age
Wangaratta South	550	49



# Wangaratta West Waldara District

This planning district contains part of the Wangaratta North West Growth Area and currently contains no formal open space, however, contains significant public conservation and resource zone in the Warby-Ovens National Park.

The planning district is comprised of low density residential rural living zone and farming zone under Council's Planning Scheme.

### Demographic profile

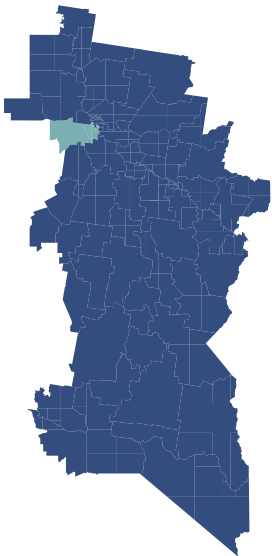
Township	Population as at 2022	Median age
Waldara	677	47
Wangandary	217	52

### Open spaces

The Planning District is home to the Wangaratta and Jubilee Golf Clubs.

### Shared path

The town of Waldara is well-connected into Wangaratta via a shared pathway.



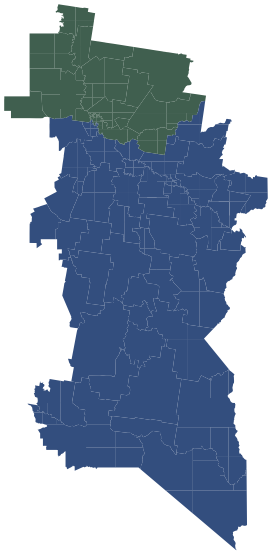
# Rural planning districts

## Northern District

The Northern District has a small population base distributed over the main localities of Springhurst, North Wangaratta, Peechelba and Boorhaman.

Outside these towns, the planning district is predominately zoned farming followed by public conservation and resource.

The planning district is home to the Warby-Ovens and Chiltern- Mount Pilot National Parks.



### Demographic profile

Township and rural townships	Population as at 2022	Median age
North Wangaratta	282	48
Springhurst	349	47
Boorhaman	135	48
Peechelba	177	48

## North Wangaratta

### North Wangaratta Recreation Reserve

The North Wangaratta Recreation Reserve is a stand-alone reserve on the entrance to Wangaratta. The reserve is home to AFL and netball and has a shaded playground for young children. The Wangaratta Clay Target Club are also housed at the site.

The Reserve has competition standard lighting to the oval and has recently developed the second netball court. The Reserve has some aged infrastructure in need of removal, including a derelict toilet block.

There is an opportunity to investigate development of un-used land within the Reserve for AFL training. The site is in need of female friendly change facilities.

The Reserve is connected to the local footpath network.



Fig. 06 North Wangaratta open space

- Legend
- Recreation park
  - Sports park
  - Other open space
  - Community
  - School



# Springhurst

## Springhurst Recreation Reserve

Springhurst Recreation Reserve is a DEECA owned reserve, operated by a Committee of Management with limited Council input. It is home to the North East Windsport Club. The Reserve has an unused oval and derelict tennis courts. The Springhurst Community Hall and CFA are located on site

If the current attempt to reinvigorate use proves unsuccessful, there is a need to remove the derelict tennis courts to improve amenity.

## Springhurst Park Reserve

Springhurst Park Reserve is a DEECA owned reserve, operated by a Committee of Management with limited Council input. It has a shaded slide and swing set. The Park has public toilets and seating. With a sealed car park, the park acts as a rest stop for visitors.

In addition to the Recreation Reserve and Springhurst Park, Springhurst is home to a number of other important community and open spaces as outlined in the adjoining table and map.



Legend	
1	Recreation park
2	Sports park
3	Other open space
4	Community
	School

Map ref	Site
1	Springhurst Recreation Reserve
2	Springhurst Park Reserve
3	Springhurst Primary School
4	Springhurst Community Hall



## Boorhaman

### Boorhaman Recreation Reserve and Golf Club

The Recreation Reserve is a DEECA owned reserve and is home to golf, foot golf, tennis, a play node and the Boorhaman Community Hall. Some of the tennis courts were upgraded in 2017 and are lit.

A covered seating area should be installed near the barbecue and the play node requires a shade sail.

The Boorhaman community is also supported by the Boorhaman Primary School.



## Boorhaman North

### Boorhaman North Recreation Reserve

The Boorhaman North Recreation Reserve is a DEECA owned reserve, operated by a Committee of Management with limited Council input. It largely functions as a undeveloped riverside park. The former tennis courts are in disrepair and the amenities are beyond their useful life. The Reserve is currently being used for cattle agistment. The site requires a complete re-think if it is to be retained as public open space. The possibility of a boat ramp should be investigated with appropriate bodies.



## Peechelba

### Peechelba Bushland Reserve

The Peechelba Bushland Reserve is a DEECA owned reserve, operated by a Committee of Management with limited Council input. It is a heavily vegetated site that caters for passive recreation including bushwalking and birdwatching.



## Northern District planning area findings

The Northern District has a low population based and is characterised by dispersed communities.

The opportunity exists to enhance the capacity of the North Wangaratta Recreation Reserve through developing part of the un-used land within the reserve for AFL training. Additionally, removal of the derelict toilet block to increase amenity of the site.

There is a need to remove the derelict tennis courts at the Springhurst Recreation Reserve to improve amenity.

The Boorhaman Recreation Reserve requires a covered seating area near the barbecue and the play node requires a shade sail.

The possibility of a boat ramp should be investigated at the Boorhaman North Recreation Reserve with appropriate bodies.



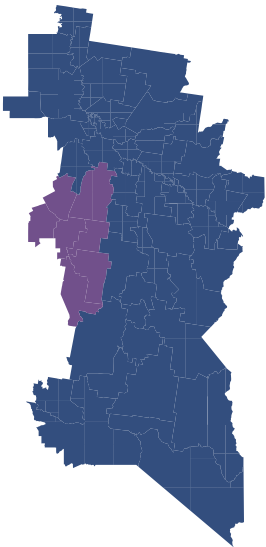
# Greta Valley District

The Greta Valley planning district’s main township is Glenrowan, with other minor localities including Greta, Laceby and Hansonville.

The planning district has the Warby Ranges to the north and the Warby-Ovens National Park to the west. Outside of Glenrowan, the planning district is almost completely zoned farming.

The planning district has a small population which is supported by a suitably-sized open space network.

The two sporting reserves in this area are owned by the Department of Environment, Energy and Climate Action (DEECA) and operated by committees of management.



## Demographic profile

Township and rural townships	Population as at 2022	Median age
Glenrowan	1,049	45
Greta	86	47
Laceby	304	42
Hansonville	155	43

## Greta

### Greta Recreation Reserve

The Greta Recreation Reserve is a DEECA owned reserve, operated by a committee of management with limited Council input. It is a stand-alone reserve that houses the Greta Hansonville Public Hall, football, netball and cricket. The Reserve has basic field lighting, a large pavilion, cricket nets and tennis courts in disrepair.

The Reserve is not supported by a township or residential population and the football club's training is conducted in both Greta and Wangaratta (given the vast majority of players come from Wangaratta).

The level of embellishment at this Reserve is appropriate for the population it supports and careful consideration should be taken prior to any facility upgrades.

The Committee are looking to add a playground at the Recreation Reserve.

There is a need to remove the old tennis courts as they are beyond repair.

### Hansonville Recreation Reserve

Hansonville Recreation Reserve is a DEECA owned reserve, operated by a committee of management with limited Council input and is an undeveloped site that is heavily vegetated and home to a large population of kangaroos.



## Glenrowan

### Glenrowan Recreation Reserve

The Glenrowan Recreation Reserve is a DEECA owned reserve, operated by a committee of management with limited Council input. It is located within the township of Glenrowan and houses the Glenrowan and District Community Centre and rugby league. The Reserve has two netball courts (one that is new) and neither are currently in use.

The Reserve has a condemned scouts building, another netball court and cricket practice nets that are in disrepair.

There is a need to remove the old netball court and cricket nets from the Reserve in order to improve amenity.

### Glenrowan Lions Park

This newly developed park provides residents and visitors with passive recreation opportunities including a playground for young children, pathways and picnic facilities. The park supports the Ned Kelly Museum and provides a rest stop for visitors in the heart of town.



#### Legend

Blue	Recreation park
Green	Sports park
Yellow	Other open space
Orange	Community
Red	School

### Other open spaces and community places

In addition to the Recreation Reserve and Lions Park, Glenrowan is home to a number of other important community and open spaces:

Map ref	Site
1	Glenrowan Recreation Reserve
2	Glenrowan Lions Park
3	Glenrowan Rifle Range and Rifle Club
4	Glenrowan Kindergarten
5	Glenrowan Scout Hall
6	Fosters Lake picnic area
7	Spring Creek Reserve
8	Glenrowan Primary School

Fosters Dam is a popular spot for recreational fishing as the Victorian Fisheries Authority stock the lake regularly as part of their family fishing lakes program. It was identified during the community consultation for this Strategy that access to this dam is difficult for those with mobility issues.

### Connectivity

A pathway runs along the Old Hume Highway from the Recreation Reserve at Glenrowan to Glenrowan North.



## Greta Valley district planning area findings

There is a lack of active recreation opportunities for young people within the planning district. The sole playground at Glenrowan provides opportunities for young children and families. There is an opportunity to develop an appropriately sized pump track or other youth recreation facility within Glenrowan.

Opportunity exists to utilise the Glenrowan and District Community Centre and Scout Hall for physical activity programming.

Activation of the Glenrowan Recreation Reserve for additional community use outside of the formal sports that occur there.

Opportunity to rationalise/cap support of sporting infrastructure upgrades (such as large pavilions, function rooms and competition-level lighting) at Greta Recreation Reserve to prevent over-development in line with the residential population.

Priority recommendations for the Greta Valley include:

- Remove the old netball court and cricket practice nets from the Glenrowan Recreation Reserve
- Investigate the development of a small youth appropriate recreation opportunity within Glenrowan, such as a pump track or outdoor basketball court
- Investigate the feasibility of improving access to Fosters Lake for recreational fishers with mobility needs
- Support the removal of the tennis courts from Greta Recreation Reserve
- Support the Committee in their desire to add a playground to the Greta Recreation Reserve.



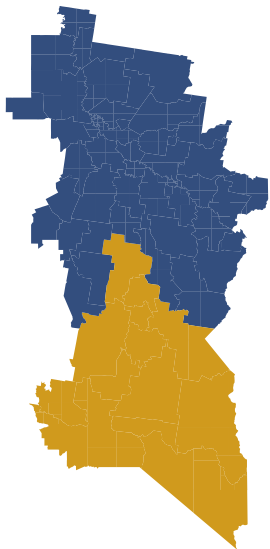
# King Valley District

The King Valley planning district’s main townships are Moyhu and Whitfield, with other localities including Cheshunt, Myrrhee and Edi Upper.

The planning district is home to the Alpine National Park with Mount Buffalo National Park and Mount Samaria State Park bordering the LGA.

Outside the towns of Moyhu, Whitfield, Cheshunt and Myrrhee the planning district is almost completely zoned public conservation and resource or farming.

The Moyhu and Myrrhee Recreation Reserves are owned by DEECA and operated by a Committee of Management.



## Demographic profile

Township and rural townships	Population as at 2022	Median age
Moyhu	436	48
Whitfield	219	53
Cheshunt	212	50
Myrrhee	168	49

## Whitfield

### Whitfield Recreation Reserve

The Whitfield Recreation Reserve is Council owned and managed by a Committee of Management. It is located within Whitfield and is home to AFL and netball and has one functional tennis court that is lit.

The Reserve has an extensive pavilion as well as a disused tennis building.

The Reserve has a new netball court and shaded playground that adjoins a picnic shelter with seating and a barbecue.

There is a need to remove the former tennis courts with the potential for future development as netball courts if demand exists.

### Other open spaces and community places

In addition to the Recreation Reserve, Whitfield is home to a number of other important community and open space including:

Map ref	Site
1	Whitfield Recreation Reserve
2	Rest stop park
3	Whitfield Golf Course
4	Whitfield District Primary School
5	King Valley Community Memorial Hall
6	Whitfield Community Child Care Centre



#### Legend

- Recreation park
- Sports park
- Other open space
- Community
- School

The rest stop park provides public toilets, seating and shelter and is a trail head for the King Valley Gravel routes. The park contains signage for the trails and a bike repair station.

### Connectivity

There are limited footpaths within the township of Whitfield, however, the town is the hub of King Valley Gravel riding routes and planning is underway to create further connections via a shared 'rail trail' style path.



## Moyhu

### Moyhu Recreation Reserve

The Moyhu Recreation Reserve is a DEECA owned reserve, operated by a Committee of Management with limited Council input. It is located on the outskirts of Moyhu and houses AFL, netball, cricket, tennis/ basketball and has a small toddler playground. The Reserve is also the home of gymnastics within the RCoW.

The playground is in need of an upgrade, including the addition of play elements for older children to broaden its appeal. The playground upgrade should include inclusive elements to cater for children with mobility needs.

The clubhouse is in need of an electrical capacity upgrade to allow field lighting and the clubhouse to operate at the same time.

### Moyhu Lions Park

Moyhu Lions Park has a young children's playground, picnic tables, toilets, a memorial and historical elements including the Lions Federation Hall. The park hosts regular local markets and is a trail head for the King Valley Gravel routes. The park contains signage and a bike repair station.

The park is not well connected to the town due to the lack of local footpaths.

### Other open spaces and community places

In addition to the Recreation Reserve and Lions Park, Moyhu is home to a number of other important community and open spaces including:

Map ref	Site
1	Moyhu Recreation Reserve
2	Moyhu Lions Park
3	Carl Schultz Reserve and the Moyhu Bowls Club
4	Moyhu Soliders Memorial Hall
5	Moyhu Primary School (outside of map)
6	Moyhu and District Preschool
7	King Valley Learning Exchange (outside of map)

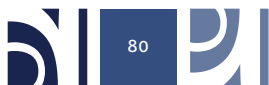
The King Valley Learning Exchange is a key community resource within Moyhu and includes a Men's Shed, offers community development activities and physical activity programs. The facility also maintains an edible garden for the community.

### Connectivity

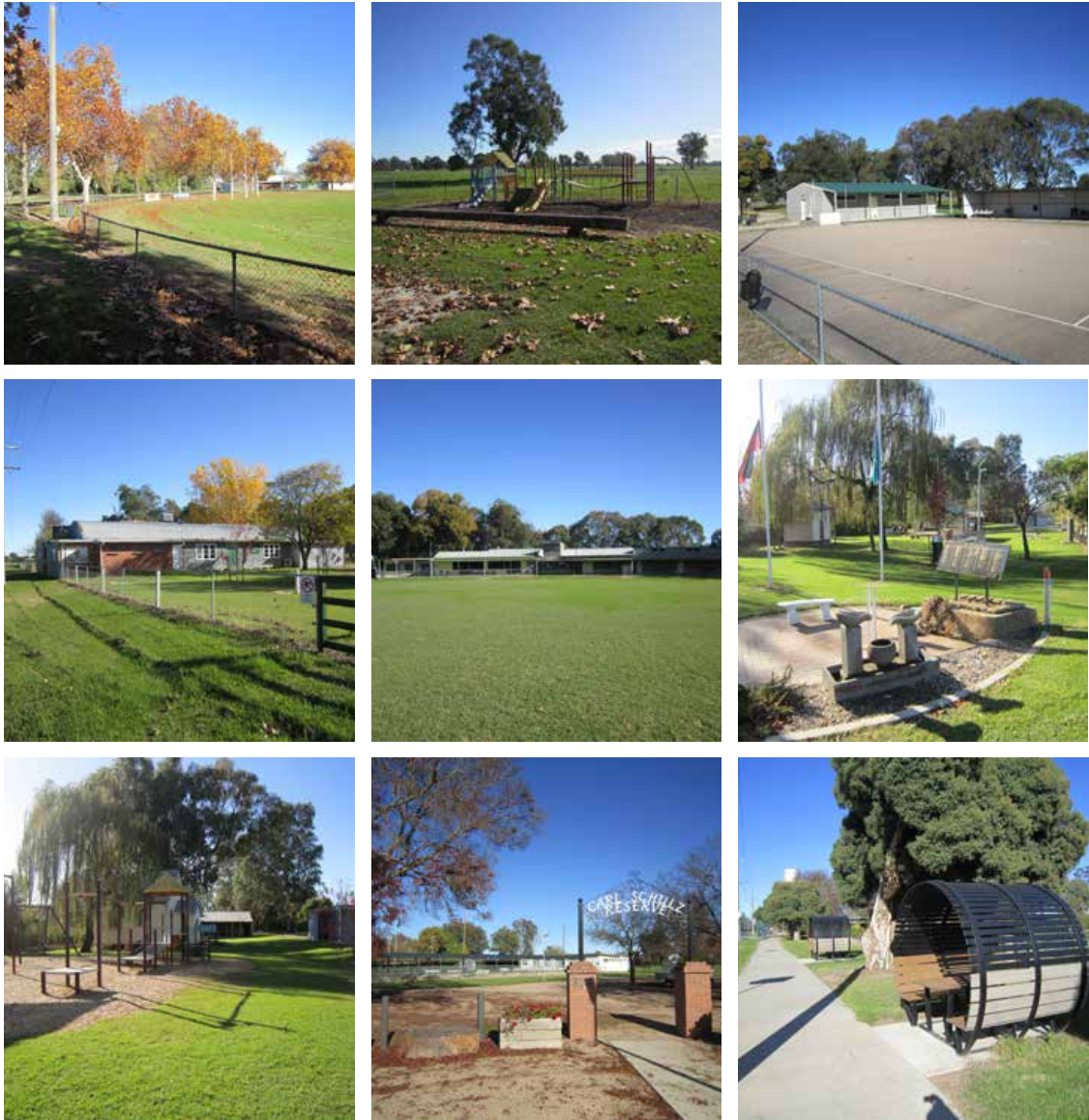
Moyhu is in need of improved footpaths, with the only existing sections on Byrne Street. There is a need to connect town to the Recreation Reserve and school.



Legend	
<span style="color: green;">■</span>	Recreation park
<span style="color: blue;">■</span>	Sports park
<span style="color: yellow;">■</span>	Other open space
<span style="color: orange;">■</span>	Community
<span style="color: red;">■</span>	School



Rural City of Wangaratta



## Myrrhee

### Myrrhee Recreation Reserve

The Myrrhee Recreation Reserve is a DEECA owned reserve, operated by a committee of management with limited Council input. It has two recently developed lit tennis courts with small club building. The Reserve has a playground catering for young children and a sheltered barbecue area.

In addition to the Recreation Reserve, Myrrhee is home to a number of other important community and open spaces including:

- Myrrhee Soldiers Memorial hall
- Myrrhee Primary School.



## Cheshunt

### Cheshunt Hall and rest stop

Cheshunt Hall and rest stop are the sole open spaces within Cheshunt and both owned by DEECA. The rest stop provides a sheltered barbecue area with tables and seating.

## Edi Upper

### Edi Upper Recreation Reserve and Tennis Courts

The Edi Upper Recreation Reserve has four tennis courts, two of which are lit, public hall and a playground.

The Edi Upper community is also supported by the Edi Upper Primary School.



## King Valley district planning area findings

There is a lack of active recreation opportunities for young people within the planning district, and specifically the population centre of Moyhu. The two playgrounds within Moyhu provide opportunities for toddlers and young children only. There is an opportunity to develop an appropriately sized pump track or other youth recreation facility such as basketball half court, rebound wall or climbing structure within the Moyhu Recreation Reserve.

Develop a path to connect Moyhu town to the Recreation Reserve and school.

There is a need for Council to lead the planning of the Moyhu Lions Park to ensure a cohesive and planned approach to any future infrastructure including playground upgrades or additions.

Opportunity exists to utilise the Myrree, Cheshunt, Edi Upper, Moyhu and King Valley community halls for physical activity programming.

The former tennis courts at the Whitfield Recreation Reserve should be removed and replaced with an additional netball court (if need can be demonstrated).

Support the King Valley Learning Exchange in their community garden in order to support the need for improved knowledge and skills in growing fruit and vegetables and inter-generational connection.

# Ovens Valley District

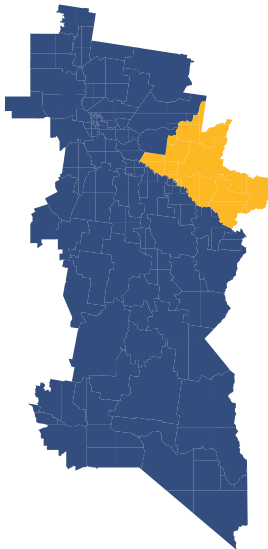
The Ovens Valley district has a small population base distributed over the main localities of Tarrawingee, Eldorado, Everton, Everton Upper and Murmungee.

Outside these towns, the planning district is predominately zoned farming followed by public conservation and resource.

The planning district is home to the Chiltern- Mount Pilot National Park.

## Demographic profile

Township and rural townships	Population as at 2022	Median age
Tarrawingee	416	46
Everton	193	52
Everton Upper	154	50
Eldorado	382	52
Murmungee	69	54



# Tarrawingee

## Tarrawingee Recreation Reserve

Tarrawingee Recreation Reserve is a DEECA owned reserve, operated by a Committee of Management with limited Council input. It houses AFL, netball, cricket, golf and tennis. The single oval facility has two netball courts and four tennis courts (in various conditions).

The Recreation Reserve is home to the North Eastern Car Club and the Tarrawingee Race Circuit, the Tarrawingee Golf Club and the Tarrawingee Hall Reserve and tennis courts. The former Tarrawingee Primary School adjoins the reserve.

The tennis courts are cracked and in poor condition. An opportunity exists to repair two of the courts and allow free community use to activate the space and encourage physical activity.

Tarrawingee also has the Tarrawingee Streamside Reserve as a natural open space for the community to enjoy.

Tarrawingee lacks recreation opportunities for youth.



- Legend
- Recreation park
  - Sports park
  - Other open space
  - Community
  - School

Map ref	Site
1	Tarrawingee Recreation Reserve
2	Tarrawingee Hall Reserve



# Eldorado

## Centennial Park

Centennial Park is a single oval park which is home to rugby league and tennis. It is a DEECA owned reserve, operated by a Committee of Management with limited Council input. Tennis has two ageing courts that are lit. The oval is not lit and has a basic clubhouse and toilet block.

The Park appears to have little use and has large areas of under-utilised open space.

## Gunhouse Park

Gunhouse Park has a shaded playground catering for young children as well as formal gardens, toilets, picnic areas and a barbecue. The local FoodShare operates out of this park.

## Connectivity

Eldorado is well connected for pedestrians with a footpath running the length of Main Street from Centennial Park past Gunhouse Park.

## Other open spaces and community places

In addition to Centennial Park and Gunhouse Park, Eldorado has a number of important open space and community places:

Map ref	Site
1	Centennial Park
2	Gunhouse Park
3	Eldorado Dredge Historic Reserve - ParksVic including the historic swing bridge
4	Top Cut Lake, Slum Dam and Eldorado Dredge
5	Eldorado Community Hall





- Legend
- Recreation park
  - Sports park
  - Other open space
  - Community
  - School



Everton

Everton Public Park Reserve

The Everton Public Park Reserve is a Council owned reserve. It is home to tennis with four lit courts. The Park also has a multi-use court for netball and basketball, a large shelter with a barbecue and picnic tables.

The Park has large grassed areas for kick-about and informal games. The Everton Public Hall and Primary School adjoin the site.

There are no playgrounds or passive recreation opportunities within the town of Everton.

Connectivity

Everton has no local footpath network. The Murray to Mountains Rail Trail runs to the east of Everton. An extension of this trail along Diffey Road would bring the trail into town.

**Other open spaces and community places**

In addition to the Everton Public Park Reserve, Pioneer Bridges Rest Area and Everton Upper has disused tennis courts.



Legend

- Recreation park
- Sports park
- Other open space
- Community
- School

Map ref	Site
1	Everton Public Park Reserve
2	Everton Public Hall
3	Everton Primary School



## Murmungee

### Murmungee Sports Ground Reserve

Murmungee Sports Ground is an isolated site used for equestrian. It is a locked site that appears to have infrequent use.

### Ovens Valley planning area findings

The Tarrawingee tennis courts are cracked and in poor condition. An opportunity exists to repair two of the courts and allow free community use to activate the space and encourage physical activity.

Tarrawingee lacks recreation opportunities for youth. Consider use of the Old Tarrawingee school site for the development of a pump track/skate/bike area. It is acknowledged that this site is Crown Land and that Council will need to work in partnership with the State Government.

Opportunity to seek interest from local community groups to lead the trial of a community garden bed in a location such as the Tarrawingee Tennis courts/old school.

Develop a shared path to extend the Murray to Mountains Rail Trail along Diffey Road to provide a local connection and bring the trail into town.



Murmungee Sports Ground Reserve

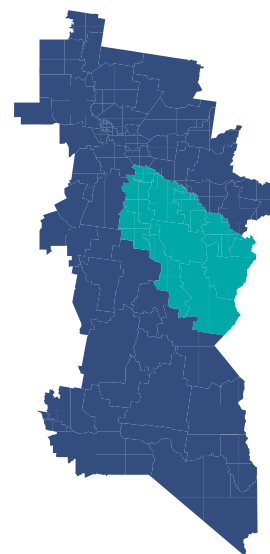
## Snow Road District

The Snow Road district has a small population base distributed over the main localities of Milawa, Whorouly, Oxley and Carboor.

Outside these towns, the planning district is predominately zoned farming.

### Demographic profile

Townships and rural townships	Population as at 2022	Median age
Milawa	588	47
Whorouly	383	48
Oxley	503	40
Carboor	97	47



## Oxley

### Oxley Memorial Park

Oxley Memorial Park is a fenced park with a shaded playground for toddlers and young children. The park has public toilets, shelters with picnic tables, a barbecue and a memorial. The Park acts as a trail head along the Murray to Mountains Rail Trail.

### Oxley Recreation Reserve

The Recreation Reserve is a DEECA owned reserve, operated by a Committee of Management with limited Council input. It is predominately an equestrian facility with a full size cross country course, sand arenas and horse yards. The Reserve also has a cricket oval, tennis courts and a newly constructed playground.

### Connectivity

The Murray to Mountains Rail Trail passes through Oxley. The Oxley Memorial Park creates an ideal rest stop for trail users. The addition of bicycle parking racks would enhance the user experience for trail users.

### Other open spaces and community places

In addition to Oxley Memorial Hall and Recreation Reserve, Oxley has a number of other important open space and community places:

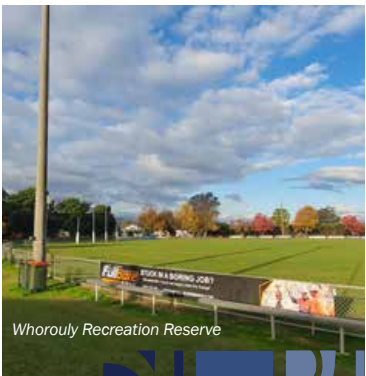
Map ref	Site
1	Oxley Memorial Park
2	Oxley Shire Hall
3	Laceyby Streamside Reserve
4	Oxley Recreation Reserve (outside of map screen)
5	Oxley Primary School (outside of map screen)



Rural City of Wangaratta



- Legend
- Recreation park
  - Sports park
  - Other open space
  - Community
  - School
  - Murray to Mountains Rail Trail



Milawa

Milawa Recreation Reserve

The Milawa Recreation Reserve is a DEECA owned reserve, operated by a Committee of Management with limited Council input. It is home to AFL, netball, cricket and lawn bowls. One of the two netball courts has been newly developed and is lit.

The site has a disused tennis/netball court that is in need of removal.

John McAleese Community Park

The Park adjoins the Milawa Public Hall and forms a community hub in the centre of town. Many community events are hosted at the Hall and Park, with the sound shell providing a focal point.

The playground is shaded and provides recreation opportunities for toddlers and small children. The Park has a barbecue and a few bench seats. The Park does not provide any picnic tables for barbecue users.

Connectivity

The Murray to Mountains Rail Trail runs through part of Milawa ending at the Recreation Reserve.

Other open spaces and community places

In addition to the Milawa Recreation Reserve and John McAleese Community Park, Milawa has a number of important open space and community places:

Map ref	Site
1	Milawa Recreation Reserve
2	John McAleese Community Park
3	Milawa Public Hall
4	Milawa Racquets Club
5	Milawa Primary School





## Whorouly

### Whorouly Recreation Reserve

Whorouly Recreation Reserve is a single oval facility that is home to AFL, netball, lawn tennis and cricket. The Reserve has a shaded, fenced playground catering for young children. The netball half court also has a basketball hoop for informal games and practice.

Some of the tennis courts are un-used and in disrepair. The Reserve has a large picnic shelter with barbecues, picnic tables and public toilets.

Development of a second netball court at the Reserve is underway, as well as the re-upgrade of the existing court.



#### Legend

- Recreation park
- Sports park
- Other open space
- Community
- School

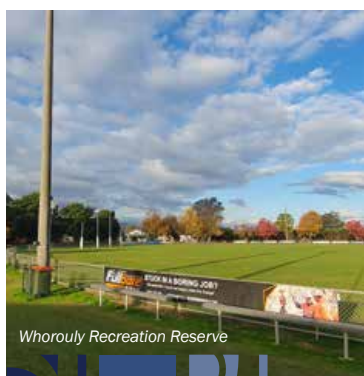
### Connectivity

Whorouly has no local footpath network.

### Other open spaces and community places

In addition to the Whorouly Recreation Reserve, Whorouly has the following important open space and community places:

Map ref	Site
1	Whorouly Recreation Reserve
2	Whorouly Public Library Hall
3	Whorouly Primary School
4	Whorouly and District Kindergarten



Whorouly Recreation Reserve



Whorouly Recreation Reserve



Whorouly Recreation Reserve

## Carboor

### **Carboor Recreation Reserve**

The Carboor Recreation Reserve has a large field area that appears to be un-used as well as a number of derelict tennis courts.

### **Carboor Soldiers Memorial Hall and Playground**

The Soldiers Memorial Hall adjoins the Recreation Reserve and provides a playground for young children. The Hall is well maintained and in good condition.

### **Connectivity**

Carboor has no local footpath network.

## Snow Road planning area findings

Install bike racks at the Oxley Memorial Park to enhance the user experience for trail users.

The Oxley Recreation Reserve is in need of improvements to support equestrian uses. These include installation of a watering system to suppress dust from the sand arenas and installation of lighting to allow for greater hours of use. Additionally, upgrades to the oval as well as consideration of a cover over the large sand arena to cater for all-weather use.

There is a need to develop a trail head for the Murray to Mountains Rail Trail in Milawa. This trail head could be located at the community hall and John McAleese Park. In conjunction with the high level of community events held at the park and the need for the trail head, stand-alone toilets outside of the hall need to be considered for community use.

Extension of the rail trail at Milawa along Kerrs Road, Oxley Flats Road and Sportsground Lane to create a local circuit.

John McAleese Community Park requires the installation of a picnic table for barbecue users.

Consider the removal of the derelict tennis courts at Carboor Recreation Reserve to improve amenity.



Carboor Soldiers Memorial Hall



Carboor Recreation Reserve



## Future directions

### Moving forward

The Rural City of Wangaratta community currently has access to a broad range of recreation, open space and sport opportunities.

The Strategy includes a range of recommendations to meet community demand. Additionally, to assist Council focus park development across a smaller number of parks (whilst maintaining suitable accessibility for residents) a number of parks have been identified for rationalisation.

This Strategy is an opportunity for Council to maintain and build upon the existing public open space network. There are recommendations throughout this Strategy that relate to specific parks and these are listed in this section, after 'over-arching recommendations'. Some of the recommendations will be more challenging than others. Implementation of the recommendations will require strong leadership, appropriate resources from Council and a commitment to making some difficult decisions.

There are a number of Crown land reserves within the RCoW's open space network. These reserves are managed by voluntary Committee's of Management (CoM) with support from the Department of Energy, Environment and Climate Action (DEECA). In addition, there are a number of Council reserves that are overseen by a CoM.

This Strategy is tenure blind in regards to Council land V crown land reserves and makes recommendations for both types of land based on identified demand. This is a collaborative Strategy with dual responsibility for actioning recommendations by Council, CoM's, clubs and community groups.

Priorities are assigned for each action. A high recommendation should be undertaken as soon as resources allow while medium (in the next 5-10 years) and low priorities (in the next 10-15 years) are not as urgent. Indicative costs are provided for the total project cost. More detailed costing should be undertaken for each project as its nears commencement.

While this Plan provides Council with strategic direction for the provision of recreation and sport over the next 10 years, further information sharing, consultation and involvement of the community in decision making will be necessary.

### Overarching recommendations



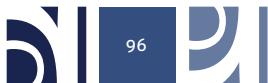
#### Partnerships - Working in partnership and collaboratively with organisations and community

Recommendation	Justification	Priority
Council to commit to engage with relevant organisational stakeholders on the delivery of this Strategy	To ensure broad input into Council decision making including concept planning and detailed design and achieve the best outcomes for each project	High
Formalise the maintenance of rail trail with relevant stakeholders and community partners	To ensure regular maintenance is carried out and that responsibility is clear	High
Determine interest from community groups to lead and maintain the trial of community garden beds. Trial locations could include Wareena Park	To order increase knowledge and skills in growing fruit and vegetables. Improving nutrition, food security and inter-generational connection	Medium
Encourage physical activity through alternate uses of spaces such as walking sports. Partner with existing sporting clubs and community groups	To encourage participation by those who may not be interested in traditional sports, or where low-impact activities are required	Medium



#### Equity - Support gender equity and the inclusion of under represented groups

Recommendation	Justification	Priority
Ensure an equity impact statement is undertaken on new projects as part of the preliminary planning process	To ensure that real and perceived barriers to participation are identified and the planning and design process seeks to overcome these	High



Rural City of Wangaratta



### Promotion - Promotion of new and existing opportunities in sport and recreation

Recommendation	Justification	Priority
Develop and deliver an affordable physical activity program (using external providers and partnerships) in parks and community halls across the RCoW	Offering free or low cost activities will not only have physical health benefits but social/mental health benefits for participants. This will also assist to activate parks	High
Promote accessibility to existing public toilets in proximity to key natural areas and river-side walking tracks	To ensure natural area and trail users have close access to amenities	High
Develop and promote a map of bike racks and public toilets	To assist the community in effectively utilising the open space network and pathways	Medium
Initiate the development of a series of up-to date community directories to promote existing spaces, activities and programs within the community. This could include sporting clubs and groups, social and activity groups as well as regular programs and events.	To ensure the community are aware of what opportunities exist and improve participation in physical activity	Medium
Develop a map of designated dog off-leash areas and promote to the community	To ensure the community are aware of appropriate off-leash places	Medium



### Sustainability- Ensure sustainability in planning, design, delivery and maintenance

Recommendation	Justification	Priority
Incorporate the recommendations into Council's capital and operational works plans	To ensure suitable budget allocations to achieve desired outcomes	High
Ensure sufficient resources are allocated in Council's operational budget for the maintenance of open space	The current allocation falls well-short of providing appropriate maintenance of Council's open space network	High
Ensure sports assets are included on Council's asset register for renewals	To ensure suitable funds are available to replace assets at the end of their useful life	High
Council to develop a formal tree planting program for parks and reserves	To provide clear direction on sites to be planted, preferred tree species, management and maintenance of new trees as well as identifying trees at the end of their useful life expectancy	High
In line with Council's Urban Tree Plan, ensure additional planting occurs within the open space network, especially those parks where playground equipment is recommended for removal	To enhance the urban forest canopy and encourage the environmental, social and economic benefits to the community	High
Develop and implement a council landscape document for developer contributed parks	To ensure Council receive appropriate park infrastructure including plant species at handover	Medium
Ensure careful planning of new infrastructure within parks and reserves including pathways and implement tree protection zones in order to protect existing trees	To ensure tree health is maintained both during and after construction	Ongoing
Review the outcomes of the Recreation and Open Space Strategy every five years	A review ensures the document remains a current working document and meets the changing needs of the community	Ongoing
Actively seek external grants to fund the capital works	Council cannot rely on the parks budget and developer contributions to achieve the breadth of recommendations	Ongoing
Work with North East Catchment Authority and other relevant land managers/owners in the preservation of land along the Ovens River	To improve open space accessibility and connectivity along the waterway	Ongoing



### Evidence based community need - Using evidence and community need to guide decisions

Recommendation	Justification	Priority
Review outdoor council managed sports assets to create a plan for maintenance based on the principles of this strategy	To ensure sports courts and facilities are renewed and maintained based on evidence and community need	High
Undertake a review of Council's Playspace Strategy	To reflect the findings of this Strategy and ensure playspaces are diverse and equitable	High
Undertake a review of Council's Walking and Cycling Strategy	To adequately plan and develop necessary walk and cycle projects and their supporting infrastructure in line with demand	High
Continue to support the directions of key Council master plans including Parklands Master Plan, Wareena Park Master Plan and Merriwa Park Master Plan	To ensure key council and community priorities are progressed	High
Undertake an investigation into suitable sites to house a second soccer facility (two-four fields) as well as a hockey pitch (one pitch and capacity for training area)	To accommodate the growing needs of the soccer and provide a home for hockey	High
Complete an analysis of cycling infrastructure across the LGA	To determine the feasibility for cycling infrastructure including the development of a precinct	Medium

## Venue specific recommendations

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
Urban Wangaratta									
W1	Apex Park	Recreation	Council managed	Remove the CFA training area and replace with interpretive signage about the historical use of the site	Medium	Council			
W2	Avian Park	AFL	Crown Land	Facility upgrades to accommodate AFL training - currently managed by a Committee of Management, could investigate coming under Council management	Medium	CoM and Council			
W3	Baltimore Park	Recreation	Council managed	Install a soccer goal or re-bound wall to enhance recreation opportunities for an older age group	High	Council			
W4	Baroona Court Playground	Recreation	Council managed	Install shade over the playground and seek to diversify the age range of the recreation experience by developing an element for older children/youth	High	Council			
W5	Bill Eaton Reserve	Athletics and soccer	Council managed	Replace and widen the long jump run up to allow for a 100m synthetic sprint/warm-up surface. The shot put and discus pits require repair/upgrade. Improve the interior grass surface and source portable soccer goals for training	Medium	Council	Club		
W6	Bindall Avenue Reserve	Recreation	Council managed	Upgrade the toilets and install an older children's playground in Bindall Avenue Reserve following the removal of equipment at the adjoining Kiwanis Park	High	Council			
W7		AFL	Council managed	Lighting installation and toilet upgrade to allow for junior training in summer and winter	Medium	Council			
W8	Brien Crescent Park	Recreation	Council managed	Seek to diversify the age range of the recreation experience by developing an element for older children/youth i.e. climbing structure, monkey bars etc	Medium	Council			
W9	Burke Reserve	Recreation	Council managed	Diversify the recreation opportunities at Burke Reserve to cater for older children and youth	Medium	Council			
W10	Burns Reserve	Recreation	Council managed	Investigate the rationalisation of Burns Reserve	Medium	Council			
W11	Cathedral College	Hockey	School land	Temporary lighting towers to be installed to allow night hockey training	High	Club and School			
W12				Council to lead conversations with Cathedral College and the Club to investigate opportunities for a temporary building (with amenities and changerooms) to be placed near to the pitch	Medium	Club and Council			
W13	Dalton Reserve	Recreation	Council managed	Seek to diversify the age range of the recreation experience by developing an element for older children/youth	Medium	Council			
W14	Dundas Reserve	Recreation	Council managed	Investigate the rationalisation of Dundas Reserve	High	Council			
W15	Evalyn Reserve	Recreation	Council managed	Remove the play equipment at the end of its useful life and investigate opportunities to rationalise the park or maintain as an amenity park i.e. additional plantings	High	Council			
W16	Frank Garth Reserve	Outdoor recreation	Council managed	There is a need to formalise Frank Garth Reserve with signage, seating, picnic tables and designated car parking areas. This site also lends itself to the installation of a floating pontoon for canoe/kayak launching. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council and Water Corporation			
W17	Jaycees Park	Recreation	Council managed	Diversify play opportunities at Jaycees Park	Low	Council			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
W18	Kendall and Orange Court Reserve	Recreation	Council managed	Diversify the recreation opportunities at Kendall and Orange Court Reserve to cater for older children and youth	Medium	Council			
W19	King George V Gardens	Recreation	Council managed	Undertake a master planning process with the local community to confirm the Park's future direction, whilst maintaining the parks intent as a formal garden and amenity park	Medium	Council			
W20	Kiwanis Park	Recreation	Council managed	Rationalise the play equipment from Kiwanis Park and improve amenity through additional plantings and seating	High	Council			
W21	Merriwa Park	Tennis, pickleball and croquet	Council managed	Provision of all-abilities access to the clubhouse	High	Club	Council		
W22				Upgrade amenities to support all-abilities access	High	Club	Council		
W23				Replacement of court fencing with black plastic-coated fencing	Medium	Club	Council		
W24				Car park resurfacing	Medium	Club	Council		
W25		Recreation	Council managed	Remove the sound shell	Medium	Council			
W26		Tennis	Crown Land	Remove the old tennis courts	Medium	Club, CoM and Council			
W27		Recreation	Council managed	Upgrade the playground at the end of its useful life with more diverse play elements catering for toddlers, young children and youth	Medium	Council			
W28	Mitchell Avenue Reserve	Active recreation	Council managed	Investigate the provision of a public toilet and drinking water at the skate park	Medium	Council			
W29	Murdoch Reserve	Recreation	Council managed	Remove the swing set and spring toy from Murdoch Park and increase plantings for amenity	High	Council			
W30	Northern Beaches	Outdoor recreation	Council managed	There is a need to formalise the recreation use of the Northern Beaches, with signage, seating, picnic tables. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council			
W31	North West Growth Area - greenfield site	Rectangular sports	Council managed	Master plan and develop the greenfield sports site to accommodate rectangular sports (preference for soccer and hockey) - soccer requires 2-4 fields, one lit synthetic hockey pitch, future area for hockey training, a central clubhouse, spectator facilities and suitable car parking	High	Council and club			
W32	Pelican Court Park	Recreation	Council managed	Install additional play equipment such as a climbing net and increase plantings	Low	Council			
W33	Rangeview Park	Recreation	Council managed	Investigate opportunities to rationalise the linear part of the park	Medium	Council			
W34	Ryan Reserve - Apex Road Safety School	Recreation	Lions Club	Investigate the opportunity to open the facility for free public use on a regular basis	High	Council and Lions			
W35	Sadler Reserve/ One Mile Creek Outdoor Gym equipment	Recreation	Council managed	Monitor usage of outdoor gym equipment and consider running 'how to' sessions for the community. The addition of QR codes to connect users with instructional videos on the equipment is also recommended	High	Council			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
W36	South Wangaratta Recreation Reserve	All sports	Council managed	Undertake a master plan to ensure the site meets future demand and user needs for all users	High	Council			
W37		Soccer	Council managed	Undertake field upgrades to the two southern fields (irrigation upgrades, drainage upgrades and surface upgrades)	High	Council	Club		
W38				Install lighting to the main field	High	Council	Club		
W39		Motorsports	Club managed	The Club has outlined a number of facility upgrades required to retain Speedway Australia Track accreditation <ul style="list-style-type: none"> <li>Lighting upgrade</li> <li>Concrete wall and fencing upgrade</li> <li>Power supply upgrade</li> <li>Canteen upgrade.</li> </ul>	Medium	Club			
W40	Sydney Beaches	Outdoor recreation	Council managed	There is a need to formalise Sydney Beaches for recreation use, with signage, seating and picnic tables. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council			
W41	Targoora Park	Baseball and softball	Council managed	Undertake drainage works across all diamonds and base cut outs to ensure more resilient diamonds	High	Club	Council		
W42		Baseball and softball	Council managed	Upgrade lighting on Diamond 1 to meet training standards	High	Club	Council		
W43	Tennis across RCoW	Tennis	Various	Undertake a rationalisation process for tennis across the LGA	High	Council			
W44			Various	Nominate under-utilised tennis courts and allow for free public access i.e. Tarrawingee Tennis Courts	High	Clubs/CoM	Council		
W45	Wangaratta Community Gardens	Recreation	Committee managed	Work closely with the community garden committee to investigate opportunities for all-abilities access paths and additional raised planting beds	High	Committee	Council		
W46	Wangaratta Sports and Events Precinct - Wangaratta Bowls and Sports Club	Lawn Bowls	Club managed	Undertake amenities upgrades to increase capacity as well as compliant access	High	Club	Council		
W47				Cover the south-west green to provide an all-weather venue	Medium	Club	Council		
W48				Open up one of the greens for sports requiring a similar surface i.e. croquet	Medium	Club	Council		
W49				Light at least two of the greens	Medium	Club	Council		
W50				Provide a spectator viewing area overlooking the covered green	Medium	Club	Council		
W51				Formalise car parking	Medium	Club	Council		
W52				Investigate the amalgamation of the Wareena Bowls Club with the Wangaratta Bowls and Sports Club	Medium	Council	Club		
W53				Investigate shared amenities for multiple sports	Low	Council			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
W54	Wangaratta Sports and Events Precinct	AFL and cricket	Council managed	Develop a pavilion to provide suitable ancillary facilities	High	Council	Club		
W55		Cricket and AFL	Council managed	Develop female friendly change facilities at WJ Findlay Oval	High	Club	Council		
W56		Cycling	Council Managed	Remove the velodrome at the Wangaratta Sports and Events Precinct	High	Council			
W57		Pickleball	Council Managed	Redevelop a number of under-utilised tennis courts into 8 pickleball courts	Medium	Clubs (tennis and pickleball)			
W58		Table Tennis, Pickleball, Cricket	Council Managed	Develop an indoor sport facility to cater for non-traditional indoor sports including table tennis, pickleball and indoor cricket training (and considerations for other sports including netball training, roller-derby). Opportunity to house 10 table tennis tables and suitable spectator areas and cater for the demand of off-season cricket practice	Medium	Council	Club		
W59		Cricket	Council managed	Convert Barr 1 to synthetic wicket to cater for the predicted increase in junior participation	Medium	Council			
W60		Pickleball	Council Managed	Develop a number of under-utilised tennis courts into 8 pickleball courts	Medium	Clubs (tennis and pickleball)	Council		
W61		Active recreation	Council managed	Expand the Wangaratta Skatepark by adding older youth recreation opportunities with additional wheeled sport elements to increase its functionality and appeal	Low	Council			
W62	Wangaratta Sports and Events Precinct- WISAC	Swimming	Council Managed	Continue to work closely with tenant groups using pool space to ensure equitable access that reflects user demands	High	Council			
W63		Waterpolo	Council managed	There is a need to activate the purpose-built waterpolo pool through actively supporting the development of a local competition at WISAC	High	Council	Clubs		
W64		Basketball	Council managed	Investigate opportunities for partnerships with schools to cater for long-term demand for indoor courts	Medium	Council			
W65	Wareena Park	AFL	Council managed	Facility upgrades to accommodate AFL training including drainage upgrades and development of a second smaller field for training	High	Council			
W66		Recreation	Council managed	Upgrade the Park to include intergenerational play and exercise space	High	Council			
W67		AFL	Council managed	Develop female friendly change facilities	High	Council			
W68		AFL	Council Managed	Should the Wareena Park Bowls Club amalgamate with the Wangaratta Bowls and Sports Club, revisit the Wareena Park Master Plan with the potential to utilise the site for AFL training	Medium	Council			
W69	Wenhams Lane Reserve	Recreation	Council managed	Improve the amenity of the park and provide additional plantings for shade	High	Council			
W70	Various	Cricket	Various	Council to work with the District Cricket Association and local schools to formalise arrangements for community use and provision of additional synthetic wickets	Medium	Council			
W71	Various	Cycling	Various	Investigate suitable locations for an off-road criterium track	Low	Club	Council		

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
W72	Various	Mountain biking	Parks Victoria	There is a need to investigate opportunities for mountain biking in close proximity to urban Wangaratta. Discussions with Parks Victoria are encouraged to determine the suitability of their existing trails in key locations such as the Warby-Ovens National Park	High	Council	Club		
W73	Various	Mountain biking	Various	Investigate the King Valley as a potential area for further investigation for mountain bike facility given the potential opportunities to build upon the tourism activities being attracted to this location	High	Club and Council	Council		
W74	Bullawah Cultural Trail	Recreation	Council	Work with the Bangerang community to expand the Bullawah Trail with additional cultural elements including artwork, interpretive signage and AV elements in order to share stories	High	Council			
Northern Planning District									
N1	North Wangaratta	AFL	Council	Remove the derelict toilet block	High	Council			
N2	Recreation Reserve		Council	Develop female friendly change facilities	High	Council	Club		
N3			Council	Investigate the development of the un-used land at the back of the reserve for AFL training	Medium	Council	Club		
N4	Springhurst Recreation Reserve	Tennis	Crown Land	Remove the derelict tennis courts to improve amenity	Medium	CoM			
Greta Valley Planning District									
GV1	Greta Recreation Reserve	AFL, netball and cricket	Crown Land	Cap the infrastructure investment at Greta Recreation Reserve in line with local population	High	CoM	Council		
GV2	Glenrowan Recreation Reserve	Netball and cricket	Crown Land	Remove the derelict netball court and cricket practice nets	High	CoM	Council		
GV3		Rugby League	Crown Land	Upgrade the lighting to allow night fixtures	Medium	Club and CoM	Council		
GV4				Install reserve benches	Medium	Club and CoM	Council		
GV5	Fosters Dam	Outdoor recreation	Victorian Fisheries Authority	Work with Victorian Fisheries Authority to improve access to Fosters Dam for recreational fishers with special mobility needs	High	CoM	Council		
GV6	Glenrowan town	Active recreation	Various	Identify a suitable site within Glenrowan to develop a small scale pump track or youth recreation facility	Medium	Council			
King Valley Planning District									
KV1	Whitfield Recreation Reserve	Netball	Council managed	Remove the former tennis courts with the potential for development as netball courts if demand exists in the future	Medium	CoM and Council			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
KV2	Moyhu Recreation Reserve	Recreation and active recreation	Crown Land	Upgrade the playground at the Moyhu Recreation Reserve including the addition of play elements for older children and inclusive play elements	High	CoM	Council		
KV3				Upgrade the electrical capacity to allow for simultaneous field lighting and clubhouse use	High	Club and CoM	Council		
KV4				Consider the development of a small-scale pump track at the Moyhu Recreation Reserve	Medium	CoM	Council		
KV5		Netball	Crown Land	Resurface the netball court at the end of its useful life	Low	Club, CoM and Council			
KV6	Moyhu Lions Park	Recreation	Council managed	Oversee the planning of Lions Park to ensure cohesive and planned approach to any future infrastructure upgrades or additions	High	Council			
KV7	Moyhu	Active recreation and transport	Various	Develop footpaths to connect town to the Recreation Reserve and to the school	High	Council			
KV8	Community halls	Physical activity	Various	Opportunity to utilise Myrree, Cheshunt, Edi Upper, Moyhu and King Valley Community Halls for physical activity programming	Medium	CoM and Council			
Ovens Valley Planning District									
OV1	Tarrawingee	Tennis	Crown Land	Repair two of the tennis courts and allow for free community use	High	CoM			
OV2	Tennis Courts			Investigate the use of un-used tennis courts for a wheeled sports precinct (skate, BMX, bikes)	Medium	CoM	Council		
OV3	Tarrawingee	Recreation	Various	Determine interest from community groups to lead the trial of a community garden bed, potentially site includes the old tennis courts, old school building or hall reserve	Medium	CoM	Council		
OV4	Tarrawingee Recreation Reserve	AFL	Crown Land	Ensure the facility allows AFL for training	Medium	Club, CoM	Council		
OV5	Everton	Active recreation	Various	Investigate the extension of the Rail Trail along Diffey Road to create a circuit and bring the trail into Everton	Medium	Council			
OV6	Pioneer Bridges Rest Area	Recreation	Council managed	There is a need to formalise Pioneer Bridges Rest Area for recreation use, with signage, seating and picnic tables. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council			
OV7	Centennial Park	Rugby league	Crown Land	Monitor the growth of the Wolfpack and investigate the development of changeroom facilities. Consider a relocatable building in the short-term	High	Club and CoM	Council		
OV8				Additional storage and minor canteen upgrade	Medium	Club and CoM	Council		
Snow Road Planning District									
SR1	Milawa Recreation Reserve	Tennis and netball	Crown Land	Remove the derelict tennis/netball court	Medium	CoM, Club			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
SR2	John McAleese Community Park	Recreation	Committee and Council managed	Relocate the existing barbecue within the park further away from the sound shell to create more free space for community events	High	CoM and Council			
SR3									
SR4	Milawa Public Hall	Recreation	Committee	Develop a trail head for the rail trail at Milawa including the development of a public toilet at the Milawa Public Hall	High	CoM and Council			
SR5	Rail Trail	Active recreation	Council managed	Build on the rail trail with an off-road shared path along Kerrs Road, Oxley Flats Road and Sportsground Lane to create a local circuit	Medium	Council			
SR6	Oxley Memorial Park	Active recreation	Council managed	Install bike racks at the Oxley Memorial Park to enhance the user experience for trail users	High	Council			
SR7	Oxley Recreation Reserve	Equestrian sports	Crown Land	Install a watering system to suppress dust from the sand arenas	Medium	CoM and Club	Council		
SR8				Development of lighting across the sand arenas to allow for greater hours of use during the cooler months and for evening use (when it is cooler) during the hotter months	Medium	CoM and Club	Council		
SR9				Consider upgrades to the oval to improve equestrian use	Medium	CoM and Club	Council		
SR10				Council could investigate the development of a cover over the large sand arena to create an all-weather facility	Low	CoM and Club	Council		





Rural City of  
**Wangaratta**

# Recreation and Open Space Strategy – Executive Summary

November 2023





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*We acknowledge the traditional custodians of the lands on which the Rural City of Wangaratta communities reside.*

*We pay our respect to their Elders past, present and emerging, and celebrate and respect their continuing cultures. We are committed to walking beside all traditional owners as we move toward reconciliation.*

## Recreation and Open Space Strategy Executive Summary

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### Welcome to the Recreation and Open Space Strategy

At the Rural City of Wangaratta we believe that everyone should have the opportunity to be active and connected through sport and recreation. We know that public open space plays a vital role in better health and environmental outcomes for the community, but that there are important social and economic benefits that also can't be overlooked.

As our community grows and changes, so do our needs in both recreation and open space. New trends and activities, the changing age of our rural city and the changing climate are all considerations in planning for these facilities.

The Recreation and Open Space Strategy 2024-2034 is our commitment to our recreational facilities, open spaces, parks, playgrounds, and sporting fields. It looks at our municipality as a whole, and incorporates the actions in our master plans, township plans, and rural placemaking strategy. The strategy goes into the detail of the community engagement, community needs, trends in public open space and our legislated requirements that were considered in its development.

This executive summary outlines our approach to managing, developing and activating our recreational and open spaces. It's our hope it will guide you through the strategy to see the highlights, and what the next decade will bring to the Rural City of Wangaratta.



**Brendan McGrath**  
Chief Executive Officer



**Dean Rees**  
Mayor

## Key terms

The strategy defines **Open Space** as Council-managed land and water bodies that are broadly available for public recreation, pedestrian and cycle movement, sport or for nature conservation purposes. Open space is the over-arching term for sports parks and recreation parks.

A **Recreation Park** is a setting that provides for informal recreation and social activities that enhance physical and mental health through activity that provides relaxation, amusement or stimulation such as play. A **Sport park** is designed to primarily support a range of formal structured sport activities such as competitions, physical skill development and training. These parks are designed to accommodate the playing surface and infrastructure requirements of specific sports

**Active recreation** is recreation activities that require physical exertion but are unstructured, that is not part of a competition. **Passive Recreation** encompasses a range of unstructured activities and social interactions undertaken for enjoyment, relaxation, and mental health, with limited physical exertion

A full list of key terms can be found on Page 4 of the Recreation and Open Space Strategy



## Vision and Objectives

Vision: Everyone has the opportunity to be active and connected through sport and recreation.

Mission: Plan and manage our facilities and open spaces to enhance community use, enjoyment and well-being

These are reflected in the Objectives of the Strategy

- Maximising the impact of recreation and open space on health and well-being for residents and visitors
- Consideration of local information and overarching trends (p11-15)
- Place-based recommendations based on best practice and the utilisation of all available data (p46-95)
- Building on existing masterplans and strategies for major reserves and open spaces (p8-10)

## Principles of Delivery

The following principles underpin the development and delivery of the Recreation and Open Space Strategy:



### Partnerships

Working in partnership and collaboratively with organisations and community

- Community groups
- Sporting Clubs
- Land management authorities
- Government Agencies



### Equity

Support gender equity and the inclusion of under represented groups

- Proximity to open space and recreation activities
- Accessibility of facilities and programs for all ages, genders, cultural backgrounds, abilities, socio economic needs
- Following relevant policies, strategies and guidelines with respect to inclusion



### Promotion

Promotion of new and existing opportunities in sport and recreation

- Activate existing spaces with innovative programs
- Encourage (and where applicable fund) low cost physical activity programs
- Support developing sports and community clubs to grow

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### Sustainability

Ensure sustainability in planning, design, delivery and maintenance

- Financial – is the program or facility financially viable for whole of life
- Community – are the community engaged in the facility or program, do the trends show this is a desired recreation activity
- Environmental – does this cater for climate change considerations, is this sound from a biodiversity perspective



### Evidence based community need

Using evidence and community need to guide decisions

- Strategic documents
- Current trends
- Community desire
- Standards (facility guidelines, safety regulations)
- Proximity of other facilities
- Cultural considerations, particularly where new infrastructure is being considered

## Key findings

The Recreation and Open Space Strategy Project began in April 2023 with the engagement of ROSS Consulting. The development included extensive research and consultation.

- Consultation with the community, key stakeholders and Council (p16-18)
- Review of existing documents, with a particular focus on masterplans already prepared (p8-10)
- Qualitative and quantitative assessment and mapping of existing and potential services, facilities and spaces
- Needs based assessment of priority projects
- Analysis of essential demographic data and future population projections (p11)

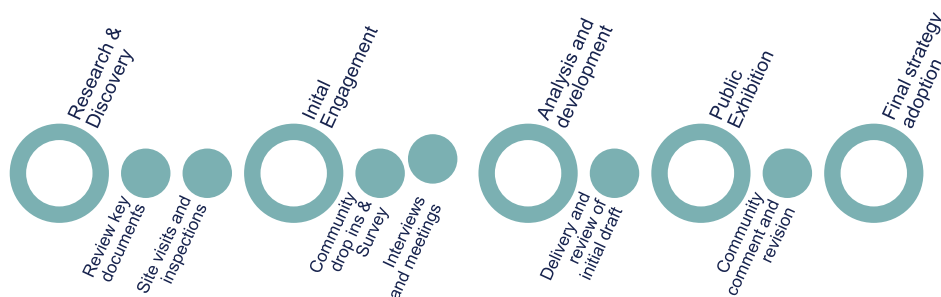


Fig 1: Strategy Process



Research Findings

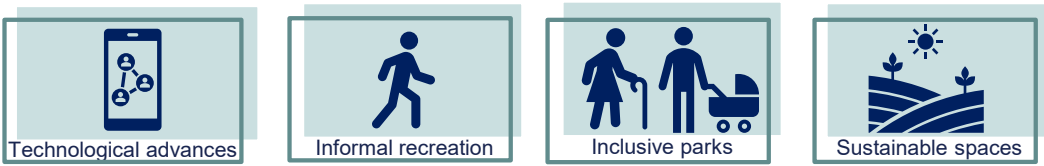


Fig 2: The way we interact with open spaces is changing. (p12-15)

Engagement Findings

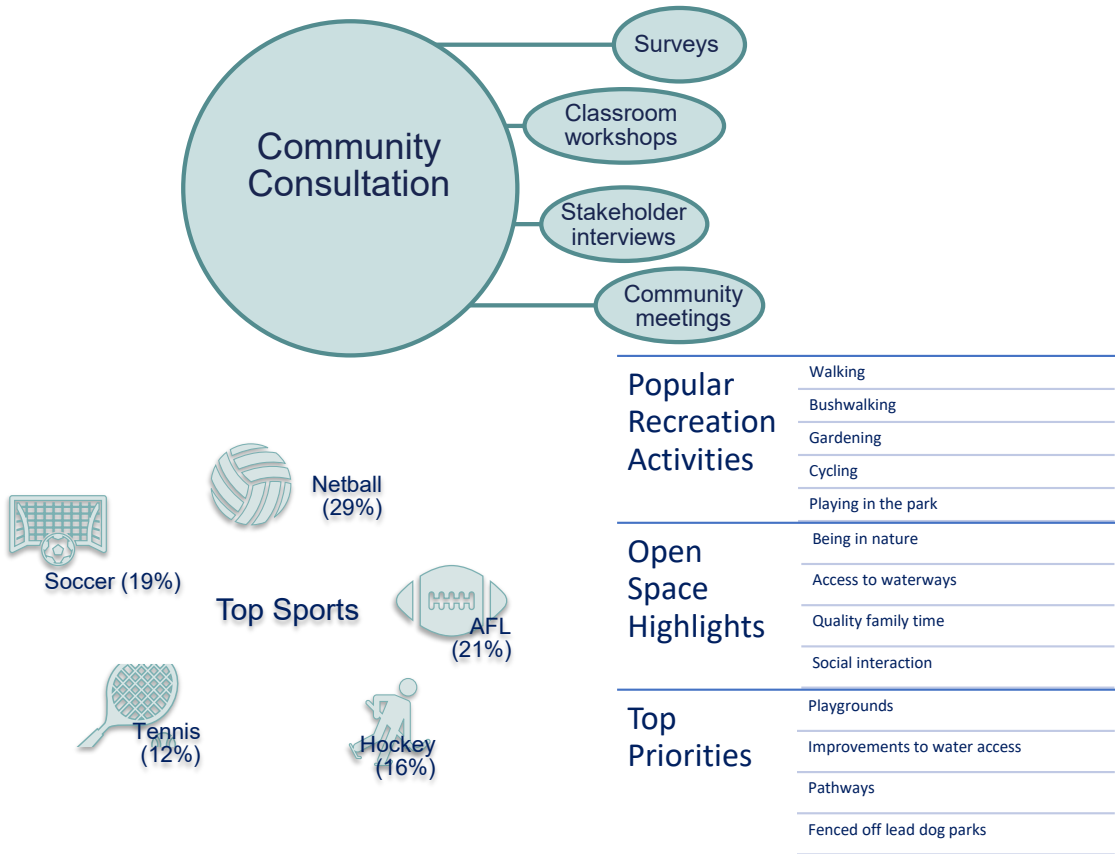


Fig 3: Community engagement process and findings. (p16-18)

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Fig 4: Findings for sport (p30-44)

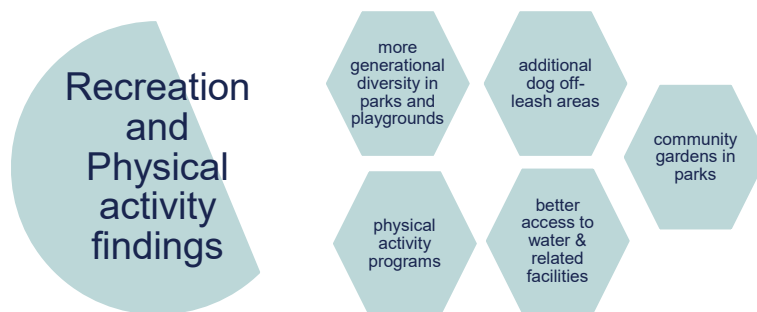


Fig 5: Findings for recreation and physical activity (p29)

## Moving Forward

The Rural City of Wangaratta community currently has access to a broad range of recreation, open space and sport opportunities. The Strategy includes a range of recommendations to meet community demand. Additionally, to assist Council focus park development across a smaller number of parks (whilst maintaining suitable accessibility for residents) a number of parks have been identified for rationalisation.

While this Plan provides Council with strategic direction for the provision of recreation and sport over the next 10 years, further information sharing, consultation and involvement of the community in decision making will be necessary. The recommendations are included in this summary and should be considered in conjunction with the full strategy.



North Wangaratta Recreation Reserve

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### Action Plan – Overarching Recommendations



#### Partnerships

Working in partnership and collaboratively with organisations and community

Recommendation	Justification	Priority
Council to commit to engage with relevant organisational stakeholders on the delivery of this Strategy	To ensure broad input into Council decision making including concept planning and detailed design and achieve the best outcomes for each project	High
Formalise the maintenance of rail trail with relevant stakeholders and community partners	To ensure regular maintenance is carried out and that responsibility is clear	High
Determine interest from community groups to lead and maintain the trial of community garden beds. Trial locations could include Wareena Park	To order increase knowledge and skills in growing fruit and vegetables. Improving nutrition, food security and inter-generational connection	Medium
Encourage physical activity through alternate uses of spaces such as walking sports. Partner with existing sporting clubs and community groups	To encourage participation by those who may not be interested in traditional sports, or where low-impact activities are required	Medium



#### Equity

Support gender equity and the inclusion of under represented groups

Recommendation	Justification	Priority
Ensure an equity impact statement is undertaken on new projects as part of the preliminary planning process	To ensure that real and perceived barriers to participation are identified and the planning and design process seeks to overcome these	High



#### Promotion

Promotion of new and existing opportunities in sport and recreation

Recommendation	Justification	Priority
Develop and deliver an affordable physical activity program (using external providers and partnerships) in parks and community halls across the RCoW	Offering free or low cost activities will not only have physical health benefits but social/mental health benefits for participants. This will also assist to activate parks	High
Promote accessibility to existing public toilets in proximity to key natural areas and river-side walking tracks	To ensure natural area and trail users have close access to amenities	High
Develop and promote a map of bike racks and public toilets	To assist the community in effectively utilising the open space network and pathways	Medium
Initiate the development of a series of up-to date community directories to promote what spaces, activities and programs exist within the community. This could include sporting clubs and groups, social and activity groups as well as regular programs and events.	To ensure the community are aware of what opportunities exist and improve participation in physical activity	Medium
Develop a map of designated dog off-leash areas and promote to the community	To ensure the community are aware of appropriate off-leash places	Medium

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### Sustainability

Ensure sustainability in planning, design, delivery and maintenance

Recommendation	Justification	Priority
Incorporate the recommendations into Council's capital and operational works plans	To ensure suitable budget allocations to achieve desired outcomes	High
Ensure sufficient resources are allocated in Council's operational budget for the maintenance of open space	The current allocation falls well-short of providing appropriate maintenance of Council's open space network	High
Ensure sports assets are included on Council's asset register for renewals	To ensure suitable funds are available to replace assets at the end of their useful life	High
Council to develop a formal tree planting program for parks and reserves	To provide clear direction on sites to be planted, preferred tree species, management and maintenance of new trees as well as identifying trees at the end of their useful life expectancy	High
In line with Council's Urban Tree Plan, ensure additional planting occurs within the open space network, especially those parks where playground equipment is recommended for removal	To enhance the urban forest canopy and encourage the environmental, social and economic benefits to the community	High
Develop and implement a council landscape document for developer contributed parks	To ensure Council receive appropriate park infrastructure including plant species at handover	Medium
Ensure careful planning of new infrastructure within parks and reserves including pathways and implement tree protection zones in order to protect existing trees	To ensure tree health is maintained both during and after construction	Ongoing
Review the outcomes of the Recreation and Open Space Strategy every five years	A review ensures the document remains a current working document and meets the changing needs of the community	Ongoing
Actively seek external grants to fund the capital works	Council cannot rely on the parks budget and developer contributions to achieve the breadth of recommendations	Ongoing
Work with North East Catchment Authority and other relevant land managers/owners in the preservation of land along the Owens River	To improve open space accessibility and connectivity along the waterway	Ongoing



### Evidence based community need

Using evidence and community need to guide decisions

Recommendation	Justification	Priority
Review outdoor council managed sports assets to create a plan for maintenance based on the principles of this strategy	To ensure sports courts and facilities are renewed and maintained based on evidence and community need	High
Undertake a review of Council's Playspace Strategy	To reflect the findings of this Strategy and ensure playspaces are diverse and equitable	High
Undertake a review of Council's Walking and Cycling Strategy	To adequately plan and develop necessary walk and cycle projects and their supporting infrastructure in line with demand	High
Continue to support the directions of key Council master plans including Parklands Master Plan, Wareena Park Master Plan and Merriwa Park Master Plan	To ensure key council and community priorities are progressed	High
Undertake an investigation into suitable sites to house a second soccer facility (two-four fields) as well as a hockey pitch (one pitch and capacity for training area)	To accommodate the growing needs of the soccer and provide a home for hockey	High
Complete an analysis of cycling infrastructure across the LGA	To determine the feasibility for cycling infrastructure including the development of a precinct	Medium



**Action Plan - Venue specific recommendations**

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
Urban Wangaratta									
W1	Apex Park	Recreation	Council managed	Remove the CFA training area and replace with interpretive signage about the historical use of the site	Medium	Council			
W2	Avian Park	AFL	Crown Land	Facility upgrades to accommodate AFL training - currently managed by a Committee of Management, could investigate coming under Council management	Medium	CoM and Council			
W3	Baltimore Park	Recreation	Council managed	Install a soccer goal or re-bound wall to enhance recreation opportunities for an older age group	High	Council			
W4	Baroona Court Playground	Recreation	Council managed	Install shade over the playground and seek to diversify the age range of the recreation experience by developing an element for older children/youth	High	Council			
W5	Bill Eaton Reserve	Athletics and soccer	Council managed	Replace and widen the long jump run up to allow for a 100m synthetic sprint/ warm-up surface. The shot put and discus pits require repair/upgrade. Improve the interior grass surface and source portable soccer goals for training	Medium	Council	Club		
W6	Bindall Avenue Reserve	Recreation	Council managed	Upgrade the toilets and install an older children's playground in Bindall Avenue Reserve following the removal of equipment at the adjoining Kiwanis Park	High	Council			
W7		AFL	Council managed	Lighting installation and toilet upgrade to allow for junior training in summer and winter	Medium	Council			
W8	Brien Crescent Park	Recreation	Council managed	Seek to diversify the age range of the recreation experience by developing an element for older children/youth i.e. climbing structure, monkey bars etc	Medium	Council			
W9	Burke Reserve	Recreation	Council managed	Diversify the recreation opportunities at Burke Reserve to cater for older children and youth	Medium	Council			
W10	Burns Reserve	Recreation	Council managed	Investigate the rationalisation of Burns Reserve	Medium	Council			
W11	Cathedral College	Hockey	School land	Temporary lighting towers to be installed to allow night hockey training	High	Club and School			
W12				Council to lead conversations with Cathedral College and the Club to investigate opportunities for a temporary building (with amenities and changerooms) to be placed near to the pitch	Medium	Club and Council			
W13	Dalton Reserve	Recreation	Council managed	Seek to diversify the age range of the recreation experience by developing an element for older children/youth	Medium	Council			
W14	Dundas Reserve	Recreation	Council managed	Investigate the rationalisation of Dundas Reserve	High	Council			
W15	Evalyn Reserve	Recreation	Council managed	Remove the play equipment at the end of its useful life and investigate opportunities to rationalise the park or maintain as an amenity park i.e. additional plantings	High	Council			
W16	Frank Garth Reserve	Outdoor recreation	Council managed	There is a need to formalise Frank Garth Reserve with signage, seating, picnic tables and designated car parking areas. This site also lends itself to the installation of a floating pontoon for canoe/kayak launching. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council and Water Corporation			
W17	Jaycees Park	Recreation	Council managed	Diversify play opportunities at Jaycees Park	Low	Council			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
W18	Frank Garth Reserve	Outdoor recreation	Council managed	There is a need to formalise Frank Garth Reserve with signage, seating, picnic tables and designated car parking areas. This site also lends itself to the installation of a floating pontoon for canoe/kayak launching. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council and Water Corporation			
W19	Jaycees Park	Recreation	Council managed	Diversify play opportunities at Jaycees Park	Low	Council			
W20	Kendall and Orange Court Reserve	Recreation	Council managed	Diversify the recreation opportunities at Kendall and Orange Court Reserve to cater for older children and youth	Medium	Council			
W21	King George V Gardens	Recreation	Council managed	Undertake a master planning process with the local community to confirm the Park's future direction, whilst maintaining the parks intent as a formal garden and amenity park	Medium	Council			
W22	Kiwanis Park	Recreation	Council managed	Rationalise the play equipment from Kiwanis Park and improve amenity through additional plantings and seating	High	Council			
W23	Merriwa Park	Recreation	Council managed	Remove the sound shell	Medium	Council			
W24		Tennis	Crown Land	Remove the old tennis courts	Medium	Club, CoM and Council			
W25		Recreation	Council managed	Upgrade the playground at the end of its useful life with more diverse play elements catering for toddlers, young children and youth	Medium	Council			
W26		Tennis, pickleball and croquet	Council managed	Provision of all-abilities access to the clubhouse	High	Club	Council		
W28				Upgrade amenities to support all-abilities access	High	Club	Council		
W27				Replacement of court fencing with black plastic-coated fencing	Medium	Club	Council		
W29				Car park resurfacing	Medium	Club	Council		
W30	Mitchell Avenue Reserve	Active recreation	Council managed	Investigate the provision of a public toilet and drinking water at the skate park	Medium	Council			
W31	Murdoch Reserve	Recreation	Council managed	Remove the swing set and spring toy from Murdoch Park and increase plantings for amenity	High	Council			
W32	Northern Beaches	Outdoor recreation	Council managed	There is a need to formalise the recreation use of the Northern Beaches, with signage, seating, picnic tables. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council			
W33	North West Growth Area - greenfield site	Soccer/ Hockey	Council managed	Master plan and develop the greenfield sports site to accommodate both the growing needs of soccer, and of hockey, with soccer fields, a lit synthetic hockey pitch, a central clubhouse, spectator facilities and suitable car parking	High	Council and club			
W34	Pelican Court Park	Recreation	Council managed	Install additional play equipment such as a climbing net and increase plantings	Low	Council			
W35	Rangeview Park	Recreation	Council managed	Investigate opportunities to rationalise the linear part of the park	Medium	Council			
W36	Ryan Reserve - Apex Road Safety School	Recreation	Lions Club	Investigate the opportunity to open the facility for free public use on a regular basis	High	Council and Lions			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
W37	Sadler Reserve/ One Mile Creek Outdoor Gym equipment	Recreation	Council managed	Monitor usage of outdoor gym equipment and consider running 'how to' sessions for the community. The addition of QR codes to connect users with instructional videos on the equipment is also recommended	High	Council			
W38	South Wangaratta Recreation Reserve	Soccer	Council managed	Undertake field upgrades to the two southern fields (irrigation upgrades, drainage upgrades and surface upgrades)	High	Council	Club		
W39				Install lighting to the main field	High	Council	Club		
W43		Motorsports	Club managed	The Club has outlined a number of facility upgrades required to retain Speedway Australia Track accreditation <ul style="list-style-type: none"> <li>Lighting upgrade</li> <li>Concrete wall and fencing upgrade</li> <li>Power supply upgrade</li> <li>Canteen upgrade.</li> </ul>	Medium	Club			
W44	Sydney Beaches	Outdoor recreation	Council managed	There is a need to formalise Sydney Beaches for recreation use, with signage, seating and picnic tables. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council			
W45	Targoora Park	Baseball and softball	Council managed	Undertake drainage works across all diamonds and base cut outs to ensure more resilient diamonds	High	Club	Council		
W46		Baseball and softball	Council managed	Upgrade lighting on Diamond 1 to meet training standards	High	Club	Council		
W47	Tennis across	Tennis	Various	Undertake a rationalisation process for tennis across the LGA	High	Council			
W48	RCoW		Various	Nominate under-utilised tennis courts and allow for free public access i.e. Tarrawingee Tennis Courts	High	Clubs/CoM	Council		
W57	Wangaratta Community Gardens	Recreation	Committee managed	Work closely with the community garden committee to investigate opportunities for all-abilities access paths and additional raised planting beds	High	Committee	Council		

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
W49	Wangaratta Sports and Events Precinct - Wangaratta Bowls and Sports Club	Lawn Bowls	Club managed	Undertake amenities upgrades to increase capacity as well as compliant access	High	Club	Council		
W50				Cover the south-west green to provide an all-weather venue	Medium	Club	Council		
W51				Open up one of the greens for sports requiring a similar surface i.e. croquet	Medium	Club	Council		
W52				Light at least two of the greens	Medium	Club	Council		
W53				Provide a spectator viewing area overlooking the covered green	Medium	Club	Council		
W54				Formalise car parking	Medium	Club	Council		
W55				Investigate the amalgamation of the Wareena Bowls Club with the Wangaratta Bowls and Sports Club	Medium	Council	Club		
W56				Investigate shared amenities for multiple sports	Low	Council			
W5	Wangaratta Sports and Events Precinct	AFL and cricket	Council managed	Develop a pavilion at Barr 2 Oval to provide suitable ancillary facilities	High	Council	Club		
W73		Cricket and AFL	Council managed	Develop female friendly change facilities at WJ Findlay Oval	High	Club	Council		
W60		Cycling	Council Managed	Remove the velodrome at the Wangaratta Sports and Events Precinct	High	Council			
W61		Pickleball	Council Managed	Redevelop a number of under-utilised tennis courts into 8 pickleball courts	Medium	Clubs (tennis and pickleball)			
W62				Consider the needs of pickleball in the development of an indoor sports facility (including table tennis, indoor cricket and other identified non-court based indoor sports)	Medium	Council			
W63		Table Tennis	Council Managed	Develop an indoor sport facility to cater for non-traditional indoor sports including table tennis, pickleball and indoor cricket (and considerations for other sports including netball training, roller-derby). Opportunity to house 10 table tennis tables and suitable spectator areas	Medium	Council	Club		
W64		Pickleball	Council Managed	Develop a number of under-utilised tennis courts into 8 pickleball courts	Medium	Clubs (tennis and pickleball)	Council		
W59		Cricket	Council managed	Development of an indoor cricket training facility (shared with table tennis, pickleball, netball training and other identified sports such as roller-derby) to cater for the demand of off-season cricket practice	Medium	Council			
W6		Cricket	Council managed	Convert Barr 1 to synthetic wicket to cater for the predicted increase in junior participation	Medium	Council			
W58		Active recreation	Council managed	Expand the Wangaratta Skatepark by adding older youth recreation opportunities with additional wheeled sport elements to increase its functionality and appeal	Low	Council			
W70	Wangaratta Sports and Events Precinct - WISAC	Swimming	Council Managed	Continue to work closely with tenant groups using pool space to ensure equitable access that reflects user demands	High	Council			
W71		Waterpolo	Council managed	There is a need to activate the purpose-built waterpolo pool through actively supporting the development of a local competition at WISAC	High	Council	Clubs		
W72		Basketball	Council managed	Investigate opportunities for partnerships with schools to cater for long-term demand for indoor courts	Medium	Council			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
W65	Wareena Park	AFL	Council managed	Facility upgrades to accommodate AFL training including drainage upgrades and development of a second smaller field for training	High	Council			
W66		Recreation	Council managed	Upgrade the Park to include intergenerational play and exercise space	High	Council			
W67		AFL	Council managed	Develop female friendly change facilities	High	Council			
W68		AFL	Council Managed	Should the Wareena Park Bowls Club amalgamate with the Wangaratta Bowls ans Sports Club, revisit the Wareena Park Master Plan with the potential to utilise the site for AFL training	Medium	Council			
W69	Wenhams Lane Reserve	Recreation	Council managed	Improve the amenity of the park and provide additional plantings for shade	High	Council			
W74	Various	Cricket	Various	Council to work with the District Cricket Association and local schools to formalise arrangements for community use and provision of additional synthetic wickets	Medium	Council			
W75	Various	Cycling	Various	Investigate suitable locations for an off-road criterium track	Low	Club	Council		
W76	Various	Mountain biking	Parks Victoria	There is a need to investigate opportunities for mountain biking in close proximity to urban Wangaratta. Discussions with Parks Victoria are encouraged to determine the suitability of their existing trails in key locations such as the Warby-Ovens National Park	High	Council	Club		
W77	Various	Mountain biking	Various	Investigate the King Valley as a potential area for further investigation for mountain bike facility given the potential opportunities to build upon the tourism activities being attracted to this location	High	Club and Council	Council		
W78	Bullawah Cultural Trail	Recreation	Council	Work with the Bangerang community to expand the Bullawah Trail with additional cultural elements including artwork, interpretive signage and AV elements in order to share stories	High	Council			
Northern Planning District									
N1	North Wangaratta	AFL	Council	Remove the derelict toilet block	High	Council			
N2	Recreation Reserve		Council	Develop female friendly change facilities	High	Council	Club		
N3			Council	Investigate the development of the un-used land at the back of the reserve for AFL training	Medium	Council	Club		
N4	Springhurst Recreation Reserve	Tennis	Crown Land	Remove the derelict tennis courts to improve amenity	Medium	CoM			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
Greta Valley Planning District									
GV1	Greta Recreation Reserve	AFL, netball and cricket	Crown Land	Cap the infrastructure investment at Greta Recreation Reserve in line with local population	High	CoM	Council		
GV2	Glenrowan Recreation Reserve	Netball and cricket	Crown Land	Remove the derelict netball court and cricket practice nets	High	CoM	Council		
GV5		Rugby League	Crown Land	Upgrade the lighting to allow night fixtures	Medium	Club and CoM	Council		
GV6				Install reserve benches	Medium	Club and CoM	Council		
GV3	Fosters Dam	Outdoor recreation	Victorian Fisheries Authority	Work with Victorian Fisheries Authority to improve access to Fosters Dam for recreational fishers with special mobility needs	High	CoM	Council		
GV4	Glenrowan town	Active recreation	Various	Identify a suitable site within Glenrowan to develop a small scale pump track or youth recreation facility	Medium	Council			
King Valley Planning District									
KV1	Whitfield Recreation Reserve	Netball	Council managed	Remove the former tennis courts with the potential for development as netball courts if demand exists in the future	Medium	CoM and Council			
KV2	Moyhu Recreation Reserve	Recreation and active recreation	Crown Land	Upgrade the playground at the Moyhu Recreation Reserve including the addition of play elements for older children and inclusive play elements	High	CoM	Council		
KV3				Upgrade the electrical capacity to allow for simultaneous field lighting and clubhouse use	High	Club and CoM	Council		
KV4				Consider the development of a small-scale pump track at the Moyhu Recreation Reserve	Medium	CoM	Council		
KV7		Netball	Crown Land	Resurface the netball court at the end of its useful life	Low	Club, CoM and Council			
KV5	Moyhu Lions Park	Recreation	Council managed	Oversee the planning of Lions Park to ensure cohesive and planned approach to any future infrastructure upgrades or additions	High	Council			
KV6	Moyhu	Active recreation and transport	Various	Develop footpaths to connect town to the Recreation Reserve and to the school	High	Council			
KV8	Community halls	Physical activity	Various	Opportunity to utilise Myrrhe, Cheshunt, Edi Upper, Moyhu and King Valley Community Halls for physical activity programming	Medium	CoM and Council			

Ref	Park	Sport impacted	Tenure / management	Recommendation	Priority	Lead organisation	Support organisation	Indicative cost	Funding avenues
Ovens Valley Planning District									
OV1	Tarrawingee	Tennis	Crown Land	Repair two of the tennis courts and allow for free community use	High	CoM			
OV2	Tennis Courts			Investigate the use of un-used tennis courts for a wheeled sports precinct (skate, BMX, bikes)	Medium	CoM	Council		
OV3	Tarrawingee	Recreation	Various	Determine interest from community groups to lead the trial of a community garden bed, potentially site includes the old tennis courts, old school building or hall reserve	Medium	CoM	Council		
OV4	Tarrawingee Recreation Reserve	AFL	Crown Land	Ensure the facility allows AFL for training	Medium	Club, CoM	Council		
OV5	Everton	Active recreation	Various	Investigate the extension of the Rail Trail along Diffey Road to create a circuit and bring the trail into Everton	Medium	Council			
OV6	Pioneer Bridges Rest Area	Recreation	Council managed	There is a need to formalise Pioneer Bridges Rest Area for recreation use, with signage, seating and picnic tables. It is recommended that a basic concept plan be undertaken to ensure the multiple values of the site are protected and that the space is best utilised	Medium	Council			
OV7	Centennial Park	Rugby league	Crown Land	Monitor the growth of the Wolfpack and investigate the development of changeroom facilities. Consider a relocatable building in the short-term	High	Club and CoM	Council		
OV8				Additional storage and minor canteen upgrade	Medium	Club and CoM	Council		
Snow Road Planning District									
SR1	Milawa Recreation Reserve	Tennis and netball	Crown Land	Remove the derelict tennis/netball court	Medium	CoM, Club			
SR2	John McAleese Community Park	Recreation	Committee and Council managed	Relocate the existing barbecue within the park further away from the sound shell to create more free space for community events	High	CoM and Council			
SR3									
SR4	Milawa Public Hall	Recreation	Committee	Develop a trail head for the rail trail at Milawa including the development of a public toilet at the Milawa Public Hall	High	CoM and Council			
SR5	Rail Trail	Active recreation	Council managed	Build on the rail trail with an off-road shared path along Kerrs Road, Oxley Flats Road and Sportsground Lane to create a local circuit	Medium	Council			
SR6	Oxley Memorial Park	Active recreation	Council managed	Install bike racks at the Oxley Memorial Park to enhance the user experience for trail users	High	Council			
SR7	Oxley Recreation Reserve	Equestrian sports	Crown Land	Install a watering system to suppress dust from the sand arenas	Medium	CoM and Club	Council		
SR8				Development of lighting across the sand arenas to allow for greater hours of use during the cooler months and for evening use (when it is cooler) during the hotter months	Medium	CoM and Club	Council		
SR9				Consider upgrades to the oval to improve equestrian use	Medium	CoM and Club	Council		
SR10				Council could investigate the development of a cover over the large sand arena to create an all-weather facility	Low	CoM and Club	Council		



PLANNING PERMIT APPLICATION PInApp23/010 - Use and Development of a Service Station and Retail Premises, Alteration of Access to a Road in a Transport Zone 2 and Installation of Signage AT 22-28 Ryley Street WANGARATTA

PInApp23/010

**Author: Holly Sawyer**  
**Coordinator Planning**

**Background**

**Applicant:** Connelly Construction Services  
**Owner:** Ryley Wangaratta Pty Ltd  
**Subject Land:** PC 381307 Vol 12443 Fol 697  
22-28 Ryley Street WANGARATTA VIC 3677  
**Zone/s:** Commercial 1 Zone  
**Overlay/s:** Parking Overlay Schedule 1

**Recommendation**

It is recommended that Council issue a Notice of Decision to Grant a Planning Permit for the use and development of the land for a service station and food and drink premises, alteration of access to a Transport Zone 2 and display of signage at 22-28 Ryley Street Wangaratta.

**Site & Context**

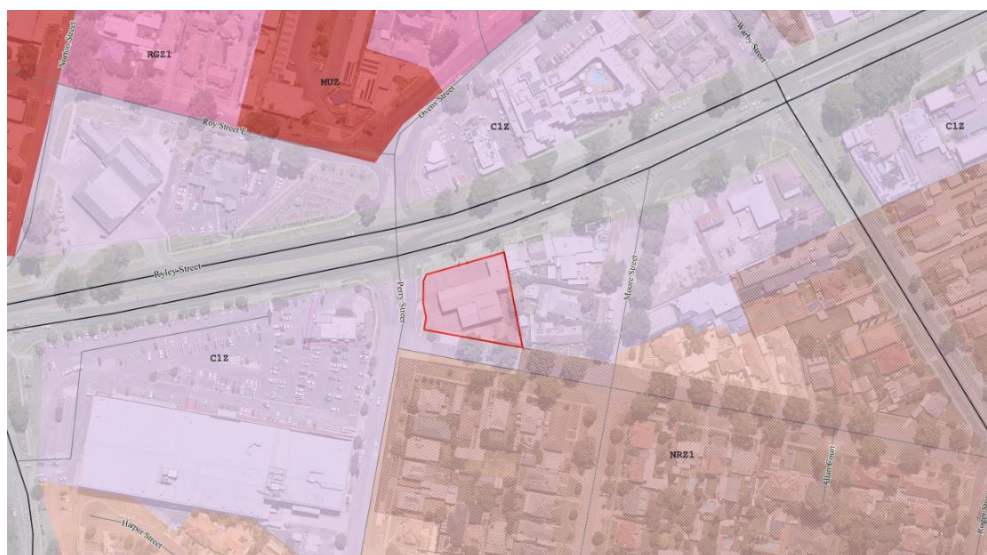
The subject site is an irregularly shaped allotment located to the south of Ryley Street, with additional road frontages to Perry Street (west) and Meldrum Street (south). The subject site previously contained a tyre repair shop, which has since been demolished. The site is currently vacant, with some concrete hardstand remaining. The site currently has two vehicle crossovers from Ryley Street, one from Perry Street and one from Meldrum Street. The site does not contain any vegetation and the topography of the site is generally flat.

The subject site is located within an established commercial area on the western outer edge of the Wangaratta central activity area. The site adjoins Ryley Street, which provides access to the western and eastern ends of the township and connection back to the Hume Freeway. The surrounding area to the north and west contains a mix of retail (K-Mart and Coles), take-away food premises (Hungry Jacks, McDonald's, KFC, and Subway), service station with convenience shop and car wash, and hotels/accommodation. Land to the east is located within common zoning (Commercial 1 Zone) although contains a mix of land uses with some food and drink premises and bulky goods retailers located adjacent to Ryley Street and dwellings fronting Moore Street (there is one dwelling that also fronts Ryley Street two properties to the east of the subject site). Land to the south of the subject site is located within the Neighbourhood Residential Zone – Schedule 1 which is predominantly developed with single

residences that are also affected by the Heritage Overlay – HO20 (The Water Tower District, Allan, Alexander and Lynton Courts, Crisp, Harper Meldrum, Moore and Warby Streets, and Murdoch Road precinct). It is noted that the HO20 affected area concludes to the south of Meldrum Street and does not affect the subject site.



(Aerial image of the subject site before the tyre repair shop was demolished)



(Zoning map of the site and surrounds)

## Proposal

The application is seeking approval for the use and development of the land for a service station and food and drink premises, alteration of access to a Transport Zone 2 and display of signage. The details of the proposal are as follows:

#### *Service Station and Food and Drink Premises*

The proposal seeks to utilise the majority of the site for a service station. The service station would include a shopfront (payment and sale of convenience items) within the eastern part of the site, with a fuel canopy to be located centrally within the site. The food and drink premises (cited as tenancy on the plans) is proposed to be located within the south-eastern corner of the site. Traffic is proposed to be directed into the site from Ryley Street (with exiting traffic as well) with the existing crossovers to Ryley Street to be altered to accommodate turning circles for large trucks (fuel deliveries). Traffic will also be able to enter and exit the site from Perry Street. The crossover to Meldrum Street is proposed to be decommissioned. Parking is proposed to be located within the site along part of the southern boundary and at the front of the service station shopfront. A total of 11 car parking spaces, including 1 disabled space, are proposed. In addition to the permanent parking spaces proposed, the canopy will have capacity for six refueling vehicles with space for 'stacking' or queuing, with one air/water parking space and a designated loading/unloading space for the service station and food and drink premises.

The footprints of the proposed structures are as follows:

- Service station shopfront: 191.82sqm
- Food and drink premises: 120sqm
- Fuel canopy: 240sqm

The fuel canopy is proposed to have a maximum height of 5.5m (4.5m to the underside of the canopy). The fuel canopy is proposed to have three double sided fuel bowsers/dispensers. The service station shop is proposed to have a maximum height of 4.78m, with the food and drink premises to have a maximum building height of 3.78m.

The use of the service station is proposed to operate 24 hours, 7 days per week. A maximum of two staff members would be on site at any one time for the service station.

The use of the food and drink premises is not detailed as part of the application as a tenant has not been identified for the space. Although, it is anticipated, based on the size of the building, that the premises would have 2-4 staff members on site at any one time and may have some capacity for on-site dining although it would be expected that any food and drink premises would be mostly takeaway in nature. Anticipated operating hours are between 8am to 10pm.

#### *Signage*

The proposal seeks to include a range of signage types and sizes. The proposed signage details are as follows:

- 1 internally illuminated pylon sign fronting Ryley Street. This sign is proposed to be a double-sided pylon sign with a maximum of 10m height to show fuel pricing and promotional displays.
- 5 internally illuminated business identification fascia signs along the fuel canopy. Each sign is proposed to be 1 sqm in display area.
- 2 internally illuminated business identification signs to be located on the service station shop façade. Each sign is proposed to measure 1.82m in length and width, with a display area of 3.3sqm.
- 1 business identification sign along the awning of the service station shop façade, to measure 1.46m in height and 18.54m in length. The total display area of this sign is 27sqm.
- 1 business identification sign to the awning of the food and drink premises building façade, to measure 0.9m in height and 8m in length. The total display area of this sign is 7.2sqm.

#### *Alteration of access to a Transport Zone 2*

As discussed previously, the existing access arrangement to Ryley Street is proposed to be altered to slightly relocate and upgrade the crossovers for one entry-only and one exit-only crossover to Ryley Street. Perry Street will retain the existing entry and exit crossover.

#### **Planning Permit Trigger(s)**

- Clause 34.01-1: Use of the land for a Service Station
- Clause 34.01-1: Use of the land for a food and drink premises with a leasable floor area greater than 100sqm
- Clause 34.01-4: Buildings and works to construct a building/s associated with a Section 2 use.
- Clause 52.29-2: Alteration of access to a road in a Transport Zone 2.

#### **Planning Policy Framework**

The following policies of the Wangaratta Planning Scheme are relevant to this proposal:

Clause:	Policy Objective/Strategy:
Clause 02.03-5 (Built form and heritage)	<p>Gateway approaches into the municipality's settlements are important for their contribution to character, amenity and economic potential.</p> <p>While signs have an important function in urban and rural environments, their location, design and appearance can pose a number of challenges.</p> <p>Council seeks to:</p> <ul style="list-style-type: none"> <li>• Protect gateway approaches into Wangaratta Regional City, townships and rural townships to maintain their contribution to character, sustainability, amenity, tourism and economic potential.</li> <li>• Support building design and materials that maintain the visual amenity of each township.</li> <li>• Protect the visual amenity of localities and transport corridors by avoiding visual disorder and clutter.</li> <li>• Support signs that make a positive contribution to the streetscape.</li> </ul>
Clause 13.07-1S (Land use compatibility)	<p>To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.</p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Ensure that use or development of land is compatible with adjoining and nearby land uses.</li> <li>• Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.</li> </ul>
Clause 15.01-1S (Urban design)	<p>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.</li> <li>• Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.</li> <li>• Promote good urban design along and abutting transport corridors.</li> </ul>

Clause:	Policy Objective/Strategy:
Clause 15.01-1L-01 (Signs)	<p>To protect the visual amenity of localities and transport corridors by avoiding visual disorder and clutter.</p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Support signage that is well proportioned, well located and responds to the urban form and character of the area.</li> <li>• Encourage the appearance, size, illumination and other aspects of signs to complement the development on which they are displayed and the character of their surrounds.</li> <li>• Avoid light spill and detrimental impacts to nearby residences and the public realm.</li> <li>• Use promotion signs only to promote activities on land on which the sign is displayed.</li> <li>• Scale promotion signs so as not to dominate the site on which the sign is located.</li> <li>• Support only one freestanding sign associated with a development (except where the size of the land is sufficient, or where the land has frontage to two or more streets).</li> <li>• Avoid freestanding signs of a height that projects above the roofline of the adjacent buildings.</li> </ul>
Clause 15.01-1L-02 (Wangaratta gateways)	<p>Enhance the appearance of the municipality's major gateways through prominent and distinctive built form and active frontages, urban design and landscape treatments that are innovative, environmentally sustainable and contribute to the amenity and visual appearance of the locality.</p>

Clause:	Policy Objective/Strategy:
Clause 15.01-2S (Building design)	<p>To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.</p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Ensure development responds and contributes to the strategic and cultural context of its location.</li> <li>• Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.</li> <li>• Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.</li> <li>• Ensure development provides landscaping that responds to its site context, enhance the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.</li> </ul>
Clause 18.02-4S (Roads)	<p>To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.</p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Plan an adequate supply of car parking that is designed and located to: <ul style="list-style-type: none"> <li>○ Protect the role and function of nearby roads.</li> <li>○ Enable the efficient movement and delivery of goods.</li> <li>○ Enable easy and efficient use.</li> <li>○ Achieve a high standard of urban design.</li> <li>○ Protect the amenity of the locality, including the amenity of pedestrians and other road users.</li> <li>○ Create a safe environment, particularly at night.</li> </ul> </li> </ul>

### **Zone**

The subject site is located within the Commercial 1 Zone pursuant to Clause 34.01 of the Scheme. The purpose of the C1Z is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.

- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

The decision guidelines particular to this application are as follows:

- The interface with adjoining zones, especially the relationship with residential areas.
- The effect that existing uses may have on the proposed use.
- The effect of traffic to be generated on roads.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.

#### **Overlay/s**

The subject site is affected by the Parking Overlay – Schedule 1 pursuant to Clause 45.09 of the Scheme. The parking objectives of the PO1 are as follows:

- To identify appropriate car parking rates for various uses within the Wangaratta Central Activities Area.

The PO1 only includes a parking rate for the proposed food and drink premises (shop), for a rate of 3 parking spaces per 100sqm of gross floor area. Based on the floor area of 120sqm, a total of 3.6 car parking spaces designated for the food and drink premises would be required. As car parking requirements are rounded down, the total required spaces would be 3. The PO1 does not include a designated rate for the service station, therefore Clause 52.06 is applicable for the parking requirements for that part of the proposal.

#### **Particular Provision/s**

##### *Clause 52.05 (Signs)*

This provision is relevant to this application and has the following purpose:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.

- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The relevant category pursuant to Clause 34.01-9 (Commercial 1 Zone) for signage within that zone is Category 1 (Commercial Areas). Any promotion or business identification signage with a total display area/s greater than 8sqm requires planning approval. Further any internally illuminated signage with a display area greater than 1.5sqm also requires planning approval. It is also noted that any pylon signage also requires planning approval regardless of display area.

The decision guidelines relevant to this application are as follows:

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
  - The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
  - The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
  - The consistency with any identifiable outdoor advertising theme in the area.
- Impacts on views and vista:
  - The potential to obscure or compromise important views from the public realm.
  - The potential to dominate the skyline.
  - The potential to impact on the quality of significant public views.
  - The potential to impede views to existing signs.
- The relationship to the streetscape, setting or landscape:
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
  - The ability to screen unsightly built or other elements.
  - The ability to reduce the number of signs by rationalising or simplifying signs.
  - The ability to include landscaping to reduce the visual impact of parts of the sign structure.
- The relationship to the site and building:
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The extent to which the sign displays innovation relative to the host site and host building.
  - The extent to which the sign requires the removal of vegetation or includes new landscaping.
- The impact of any illumination:

- The impact of glare and illumination on the safety of pedestrians and vehicles.
  - The impact of illumination on the amenity of nearby residents and the amenity of the area.
  - The potential to control illumination temporally or in terms of intensity.
- The impact on road safety. A sign is a safety hazard if the sign:
  - Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.
  - Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
  - Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
  - Has insufficient clearance from vehicles on the carriageway.
  - Could mislead drivers or be mistaken as an instruction to drivers.

*Clause 52.06 (Car parking)*

This provision is relevant to this application and has the following purpose:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Table 1 of Clause 52.06-5 does not include a specified car parking rate for a service station. Therefore, the number of parking spaces proposed must be to the satisfaction of the Responsible Authority. It is noted that all proposed car parking spaces and accessways meet the design standards of this provision.

The decision guidelines relevant to this application are as follows:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.

- The measures proposed to enhance the security of people using the parking area, particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.

*Clause 52.29 (Land adjacent to the Principal Road Network)*

This provision is relevant to this application and has the following purpose:

- To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.
- To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

The decision guidelines relevant to this application are as follows:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.

*Clause 52.34 (Bicycle facilities)*

This provision is relevant to this application and has the following purpose:

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Pursuant to Table 1 of Clause 52.34-5 requires 1 to each 100sqm of net floor area for a take-away food premises. Therefore, 1 bicycle space must be provided for the proposed food and drink premises. It is noted that there is no requirement for the provision of showers or change rooms for 1 bicycle parking space.

Clause 52.34-7 requires the provision of bicycle signage where bicycle facilities are required.

**General Provision/s**

*Clause 65.01 (Approval of an application or plan)*

The decision guidelines relevant to this application are as follows:

- The purpose of the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use and development will have on the current and future development and operation of the transport system.

**Referrals**

The application was referred to the following referral authorities:

Authority	Section	Response
Department of Transport and Planning	Section 55 – Determining	Conditional consent (alteration of access to Ryley Street)

**Internal Departmental Advice**

Department	Response
Technical Services	Conditional consent (drainage and access to local road network)
Horticulture	Conditional consent (street tree removal, replacement and protection)

**Advertising**

The application was advertised to adjoining landowners/occupiers and an advertisement was placed in the Wangaratta Chronicle. 61 objections were received, including two petitions (each counted as one objection). The application was advertised in May/June 2023 and again in September 2023 after changes were made to the layout of the proposal.

The issues raised in the representations are summarised below and comments made.

Issue	Comment
The proposal represents negative net community benefit as there are other existing service stations within the surrounding area. There is no need for an additional service station.	Financial feasibility or competition of similar businesses is not a planning consideration. Council can only consider whether the proposal is appropriate based on the context of the site and the planning controls affecting the land. <i>Shehada v Whittlesea [2021] VCAT 995</i> highlights that the need for a land use is not always a determinative factor, with case law recognising that the absence of need is rarely a reason to reject an application.
The proposal would encroach on existing sensitive land uses within the immediate area.	It is acknowledged that there are residential properties adjacent to the subject site. Although, the subject site is within commercial zoning which is appropriate for the proposed use of the land. Further, the subject site is adjacent to an arterial road where it would be expected to find more intensive commercial activities regardless of the immediate interface with a residential zone.

Issue	Comment
The proposal represents a negative amenity outcome for the area.	It is considered that standard conditions relating to operations and the provision of streetscaping will assist in protecting the amenity of surrounding properties, although, as discussed above, the subject site is within zoning that permits the proposal and there is a reasonable expectation for more intensive commercial activities given the context of the site being adjacent to the town centre, an arterial road and other busy commercial enterprises.
The proposal does not support the heritage character of the HO20.	Whilst considerations can be made to ensure the proposal represents a positive urban design outcome, the heritage design considerations of the HO20 cannot be applied to the subject land as the HO20 does not affect the subject land.
The proposal will reduce the walkability of the neighbourhood.	The proposal seeks to remove the crossover to Meldrum Street and does not result in the removal or limitation of any existing pedestrian footpaths within the surrounding area. Therefore, the proposal is not considered to reduce the existing walkability of the area.
The proposal would impact of the fauna of the surrounding area.	Whilst the proposal would result in the removal of two callistemons located within the road reserve of Ryley Street, there are additional streetscaping opportunities with the removal of the crossover to Meldrum Street. Further, there is no landscaping on the subject land currently, whilst the proposal includes landscaping opportunities.
There is insufficient information to determine whether the proposal will result in contaminated stormwater.	The proposal was referred to Council's Technical Services Unit as the relevant drainage authority who consented to the proposal subject site conditions. These conditions include requirements for stormwater to be managed in accordance with IDM standards to ensure that runoff is appropriately directed and treated, as required.
The proposal would detrimentally impact on surrounding sensitive land uses due to increased noise.	As mentioned above, standard conditions can be included on any issued permit to ensure alarms and other noise generating items are noise attenuated or treated to assist in reducing noise. Although, given the location of the site adjacent to a busy road, things like vehicle noise are not something that could be reasonably controlled via permit conditions

Issue	Comment
	and are generally experienced in built up areas already.
The proposal does not include land separation techniques in its design.	The amended layout has moved the service station building and introduced the food and drink premises to provide a built form buffer between the fuel canopy and properties to the east. The location of the car parks and the provision of landscaping will assist in providing a buffer between the refuelling operation and properties to the south.
The proposal would result in traffic safety and congestion issues, particularly at the Ryley Street and Perry Street intersection.	The application was referred to the Department of Transport and Planning as the relevant road management authority for Ryley Street who did not object to the proposal subject to conditions. Additional traffic management documentation was supplied as part of the application that demonstrates that the traffic movements to and from the site can be appropriately managed so as to avoid traffic safety conflicts.
The proposed signage would be visible to surrounding residential properties and does not meet Clause 52.05.	The proposed signage is discussed in detail later in this report.
Potential on-street parking on Meldrum Street would detrimentally impact on the amenity of the surrounding area.	Meldrum Street already has capacity to be used for on-street parking by a number of existing land uses within the surrounding area. The proposal will provide on-site parking that is considered to be sufficient based on the number of potential visitors that are not purchasing fuel (i.e. parking their vehicles under the fuel canopy during their visit). Further, the food and drink premises only requires 3 parking spaces based on the floor area of that building, which are available on site. Therefore, any overflow parking is considered to be unlikely or only occur occasionally, and not unusual for a residential road immediately adjacent to a commercial precinct.
Council has approved two other service stations along the same gateway road which have not been constructed.	Council cannot comment on financial viability or competition of similar commercial enterprises. Planning policy does not extend to these considerations.
Wangaratta service stations experience	Previous violent incidents at other service stations do not technically affect the assessment of this application. Although,

Issue	Comment
elevated crime rates and violent incidents.	policy does allow for considerations regarding ensuring the parking areas proposed for the site promote safety through passive surveillance and appropriately directing pedestrians through those areas. The proposal is considered to have good sight lines from the buildings and does not include secluded publicly accessible areas that could encourage criminal activities.
The proposal does not support Council's work towards zero carbon by 2050.	It is noted that this goal is particular to Council operations and assets, and the statement is not intended to be imposed on external parties (Environmental Sustainability Strategy, pg. 26).
Council should be planning for a reduction of car reliability and increase walking and biking opportunities.	Council has an adopted Walking and Cycling Strategy that focusses on developing key connections and extensions to existing walking and cycling paths within the municipality. It is noted that there are footpaths available on both Ryley and Perry Streets adjacent to the subject site which will not be removed as part of this development. Therefore, walking opportunities will not be impacted.
Concerns around potential site contamination from previous land use.	There is no evidence that there were underground tanks or soil contamination resulting from the previous land use. The site was concreted and the proposal does not seek to introduce a sensitive land use that could be impacted by potential contamination.
Concerns around site contamination resulting from the proposal in the future.	There are EPA requirements regarding remediation of disused service stations. Any service station that is demolished would need to adhere to those requirements.
Is the site suitably zoned for a service station?	The Commercial 1 Zone permits the use of the land for a service station, subject to planning approval.
Potential impact on operation of adjoining businesses	The proposal is not considered to pose a risk to the operation of adjacent businesses, particularly given that the proposed development layout seeks to locate the fuel canopy away from the buildings located to the east of the subject site. The proposed service station shop and food and drink premises will act as buffers between the refuelling activities and the neighbouring properties. Standard conditions can be imposed on any issued permit to ensure that noise and odour are controlled.

Issue	Comment
Drop in land value for neighbouring properties.	This is not a planning consideration.
The proposal will result in excessive traffic on Meldrum Street.	The proposal has been amended to ensure that traffic can both enter and exit the site via Ryley Street and Perry Street. There is no need for traffic to be directed via Meldrum Street, especially as the existing crossover on that frontage is to be removed.
Potential light pollution from the proposal.	Standard conditions can be imposed on any issued permit to ensure that security or floodlighting is baffled and directed so as not to spill outside of the property. Further, existing and replacement street trees along Meldrum Street will assist in obscuring any light from the development at night.
24-hour operating hours are inappropriate adjacent to a residential area.	This concern is considered to be a relevant consideration for this proposal. This matter is discussed later in this report.
Traffic safety risks for children in the residential areas.	As discussed previously, the application was referred to the Department of Transport and Planning and Council's Technical Services Unit for considerations regarding traffic management. Both provided conditional consent to the proposal. It is considered that traffic can be appropriately managed to ensure safe ingress and egress from the land, and it is reasonable to assume that road users would be respectful of conditions and road rules.
The proponent should find a different site for the proposal.	Council cannot force an applicant to make an application on a different site. Council can only make an assessment for the proposal herein at the subject land proposed.
The proposed signage will detrimentally impact the surrounding area, particularly at night.	The internally illuminated signage is discussed later in this report.
The proposal is inappropriate due to its proximity to a kindergarten	The Goodstart Learning Centre is located on Moore Street and relies on a different part of Ryley Street for access. It is not considered that the proposal herein will detrimentally impact on the operation of that facility.
There is too much signage on Ryley Street.	Visual clutter is a relevant consideration for proposed signage and is discussed later in this report.

### **Planning Assessment**

*Use of the land for a service station and food and drink premises within the Commercial 1 Zone*

The Commercial 1 Zone seeks to “create vibrant mixed use commercial centres”, with the subject site being located on the immediate outer of the central activity centre for Wangaratta. The immediate commercial surrounds contain larger commercial enterprises (Coles, Kmart, etc), take away food premises (McDonalds, Hungry Jacks, KFC and Subway), other service stations and smaller food and drink premises, and a number of accommodation premises. There is also a residential interface to the south (Meldrum Street) that is within the Neighbourhood Residential Zone – Schedule 1, that is also affected by the Heritage Overlay – HO20 (this overlay does not affect the subject site). The surrounding area has an established mixed character, with a large variation of built form and extent of signage. The area is also characterised by Ryley Street, which is an arterial road and provides connection to the eastern and western ends of Wangaratta to the Hume Freeway. This is a high traffic area, with high visitation to the commercial premises along Ryley Street and through traffic to the central activity centre. Therefore, this is an area that already has traffic and associated noise as part of the everyday lived experience. The previous land use for a tyre repair centre was consistent with the mixed use character found within the surrounding area, and was in contrast to the residential character to the south. Therefore, based on this mixed character and proximity to Ryley Street, that proposal is considered to be appropriately located and zoned.

Although, whilst the site may be appropriate for a service station development generally, consideration must be given to the proposed 24-hour operation of the use. Whilst the subject site has been used for commercial purposes previously, the tyre repair centre was not a 24-hour operation. The proposed intensification must be considered against the purpose of the zone and compatibility with surrounding land interfaces. This is a location that is already affected acoustically by traffic noise at night and standard conditions can be imposed to ensure that light spill is not directed towards residential properties (headlight movements can be screened via landscaping). Illuminated signage is also proposed to be located along Ryley Street on the opposite side of the subject site from the residential interface. The proposal is not a land use that would inherently draw additional visitors to the town out of normal hours, therefore, it is not considered that 24-hour operations would necessarily increase traffic noise and movements at night. Therefore, it is unlikely that there will be an unreasonable amenity impact.

The APCO on the opposite side of Ryley Street operates 24 hours, with that service station also having a residential interface with the Residential Growth Zone – Schedule 1 (Roy Street East) and Mixed Use Zone (Norton Street). Further, that service station also has a car wash immediately adjacent to the residential properties which has the capacity for additional amenity impacts. The proposal herein has sought to direct traffic and operations away from the adjacent residential properties and street network. Therefore, the 24-hour operation is considered to be consistent with other service stations within the immediate vicinity with residential interfaces.

*Proposed development layout*

Local planning policy (Clause 15.01-1L-02) seeks to “enhance the appearance of the municipality’s major gateways through prominent and distinctive built form and active frontages, urban design and landscape treatments”. The proposed built form was amended to relocate the service station building from the southern end of the site to the eastern side of the site and introduced an additional building (food and drink premises). This design layout is considered to be more responsive to the site and surrounds by providing a built form buffer to properties to the east and maintaining sight lines from Meldrum Street through to Ryley Street. The location of parking spaces 8-12 (including the air/water parking spot) along the southern boundary provides opportunity for boundary planting and the removal of the Meldrum Street crossover provides an opportunity for the provision of an additional street tree to beautify and obscure the fuel canopy from the residential properties to the south of the site.

The buildings themselves are considered to represent a positive urban design outcome, particularly as they are oriented so that the entrances are not obscured from Ryley and Perry Streets. The service station building, whilst adopting a fairly standard service station built form, includes articulation to the awning and a high level of glazing to the front. The food and drink premises building also proposes a simplistic concrete tilt panel design, although the front façade also has a high level of glazing, with an angled entry to further enhance integration with the front of the site. The plain concrete panel southern wall of the food and drink premises will face Meldrum Street. Whilst a blank concrete wall is not an optimal design response to the residential interface in terms of urban design, it will provide a good amenity buffer from noise. Although, the building is sufficiently setback from the southern boundary to provide ample landscaping opportunities which will soften the appearance of the wall.

#### *Heritage interface*

As discussed above, the HO20 (Water Tower district) does not affect the subject site and therefore heritage controls do not affect the subject site itself. Although, some consideration can be made to how the built form responds to the character of the residential interface which is heritage protected, specific heritage design outcomes could not be considered as outlined in *Spectrum Retail Group Pty Ltd v Horsham Rural CC* [2023] VCAT 1195. The heritage citation provides the following statement of significance:

“The Water Tower Precinct is significant for the way it illustrates the pattern of Wangaratta’s suburban development in the 20<sup>th</sup> century. It has a number of items of individual or group significance, because of their architectural and design qualities, or their builder, because of outstanding gardens or important trees or because of the significance former owners or occupants. The Water Tower itself is one of the oldest of its type in Australia, and is a prominent local landmark.”

It is noted that all places of individual significance identified for Meldrum Street are located further east of the subject site, with one contributory property adjacent to the subject site (35 Meldrum Street). That is not to say that the immediately adjacent residential properties along Meldrum Street do not

contribute to the heritage character of the area, rather that the proposal will not impact on any individually significant properties within the heritage citation. It is also noted that the street trees along Meldrum Street are not specifically mentioned in the existing heritage citation but have been recommended for inclusion as they contribute to the heritage significance of the streetscapes for aesthetic purposes. It is noted that the proposed does not seek to remove or impact any of those trees along Meldrum Street. It is recommended that any issued permit include a requirement for an additional street tree to match the plane tree (or another suitable species to fit the character of the area) is provided where the Meldrum Street crossover is to be removed.

The orientation of the development is considered to be appropriate for protecting the streetscape character of Meldrum Street, both for retaining the existing street trees and avoiding locating the bulk of the built form along the southern boundary. The development that will have southern interface is sufficiently setback to allow for landscaping opportunities to soften the appearance of the building when viewed from Meldrum Street, further semi-transparent fencing is also proposed to the southern boundary to provide additional screening. The subject site has been used commercially for a number of years and is commercially zoned, therefore any commercial development will always have some key differences to the appearance and form of the adjacent residential properties.

#### *Traffic and parking considerations*

The application was referred the Department of Transport and Planning as the relevant road management authority for Ryley Street. Following a request for further information, the application was amended to address a number of traffic management concerns raised by the Department which is the current layout addressed in this report. This layout was re-referred to the Department who provided conditional consent to the proposal. The amended layout sought to address traffic being directed back through the residential road network, and now seeks to direct traffic (both ingress and egress) via Ryley Street and Perry Street exclusively. There may be some traffic that still utilise Meldrum Street, although it will no longer be a necessity in order to exit on Ryley Street as direct access is provided as part of the development herein. Further to this, Council's Technical Services Unit as the local road management authority also provided conditional consent to the proposal for the use of Perry Street for ingress and egress. Therefore, the traffic management to and from the site is considered to meet the relevant legislative requirements and is satisfactory to the relevant road management authorities.

In relation to internal traffic management and parking, the amended application has altered truck turning movements for fuel and other deliveries to ensure that trucks can enter and exit the site via Ryley Street. This is considered to be appropriate for ensuring the residential amenity to the south of the site. In relation to car traffic, sufficient space has been provided between the access, buildings and fuel canopy to permit queuing of vehicles for refuelling without impacting on the functionality of the parking spaces at the front of the service station building. A designated loading area (shared between the service station and food and drink premises) is also provided which provides sufficient turning

space to ensure forward facing egress from the site without impact on other traffic movements.

In terms of sufficient parking availability for the proposal, a total of 12 parking spaces are proposed. 3 spaces must be provided for the food and drink premises, which is considered to be satisfied by the provision of four spaces immediately adjacent to that building along the southern boundary. There is no set parking requirement for the service station, and 9 car parking spaces will be available for the service station (when considering the three required spaces for the food and drink premises). 9 car parking spaces are considered to be sufficient based on how service station parking typically operates, whereby customers normally leave their vehicles parking under the fuel canopy whilst they pay and then leave directly from there. The designated parking spaces would more frequently be used for customers not purchasing fuel. As the primary land use is for the sale of fuel, the level of customers seeking to purchase convenience items only is not considered to require more than 9 car parking spaces at any one time. Therefore, the provision of 12 car parking spaces overall is considered to be sufficient.

#### *Display of signage*

The proposal includes a 10m tall pylon sign that will include internally illuminated and electronic signage for business identification and promotional purposes. The pylon sign will include approximately 1.5m of structure at the base of the sign before the signage display starts. The pylon sign is proposed to be located on the corner of Ryley Street and Perry Street, adjacent to the existing footpath.

A review of the planning permissions for other pylon signs within the surrounding area has revealed the following maximum heights:

- 13-17 Ryley Street: McDonald's pylon (signature 'M' and McCafé identification signs) 13.8m tall.
- 70-72 Greta Road: service station pylon sign 9m tall.
- 73-75 Greta Road: service station pylon sign 9m tall.
- 73-83 Tone Road: service station pylon sign 8.7m tall.

Generally, the maximum approved pylon sign height has been 9m since the introduction of local signage policy. Whilst it is acknowledged that the McDonald's pylon sign is taller, that sign is a monopole style pylon, with the signage display only occupying the top of the sign which assists in reducing the overall bulk and visual impact of the sign. Given that the proposed pylon sign herein is a solid 1.75m wide, double-sided structure, with 8.5m of sign height that includes signage display, it is considered appropriate to include a requirement to reduce the height of the sign to a maximum of 9m as part of any issued permit. This will assist in reducing visual bulk and clutter, given that there is already a large amount of signage within the Ryley Street streetscape and provide for consistency with other service stations within Wangaratta. It is noted that local planning policy (Clause 15.0-1L-01) actually seeks to avoid freestanding signs that are taller than adjacent buildings, although there is already an established character for taller pylon signs within this section of Ryley Street. The recommended reduction to 9m, whilst still taller than the proposed

building (4.76m), is more in keeping with the other pylon signs within the area and will still permit the extent of signage display sought.

The other business identification signage proposed for the fuel canopy, service station building and food and drink premises are considered to be appropriate scaled and located on the buildings to be mainly directed towards Perry and Ryley Streets and not the residential properties to the east and south. The 7/11 colour scheme (red and green feature to a white building) and precast concrete finish to the food and drink premises are considered to be sufficiently subdued given the context of the site having a partial residential interface. This colour theme is considered to be appropriate based on the commercial zoning of the site, and will not include flashing or extensive amounts of illuminated signage.

Therefore, with a requirement for reducing the overall height of the pylon sign to 9m, the proposed signage is considered to generally be appropriate to the site and surrounds.

### **Conclusion**

### **Recommendation:**

That Council issue a Notice of Decision to Grant a Planning Permit for Planning Application PInApp23/010 for the use and development of the land for a service station and food and drink premises, alteration of access to a road in a Transport Zone 2 and installation of signage at 22-28 Ryley Street Wangaratta, subject to conditions.

### **Communication**

That the applicant and objectors be advised of Council's decision.

### **Conditions**

#### **Amended Plans**

1. Before the development starts, plans must be approved and endorsed by the Responsible Authority. The plans must:
  - a. Be prepared to the satisfaction of the Responsible Authority.
  - b. Be drawn to scale with dimensions.
  - c. Submitted in electronic form.
  - d. Be generally in accordance with the plans forming part of the application but amended to show:
    - i. The pylon sign reduced to a maximum of 9m in height.
    - ii. Fencing/slatted screens to the southern boundary to be no higher than 1.8m in height and be of at least 25% transparency.
    - iii. A colour and materials schedule to include all external materials and fencing in a format able to be endorsed.
    - iv. At least one (1) bicycle parking space and associated signage as required by Clause 52.34.

### **General**

2. This permit will operate from the issued date of this permit.
3. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the Responsible Authority.
4. The layout of the use and development must not be altered from the layout on the approved and endorsed plans without the written consent of the Responsible Authority.
5. The service station may operate 24 hours per day Monday to Sunday.
6. The food and drink premises must only operate between 8am and 10pm Monday to Sunday, unless otherwise agreed in writing by the Responsible Authority.
7. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a. Transport of materials, goods or commodities to or from the land.
  - b. Appearance of any building, works or materials.
  - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste or storm water, waste products, grit or oil.
  - d. Presence of vermin.

To the satisfaction of the Responsible Authority.

8. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the Responsible Authority.
9. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service to the satisfaction of the Responsible Authority.
10. No external sound amplification equipment, loudspeakers or public address system are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
11. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the Responsible Authority.
12. Before the development is occupied, all new or extended walls on or facing the boundaries of adjoining properties or a laneway must be cleaned and finished to the satisfaction of the Responsible Authority.

13. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the Responsible Authority.
14. All waste material not required for further on-site processing must be regularly removed from the site to the satisfaction of the Responsible Authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the Responsible Authority.
15. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
16. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
17. All piping and ducting (excluding down pipes, guttering and rainwater heads) must be concealed from public view to the satisfaction of the Responsible Authority.
18. All areas of disturbed ground must be restabilised and revegetated at the completion of the development to the satisfaction of the Responsible Authority.

#### Council's Horticultural Unit

19. Before the removal of any vegetation/street trees, a fee of \$6528 per tree must be paid to the Responsible Authority for the removal of the existing street tree(s) as identified for removal on the endorsed plans.
20. Before the development is occupied, following the removal of the street trees identified on the endorsed plans, the nature strip to Ryley Street must be reinstated with top soils and reseeded, to the satisfaction of the Responsible Authority.
21. Before the development starts, tree protection fencing must be erected around the plane trees adjacent to the site on Meldrum Street and as identified for retention of the approved and endorsed plans for at least 5m around the tree (except on the road side) in accordance with *Australian Standard AS4970-2009-Protection of Trees on Development Sites*, to the satisfaction of the Responsible Authority.
22. At all times during the carrying out of the development:
  - a. The tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with *Australian Standard AS4970-2009 – Protection of Trees on Development Sites* to the satisfaction of the Responsible Authority.

- b. Development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing.

To the satisfaction of the Responsible Authority. The Responsible Authority may consent in writing to the variation of these requirements.

#### Landscaping requirements

23. Before the development starts, a landscape plan must be approved and endorsed by the Responsible Authority. The landscape plan must:
- a. Be prepared to the satisfaction of the Responsible Authority.
  - b. Be prepared by a suitably qualified person.
  - c. Have plans drawn to scale with dimensions.
  - d. Include the following:
    - i. Layout of the landscaping and planting within all open areas of the subject land.
    - ii. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
    - iii. Details of surface finishes of pathways and driveways.
    - iv. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
    - v. Provision of one additional plane tree to Meldrum Street.
    - vi. Details of any specific planting techniques to be undertaken, such as planting methodology, root barriers (including barriers between the development and the existing plane trees to Meldrum Street, with details regarding location, depth, material type and methodology), fertiliser, or any other requirements.
    - vii. Details of the reinstatement of the Ryley Street nature street following removal of the two identified street trees.
    - viii. Details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation.

The Responsible Authority may consent in writing to vary any of these requirements.

#### *Completion of landscaping*

24. Before the use starts, the landscaping as shown on the approved landscape plan must be carried out and completed to the satisfaction of the Responsible Authority. The Responsible Authority may consent in writing to vary this requirement.

#### *Landscaping maintenance*

25. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the Responsible Authority.

#### Council's Technical Services Unit

##### *General*

26. Plans and specifications must be prepared at the permit holder's expense by a suitably qualified and/or registered engineer and approved by the Responsible Authority before construction begins. The Authority will only approve plans and specifications complying with the current edition of the Local Government Infrastructure Design Association's Infrastructure Design Manual (IDM) and drawn in AutoCAD or equivalent.
27. The permit holder must complete full construction of all new access ways, roads, footpaths, parking areas, drainage, on-site detention, and related infrastructure. All works must conform to plans and specifications approved by the Responsible Authority.

##### *Earthworks*

28. Prior to the commencement of the use the permit holder must satisfy the Responsible Authority that any fill required to meet drainage, building, parking and/or access requirements has been selected, placed, and compacted in layers according to IDM standards.

##### *Drainage & On-Site Detention*

29. Before construction begins or plan certification, whichever comes first, drainage and on-site detention plans and computations, prepared according to IDM procedures and criteria, must be submitted to the Responsible Authority for approval.
30. Prior to the commencement of the use the permit holder must satisfy the Responsible Authority that:
- a. A legal point of discharge has been established within the boundary of the subject property and connected to the external drainage network according to IDM standards without reducing the flow capacity or structural integrity of the external network.
  - b. All stormwater runoff originating from or transferred through the subject property in a 10% Annual Exceedance Probability (AEP) rainfall event will be collected and conveyed by underground pipes to a legal point of discharge. In a 1% AEP rainfall event all stormwater runoff will be collected and conveyed to a satisfactory destination, without adversely affecting any person, infrastructure, or natural features in or beyond the property.
  - c. Sufficient on-site detention has been provided to limit the peak discharge from the developed site, including ground runoff, in a 10% AEP rainfall event to the pre-development level. The outflow from

- the control device and overflow from any tank will be collected and conveyed by underground pipes to a legal point of discharge.
- d. Any in-ground on-site detention will provide blockage protection for the outflow control device and provide an overflow path should blockage occur.
  - e. Any easements required to facilitate future connection to, and maintenance of, drainage infrastructure serving more than one Lot or property have been created.
  - f. All reasonable measures have been taken to prevent solid or liquid contaminants from entering the external drainage network.
  - g. The facility will operate in accordance with the EPA Best Practice Guidelines for Urban Stormwater Management Guidance, publication 1739.1 and any other publications relevant to retail fuel outlets.

#### *Water sensitive urban design*

31. Before construction begins, the permit holder must satisfy the Responsible Authority that appropriate measures will be taken to enhance the quality of stormwater discharged from the developed site, according to the procedures and criteria outlined in the Water Sensitive Urban Design Guidelines for the Rural City of Wangaratta and IDM Clause 20.

#### *Parking & Access*

32. Prior to the commencement of the use the permit holder must satisfy the Responsible Authority that:
- a. A vehicle crossing providing the subject property with safe and convenient access to and from a suitable public road has been designed, constructed, sealed, and drained according to IDM standards to accommodate vehicles up to and including a maximum length and weight agreed by the Authority.
  - b. Vehicles can enter and leave the subject property while travelling only in a forward direction.
  - c. All loading and unloading will take place within the property.
  - d. Sufficient parking for all normal levels of activity for the subject property has been provided within the property.
  - e. All parking areas and access routes available for public use have been sealed, drained and line-marked to Australian Standard 2890 and IDM standards.
  - f. Any internal footpaths and pedestrian crossings connected directly to Council footpaths have been designed and constructed to IDM standards.
  - g. When vehicles must reverse within the subject property, measures have been taken to identify hazardous areas and protect people and infrastructure from reversing vehicles.
  - h. All internal parking areas and access routes available for public use have appropriate lighting complying with IDM standards and Australian Standard 1158.

*Construction*

33. Prior to the commencement of works the permit holder must pay Council an Engineering Development fee prior to Council assessing the required engineering plans for approval, providing site supervision or inspections, and providing written certifications. The fee amount is 48 fee units.
34. Before construction begins, and during construction, a Site Management Plan and Traffic Management Plan must be submitted to and approved by the Responsible Authority, and effective measures consistent with the Plan must be taken to:
- a. Secure occupational health and safety; and
  - b. Locate any existing underground services; and
  - c. Implement effective traffic management and environmental controls; and
  - d. Establish and maintain safe construction vehicle access to the site; and
  - e. Maintain vehicle and machinery hygiene; and
  - f. Avoid the spread of soil-borne pathogens and weeds; and
  - g. Minimise erosion, sedimentation, and contamination; and
  - h. Reduce the impact of noise, dust, and other emissions; and
  - i. Prevent mud, dirt, sand, soil, clay, or stones from entering the drainage system; and
  - j. Avoid having such materials deposited on public land by construction vehicles.
35. No excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves or nature strips, unless the materials are for road or footpath construction works in these reserves required as part of this permit.
36. No tree may be removed, aside from trees clearly designated for removal in the approved plans, except with the prior written agreement of the Responsible Authority.
37. Prior to the commencement of the use, all areas, Council assets and underground services disturbed in the course of works must be restored to their original condition, to the satisfaction of the Responsible Authority

Car parking requirements

38. Before the development is occupied, the area(s) set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:
- a. Constructed.
  - b. Properly formed to such levels that they can be used in accordance with the plans.
  - c. Surfaced with an all-weather seal coat.
  - d. Drained.

- e. Line marked to indicate each car space and all access lanes.
- f. Clearly marked to show the direction of traffic along access lanes and driveways.

To the satisfaction of the Responsible Authority.

- 39. At all times car spaces, access lanes and driveways must be kept available for these purposes.
- 40. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
- 41. All car parking spaces must be designed to allow vehicles to drive forwards when entering and leaving the property.
- 42. No fewer than 12 car parking spaces must be provided on the land.
- 43. Before the development is occupied, the existing crossover to Meldrum Street must be removed and the nature strip and kerb and channel reinstated, and any new plantings completed, to the satisfaction of the Responsible Authority at the cost of the permit holder.
- 44. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay/area(s) and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.

#### Department of Transport and Planning

- 45. Only two accesses will be permitted from the subject land to Ryley Street. The eastern access must be left-in only and the western access must be left-out only.
- 46. All access to the subject land must be limited to a vehicle no greater than a B-Double.
- 47. Prior to the commencement of the use, both accesses from subject land to Ryley Street must be constructed to the satisfaction of Responsible Authority and at no cost to Head, Transport for Victoria.

#### *DTP Signage conditions*

- 48. During the operation of the sign, the maximum average luminance and threshold increment values as specified in below must not be exceeded:
  - a. Maximum average luminance:
    - i. Full sun on face of signage: No limit.
    - ii. Daytime luminance: 4000 cd/m<sup>2</sup>
    - iii. Morning and evening twilight and overcast weather: 400 cd/m<sup>2</sup>
    - iv. Night time: 200 cd/m<sup>2</sup>

- b. Threshold increment max %:
    - i. Night time: 15%
  - c. Adaption luminance:
    - i. Night time: 5
- 49. The signs must be dimmable and have a suitable control system to enable maximum lighting levels to be set or adjusted if deemed necessary by the Responsible Authority and the Head, Transport for Victoria.
- 50. Where illuminated during the day, the sign must be fitted with Photocell/s (light sensor/s) that measure the ambient light and control system technology that enables the luminance of the sign to automatically adjust relative to the measured ambient light level.
- 51. Electronic signage must have an Upward Light Ratio (ULR) of less than 50% and the design must include facilities (such as integral baffles) to mitigate upward waste light.
- 52. No sign content must be displayed on the electronic fuel pricing sign other than fuel pricing.
- 53. The transition from one fuel price to another must be instantaneous.
- 54. The sign must not display content, images or text:
  - a. Giving the illusion of continuous movement.
  - b. Capable of being mistaken for traffic signals or traffic control devices, including red, amber or green circles, octagons, crosses or triangles.
  - c. Capable of being mistaken as an instruction to a road user, including the wording stop, give way, slow down, turn left or turn right.
  - d. With a flashing background, flashing text, flashing images, blinking or fading elements that create the illusion of movement.
  - e. Containing any animation.
  - f. Capable of being interpreted as projections beyond the face of the advertising screen such as through 3D technology.
  - g. Consisting of present time or other contemporary update information relating to news, weather or time.
  - h. Containing video, movie or television broadcasts.
- 55. The sign and any displayed advertisement must not include any ancillary extension, embellishment or accessorisation within or outside the permitted advertising area unless the Head, Transport for Victoria has agreed to in writing prior to its installation.
- 56. The use of sound or motion to activate the sign is not permitted.
- 57. The use of sound to interact with road users is not permitted.
- 58. The sign must not dazzle or distract road users due to its colouring.

59. In the event of an attack by a computer hacker or similar resulting in unauthorised display of visual images or any other display malfunction, the electronic sign must shut down and cease any form of visual output until the malfunction is repaired.

60. This permit expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.

#### Sign requirements

61. The location and details of the sign(s), and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.

62. The signs must not be animated or contain any flashing or intermittent light.

63. The sign(s) including the structure and content must be constructed and maintained to the satisfaction of the Responsible Authority.

#### Permit Expiry

64. This permit will expire if any of the following circumstances applies:

- a. The development is not started within two (2) years of the issued date of this permit; or
- b. The development is not completed within four (4) years of the issued date of this permit; or
- c. The use does not start within four (4) years of the issued date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

#### Permit Notes:

##### *Technical Services:*

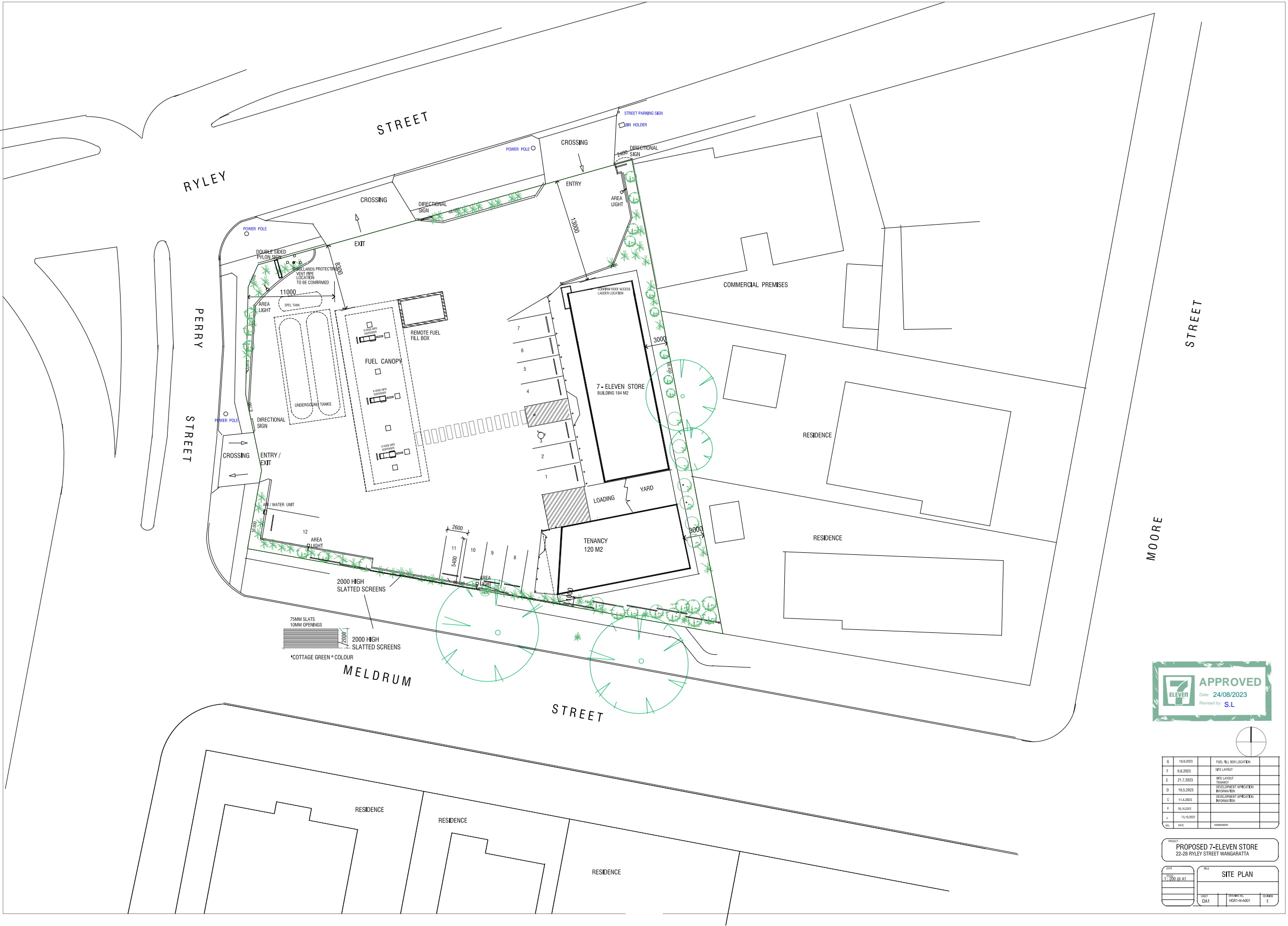
- Before undertaking any works that cross onto Council land or roads, the permit holder must obtain a Consent to Work within a Road Reserve permit.
- Before undertaking any works that cross onto other public land or roads, the permit holder may need to obtain approval from the relevant authority.

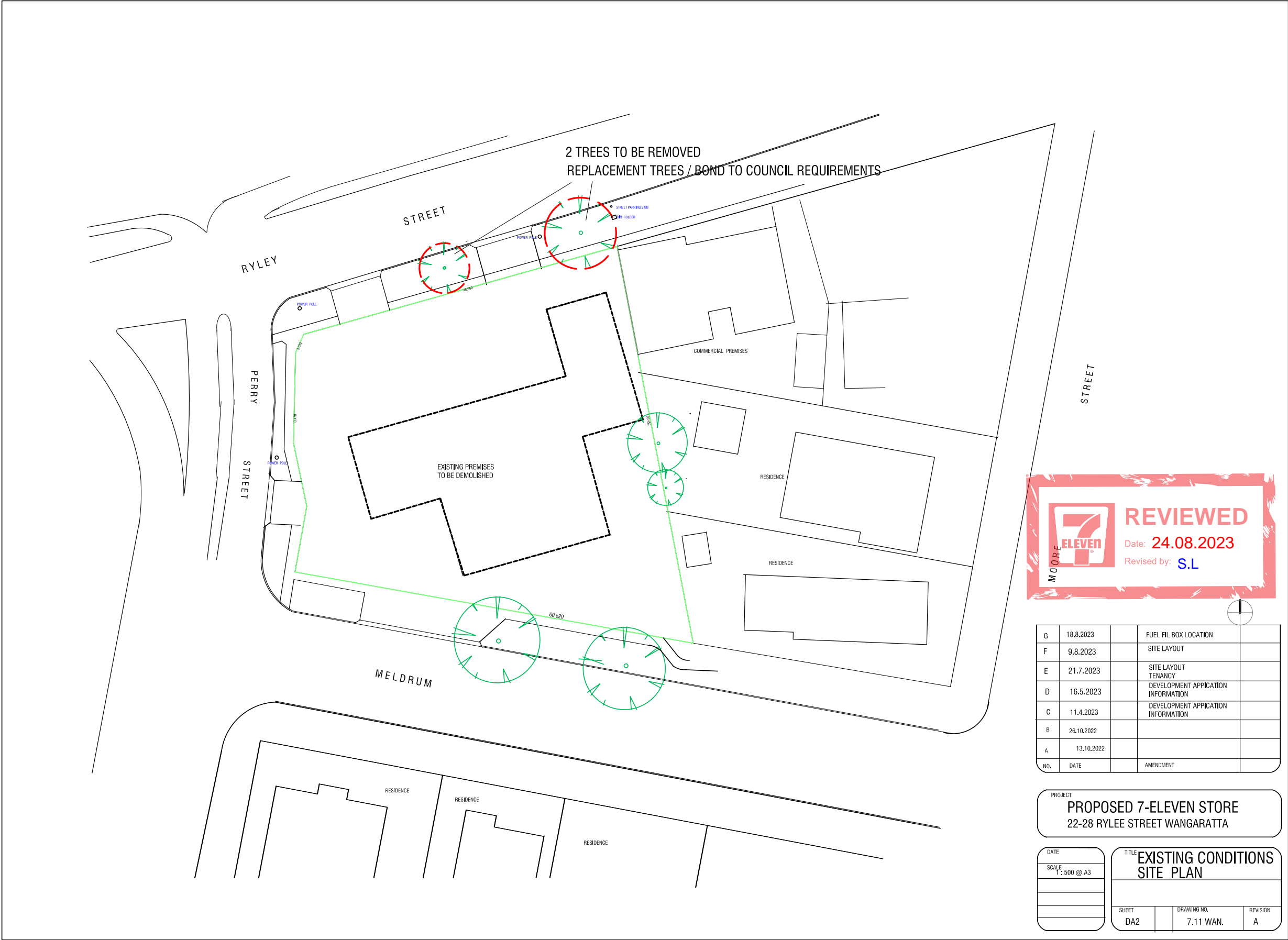
##### *Department of Transport and Planning:*

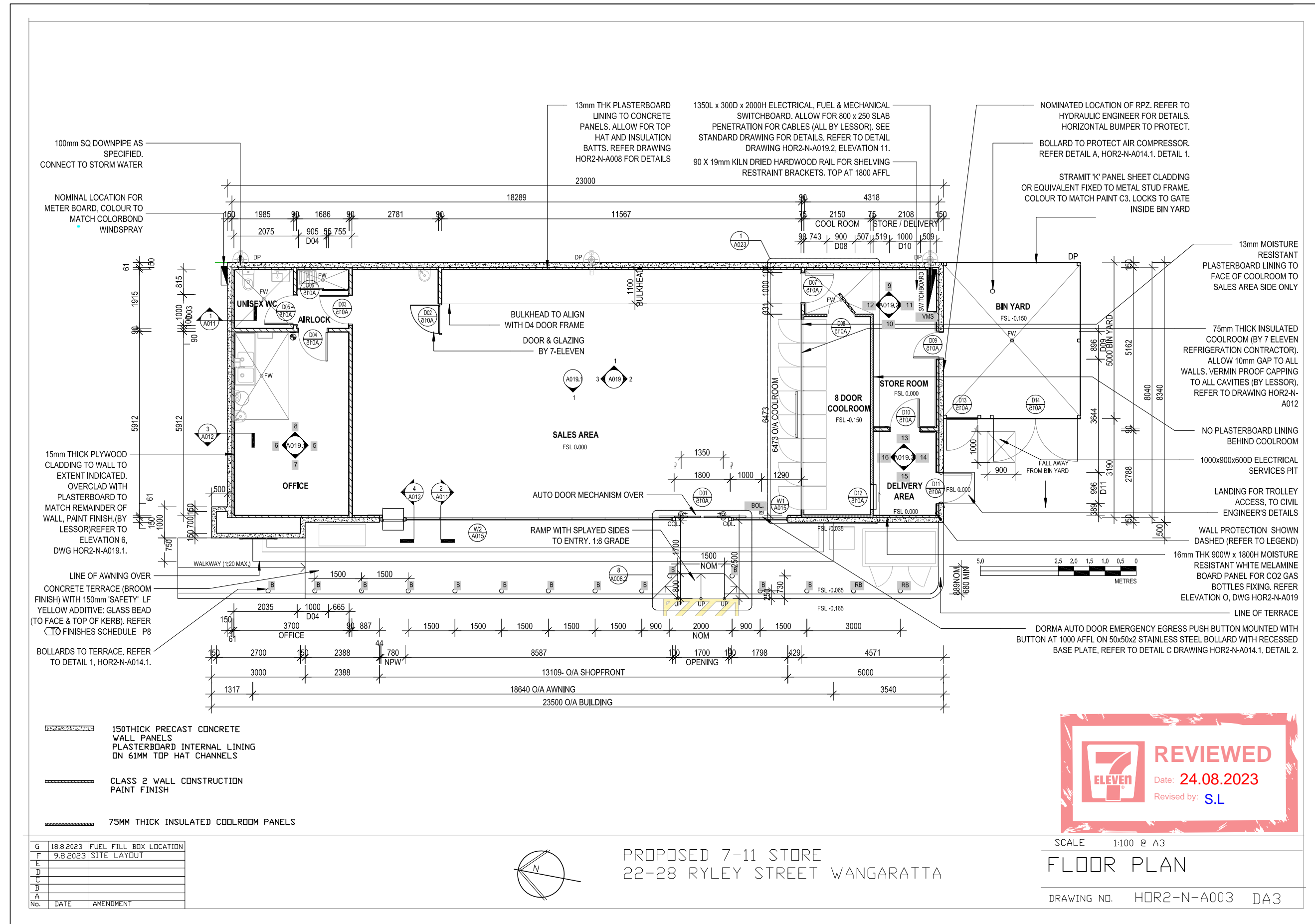
- Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004.

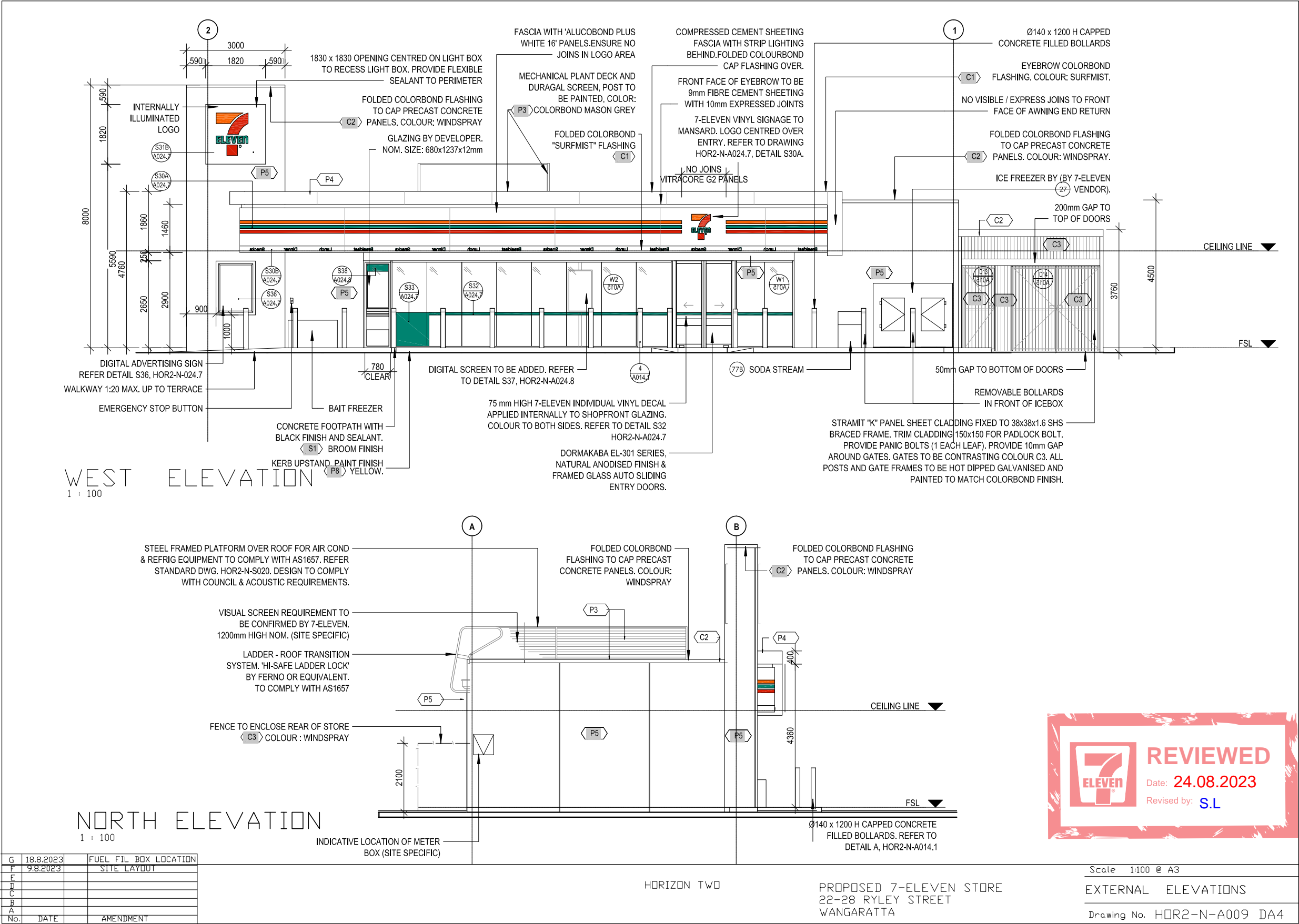
Further information regarding consent to work within the road reserve can be found on the VicRoads Website: [www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve](http://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve).

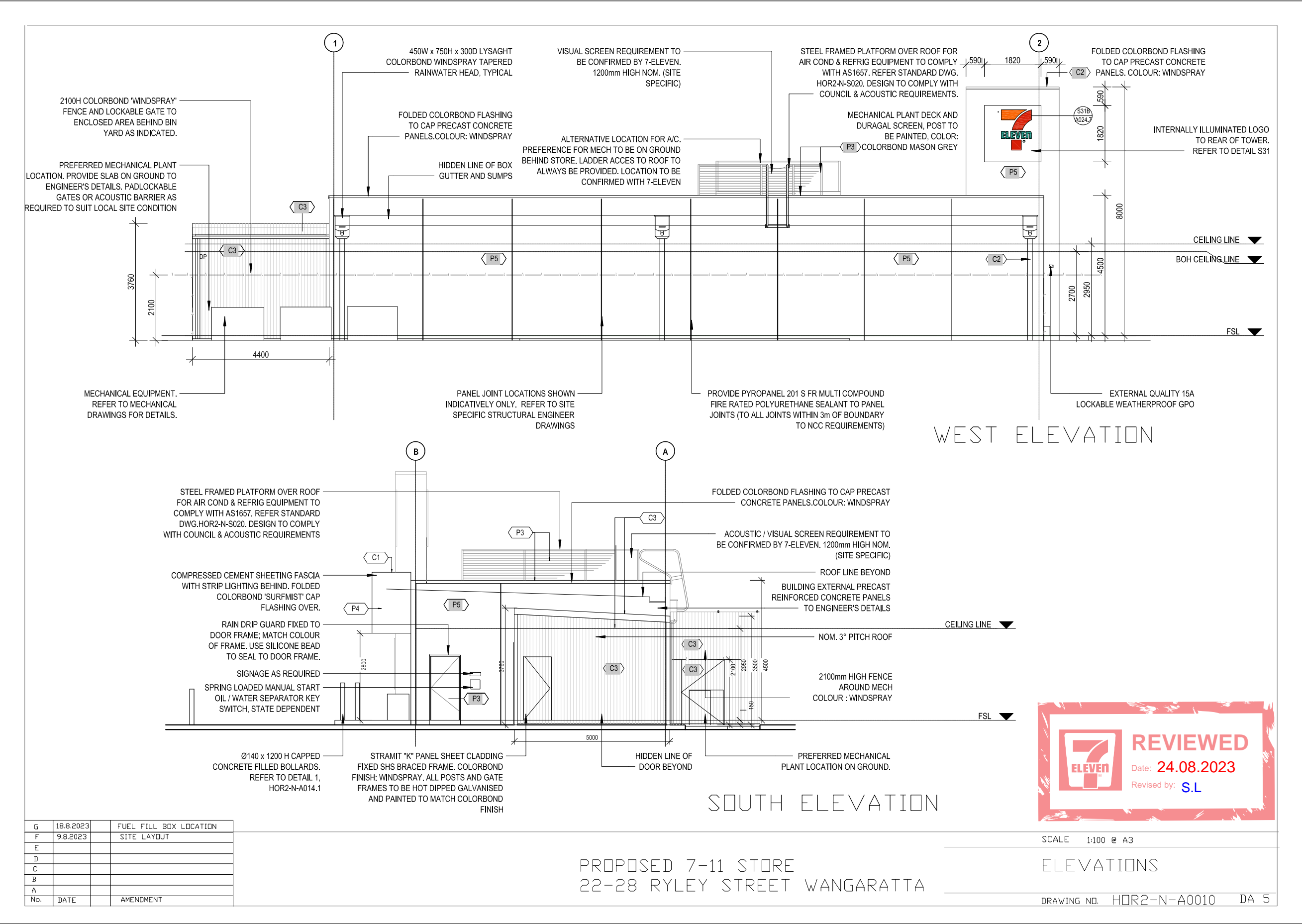


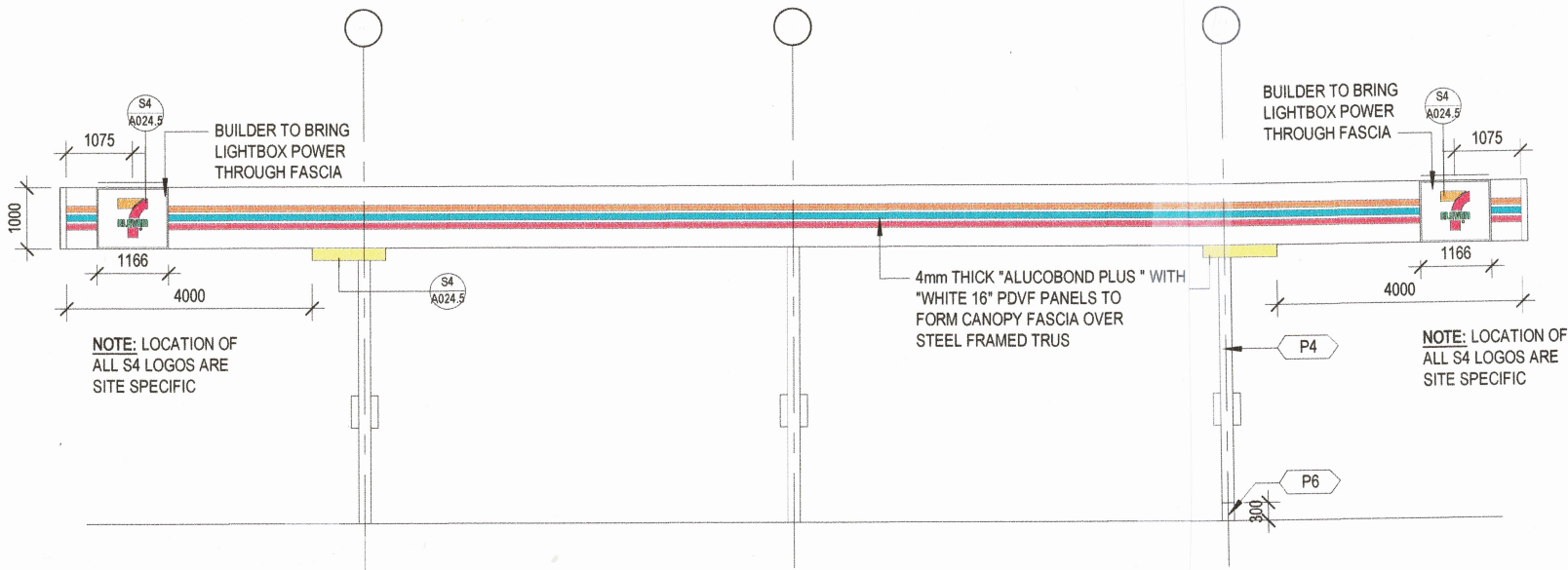






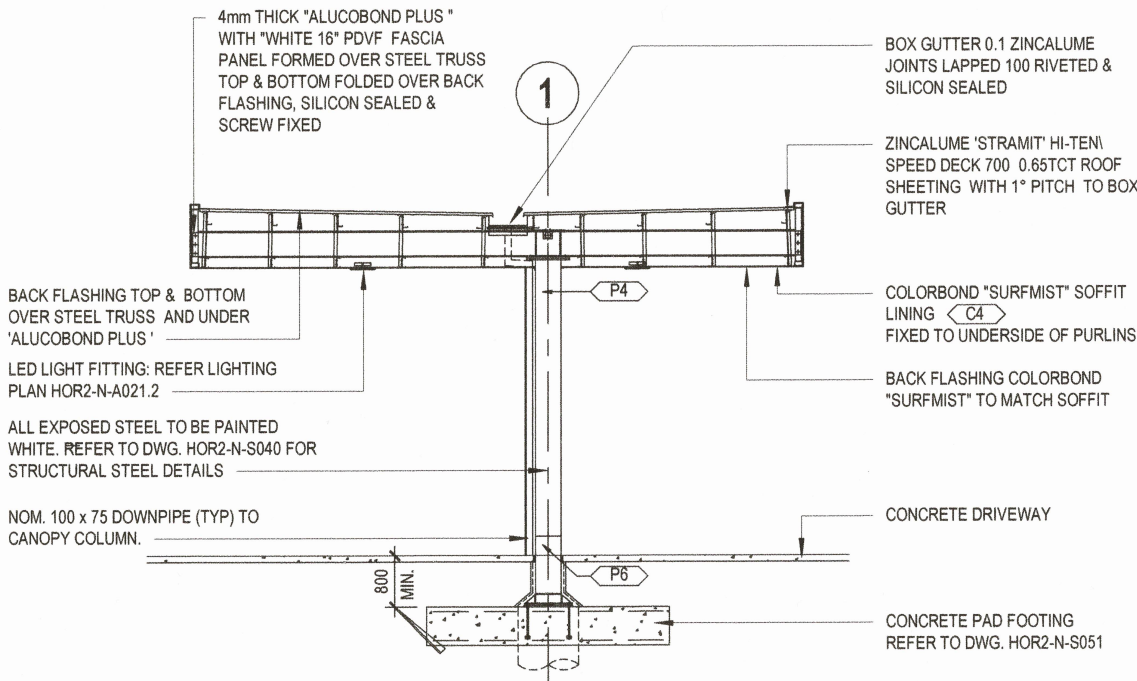






WEST ELEVATION

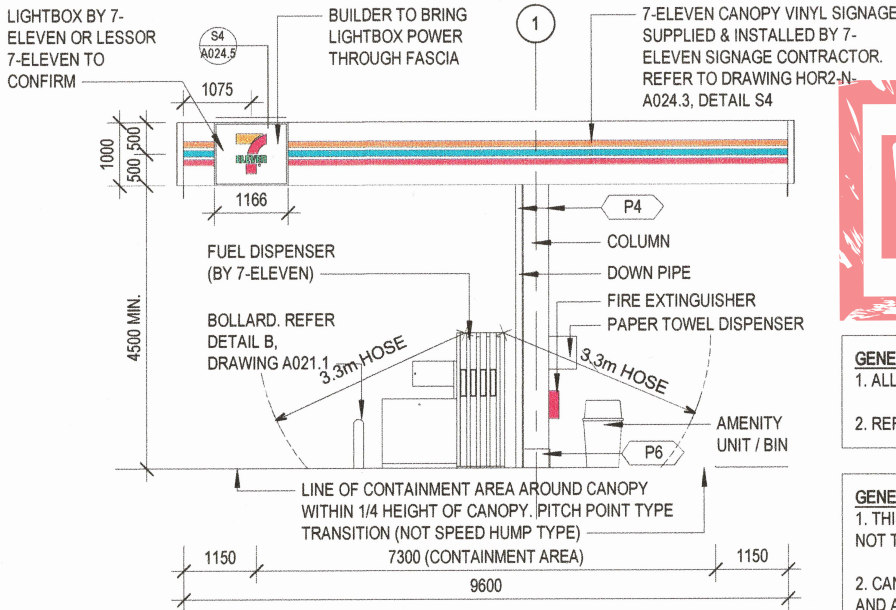
Scale: 1 : 100



1 SECTION

Scale: 1:100

NOTE: PROVIDE E003 LOCK / KEY FOR ALL FIRE EXTINGUISHER CABINETS. PROVIDE EXTRA LOCK / KEY FOR MANIFEST CABINET TO BE LOCATED ELSEWHERE ON SITE



SOUTH ELEVATION

Scale: 1 : 100



- GENERIC NOTES**
1. ALL WORKS TO BE COMPLETED BY LESSOR UNLESS NOTED
  2. REFER TO DRAWING A020 FOR FINISHES SCHEDULE

- GENERAL NOTES**
1. THIS GENERIC DRAWING IS FOR INFORMATION ONLY AND NOT TO BE USED FOR CONSTRUCTION
  2. CANOPY DESIGN MUST BE IN COMPLIANCE WITH AS1940 AND ALL OTHER RELEVANT STATUTORY AND LOCAL AUTHORITY'S REQUIREMENTS
  3. BUNDED AREA TO BE DESIGN TO SUIT SITE CONDITIONS



Status **FOR INFORMATION ISSUE**

7-ELEVEN STORES PTY. LTD. ABN 48 005 299 427  
TEL: (03) 9541 0711 FAX: (03) 9965 1954  
BUILDING 2, 658 CHURCH STREET  
RICHMOND  
VICTORIA 3121  
AUSTRALIA

Revision

A | | | | ACRD

Project

**HORIZON TWO**  
NARROW GENERIC DRAWINGS

All dimensions are in millimeters. Vary all dimensions on site prior to commencement of any work. Do not scale off drawings. Copyright remains property of this office.

Scale @ A3 As indicated

Drawn ACRD

Date 03.05.2023

Drawing

**CANOPY DETAILS 3**

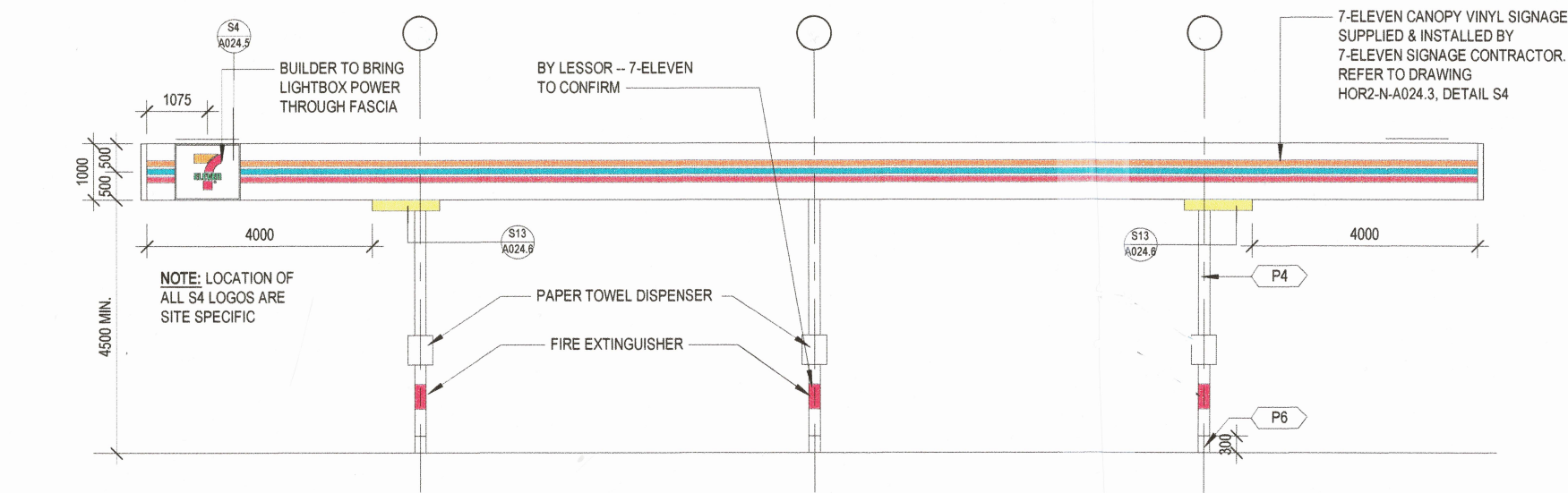
Store No.

Revision

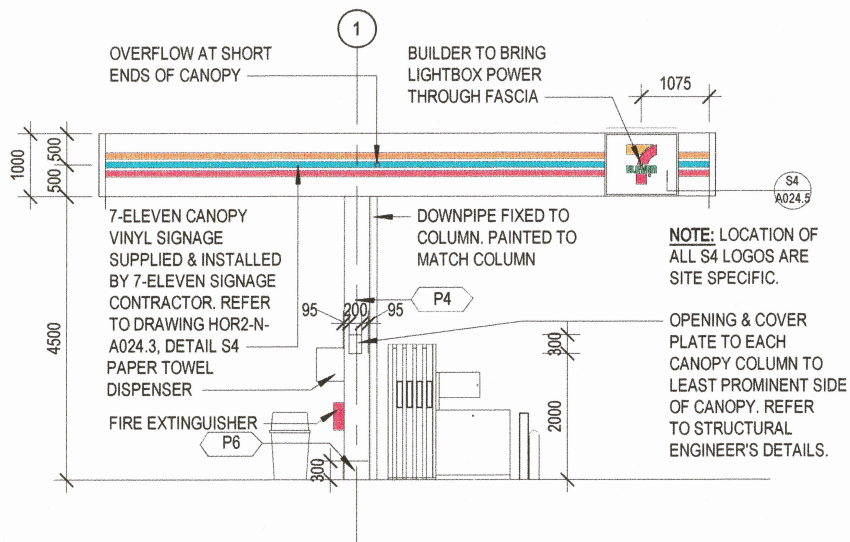
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Drawing No.

**HOR2-N-A021.3**



EAST ELEVATION  
1: 100



C NORTH ELEVATION  
1: 100



NOTE: PROVIDE E003 LOCK / KEY FOR ALL FIRE EXTINGUISHER CABINETS. PROVIDE EXTRA LOCK / KEY FOR MANIFEST CABINET TO BE LOCATED ELSEWHERE ON SITE

- GENERIC NOTES
1. ALL WORKS TO BE COMPLETED BY LESSOR UNLESS NOTED
  2. REFER TO DRAWING A020 FOR FINISHES SCHEDULE



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AUSTRALIA

Revision

1	ACRD
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Project

**HORIZON TWO**  
NARROW GENERIC DRAWINGS

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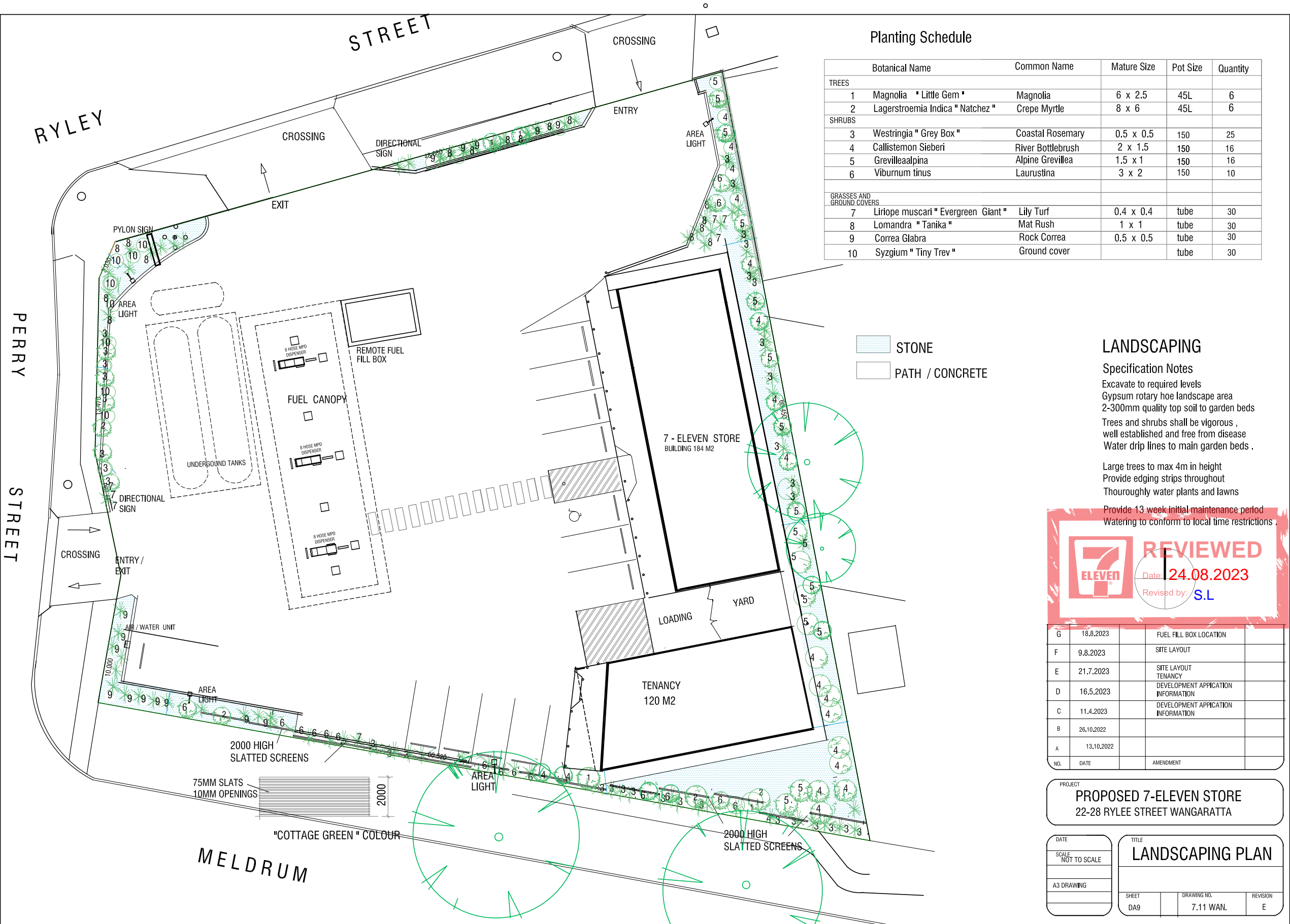
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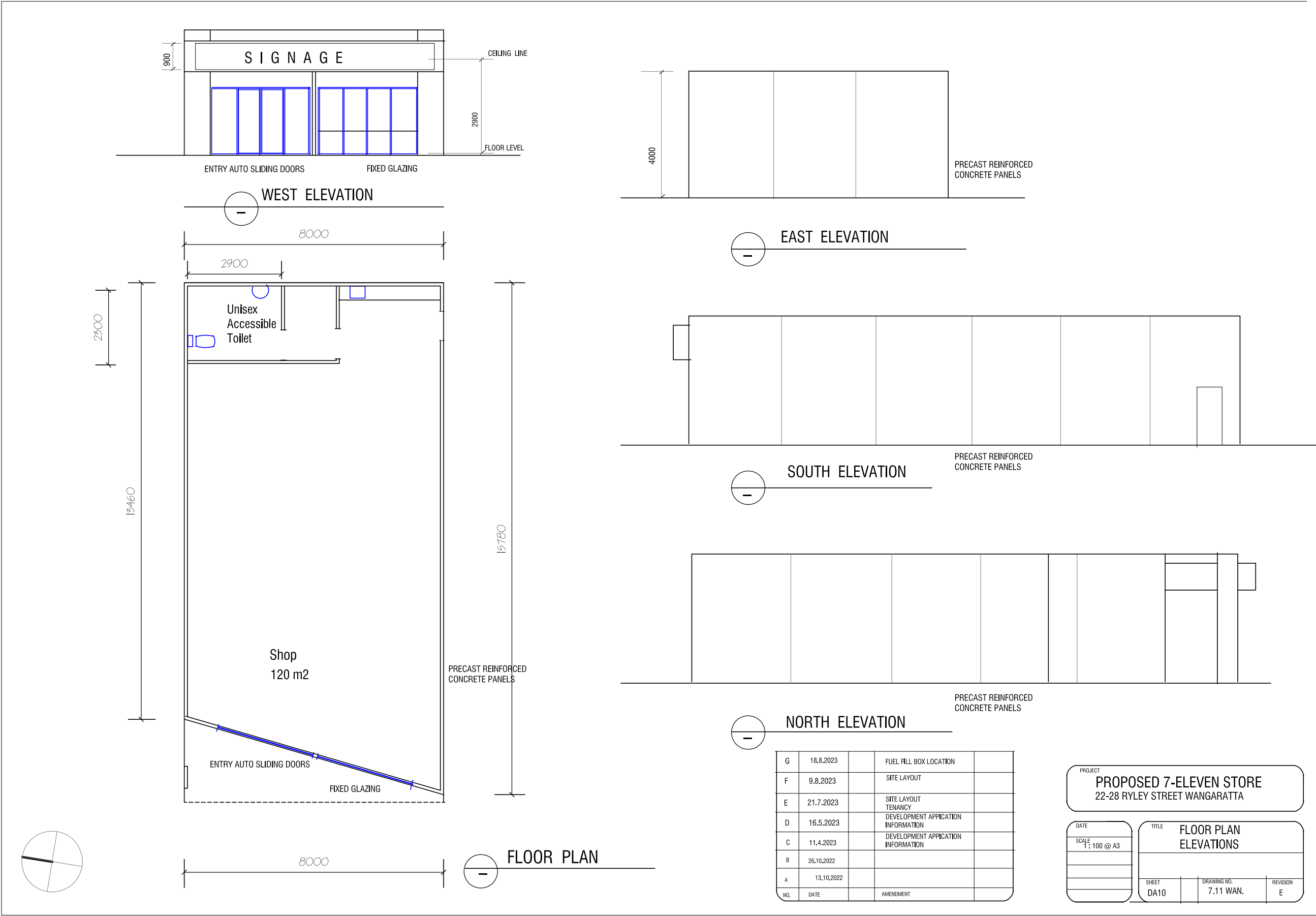
Drawing

**CANOPY DETAILS 4**

Store No.	Revision	Drawing No.
-	A	<b>HOR2-N-A021.4</b>







**Appendix 1 – PlnApp22/103 - Proposed permit conditions**

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
2. Before the plan of subdivision is certified under the *Subdivision Act 1988*, plans and reports must be approved and endorsed by the responsible authority. The plans and reports must:
  - a) be prepared to the satisfaction of the responsible authority.
  - b) be drawn to scale with dimensions and submitted in electronic form.
  - c) be generally in accordance with the plans and reports forming part of the application, but amended to show the following:

Concept Development Plan

- i. indicative dwelling silhouettes removed.
- ii. remnant vegetation retained in lots 7 and 18 to be notated as being retained.
- iii. remnant vegetation in Sandford Road to be identified.

Building and Wastewater Envelope Plan

- iv. drafted in a format suitable for registration with the Registrar of Titles (namely the plan must be drawn in monochrome or be black and white, use hatched detailing to indicate affected areas and/or arrows with descriptors).
- v. generally reflect the building and wastewater envelopes shown on the Concept Development Plan including setbacks to neighbouring properties.
- vi. include sufficient written dimensions to enable convenient interpretation.
- vii. provide an effluent disposal area of sufficient dimensions to each lot ensuring that a minimum unencumbered area of 500m<sup>2</sup> remains available for effluent disposal once an internal vehicle accessway has been provided to each lots nominated building envelope.
- viii. provide an effluent disposal area compliant with the setback requirements as detailed in Table 5 of the EPA Code of Practice - Onsite Wastewater Management.

#### Land Capability Assessment

- ix. revised Land Capability Assessment including revised recommendations and effluent disposal envelopes generally reflecting the layout shown on Concept Development Plan M7526 Ver 6 (27/07/2023).
- 3. The layout of the subdivision must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.
- 4. All existing and proposed easements and sites for existing and required utility services and roads on the land must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the *Subdivision Act 1988*.
- 5. The subdivision must proceed in the order of stages as shown on the approved and endorsed plan. The responsible authority may consent in writing to vary this requirement.
- 6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, and electricity to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
- 7. Prior to the issue of a Statement of Compliance, unless it can be demonstrated to the satisfaction of the Responsible Authority that a public open space contribution has previously been made in relation to the subject land, the permit holder must pay to the Council a sum equivalent to five per cent of the undeveloped site value of all land in the subdivision in lieu of open space.

Unless otherwise agreed to in writing by the Responsible Authority, the permit holder must request Council, in writing, to undertake the property valuation and must pay the Council's reasonable costs and expenses to provide such a valuation.

- 8. The owner of the land must enter into an agreement with:
  - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

9. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the item; and
  - b) a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

#### **Restrictions on Title**

10. Prior to the certification of Stage 1 the land owner must make an application to the responsible authority to end Section 173 Agreements AK909393C, AN933427Y and AS326138Y in accordance with Section 178 of the *Planning and Environment Act 1987*.
11. Prior to the issue of a Statement of Compliance for Stage 1 the permit holder must demonstrate to the satisfaction of the responsible authority that Section 173 Agreements AK909393C, AN933427Y and AS326138Y have been removed from the Title of the land.
12. Prior to the issue of a Statement of Compliance for Stage 1, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*. The agreement must provide the following:

#### **Attached Plans**

- a) Incorporate (have attached) the 'Building and Wastewater Envelope Plan' endorsed pursuant to Planning Permit PInApp22/103.

#### **Specific Obligations of Landowners**

- b) Building Envelopes and Siting
  - i. On each lot to be created, buildings (including eaves and other like encroachments), may be constructed only within the building envelopes as shown on the endorsed plans of this permit and forming part of this agreement.
  - ii. The finished floor level of any dwelling must be constructed no less than 450mm above the finished surface level of any building envelope.

- iii. No outbuilding or shed may be constructed within the setback of any dwelling to a public road.
- iv. No fencing, other than rural style post and wire or post and rail fencing, is permitted outside of designated building envelopes.

For the purposes of this agreement a 'building' includes dwellings, verandahs, pergolas, outbuildings, sheds, gazebos, decks, swimming pools, spas and water tanks. For the purposes of this agreement fences are not a 'building' and may be constructed outside of any building envelope subject to any specific requirements outlined in this agreement.

c) Wastewater and Effluent Treatment

- i. On each lot to be created, effluent disposal must be confined to the effluent disposal envelopes as shown on the endorsed plans of this permit and forming part of this agreement. Those areas set aside for effluent disposal must remain available for that purpose at all times.
- ii. Any dwelling constructed on a lot must install and treat all domestic wastewater via an Aerated Wastewater Treatment System (secondary treatment system). The system must be installed, operated and maintained generally in accordance with Land Capability Assessment Report prepared by A.C Geotechnical, Report number 22111, the current revision of the EPA Code of Practice - Onsite Wastewater Management and any Septic Tank Permit issued by the responsible authority.

d) Potable Water Supply

- i. Prior to the occupation of any dwelling constructed on a lot, a rain water tank must be provided for the purposes of a dedicated potable water supply. The tank must be of sufficient capacity to independently service the potable water requirements of the associated dwelling.

Any rainwater tank used to also serve ancillary requirements of on-site stormwater detention and/or static water supply for fire-fighting must be designed and installed with multiple outlets to ensure that all requirements can be independently and concurrently achieved.

e) Onsite Stormwater Detention

- i. Prior to the occupation of any dwelling constructed on a lot, a rainwater tank (or tanks) with a storage capacity of at least 25,000 litres must be connected to the roof of each habitable building on the lot for the purposes of stormwater detention. The rainwater tank/s must be installed in a manner whereby all stormwater falling on the roof of the building is collected and conveyed to the rainwater tank/s.

- ii. Each stormwater detention rainwater tank must incorporate a drawdown outlet, not more than 33mm in diameter, installed in a manner that ensures that a reserve capacity of at least 11,250 litres will be restored following drawdown.
  - iii. The discharge from all drawdown outlets and tank overflow outlets must be collected and conveyed by pipes to a nominated legal point of discharge.
- f) Further subdivision
- i. The land shall not be further subdivided in a manner that creates additional lots until such time as every lot forming part of any subdivision can be provided with reticulated sewer.
- g) Acknowledgement of Farming Activities
- i. The owner of the land acknowledges the Farming Zoning of the land and the surrounding area which is used for farming purposes. The owner acknowledges these activities and the rights of adjoining properties to undertake agricultural activities and the potential offsite impacts of such activities.
- h) Country Fire Authority Requirements
- i. Prior to the occupation of any dwelling constructed on a lot, the following requirements must be implemented and maintained to the satisfaction of the Responsible Authority on a continuing basis;
    - A minimum of 20,000 litres of water (or lesser amount with written approval of CFA) must be provided for firefighting purposes and which meets the following requirements:
    - The tank must be on the same lot as the dwelling, be above ground and be constructed of concrete or metal.
    - All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
    - The tank must incorporate a ball or gate valve (British Standard Pipe 65mm) and CFA coupling (64 mm CFA 3 thread per inch male fitting).
    - The CFA coupling on the water tank must be within 4 metre of the access way and be unobstructed.
    - The location of the tank must be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
    - Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).
  - ii. Access to the dwelling and firefighting water supply within the lot must meet the following requirements:
    - Curves must have a minimum inner radius of 10 metres.

- The trafficable width must be a minimum of 3.5 metres, be of all-weather construction and have a minimum load limit of 15 tonnes.
- Encroachments must be clear for at least 0.5 metres on each side and 4 metres above the access way.
- Where the distance to the dwelling or water supply outlet from the road exceeds 60 metres then a turning area for firefighting vehicles close to the dwelling must be provided by one of the following:
  - A turning circle with a minimum radius of 8 metres.
  - A driveway encircling the dwelling.
  - The provision of other vehicle turning heads – such as a T or Y head which meet the specification of Austroads Design for an 8.8 metre service vehicle.

#### Compliance with this Agreement and Council Access

- i) The Owner covenants and agrees to allow the Council and its officers, employees, contractors or agents or any of them, to enter the Land (at any reasonable time) to assess compliance with this Agreement.

#### Indemnity

- j) The Owner covenants to indemnify and keep the Council, its officers, employees, agents, workmen and contractors indemnified from and against all costs, expenses, losses or damages which they or any of them may sustain incur or suffer or be or become liable for or in respect of any suit action proceeding judgement or claim brought by any person arising from or referable to this Agreement or any non-compliance with this Agreement.

The owner/operator under this Permit must pay the full costs of preparing, executing and registering the Agreement, and provide the Authority with written confirmation that the Agreement has been registered in accordance with Section 181 of the Act.

#### Native Vegetation

- 13. Before the development starts and at all times during the carrying out of the development, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, to the satisfaction of the responsible authority.
- 14. At all times during the carrying out of the development:
  - a) the tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans.
  - b) Development works, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction

materials and vehicles of any kind or any other actions or activities that may result in adverse impacts to retained native vegetation must not occur on or over and must be excluded from any areas inside the tree protection fencing to the satisfaction of the responsible authority. The responsible authority may consent in writing to the variation of these requirements.

15. If these exclusion zones are not put in place or construction works cannot be physically carried out without impacting these zones, this vegetation, whilst still retained must be counted as removed and additional approvals must be obtained, and an appropriate offset plan produced.
16. Before works start, the permit holder must advise all persons undertaking the vegetation removal, development or works on site of all relevant permit conditions and associated statutory requirements or approvals.

#### **Engineering and Civil Construction**

17. The permit holder must complete full construction of all new access ways, roads, drainage, on-site detention, footpaths, shared paths and any related civil infrastructure. All works must conform to plans and specifications approved by the Responsible Authority.

Plans and specifications must be prepared at the permit holder's expense by a registered engineer and approved by the Responsible Authority before construction begins. The Authority will only approve plans and specifications complying with the current edition of the Local Government Infrastructure Design Association's Infrastructure Design Manual (IDM) and drawn in AutoCAD or equivalent.

18. Prior to the issue of a statement of compliance the permit holder must satisfy the Responsible Authority that:
  - a) Where an existing dam, basin or other water body will be filled, the area has been drained and desilted to IDM standards before filling begins.
  - b) Any fill required to meet drainage, building, parking and/or access requirements has been selected, placed, and compacted in layers according to IDM standards.
  - c) Any batters or retaining walls whose individual or cumulative height above or below the adjacent ground level exceeds one metre, and/or any soil stabilisation measures, have been designed and constructed to IDM standards under the supervision of a qualified civil engineer.
19. Before construction begins or plan certification, whichever comes first, drainage and on-site detention plans and computations, prepared according to IDM procedures and criteria, must be submitted to the Responsible Authority for approval.

The plans must be generally in accordance with the drainage strategy outlined in the submitted Stormwater Quality Management Strategy, M7526 (17/070/2023) including that stormwater discharge from the site be directed to Grant Lane.

20. Prior to the issue of a statement of compliance the permit holder must satisfy the Responsible Authority that:
  - a) A legal point of discharge has been established within the boundary of each lot and connected to the external drainage network according to IDM standards without reducing the flow capacity or structural integrity of the external network.
  - b) All stormwater runoff originating from or transferred through each Lot in a 18% Annual Exceedance Probability (AEP) rainfall event will be collected and conveyed by underground pipes or open channels to a legal point of discharge. In a 1% AEP rainfall event all stormwater runoff will be collected and conveyed to a satisfactory destination, without adversely affecting any person, infrastructure, or natural features in or beyond the Lot.
  - c) Any easements required to facilitate future connection to, and maintenance of, drainage infrastructure serving more than one Lot or property have been created.
  - d) No part of any open channel conveying stormwater from or through the developed site passes through the zone of influence of an effluent disposal field.
21. Prior to the issue of a statement of compliance the permit holder must satisfy the Responsible Authority that the finished surface levels of all building envelopes, as shown on the endorsed plans, are above the peak water level in nearby waterways, floodways or water bodies in a 1% AEP rainfall or flood event.
22. Before construction begins, the permit holder must satisfy the Responsible Authority that:
  - a) Sufficient on-site detention will be provided to limit the peak discharge from the developed site in a 18% and 1% AEP rainfall event to the corresponding pre-development level, unless otherwise agreed by the responsible authority.
  - b) Any in-ground infrastructure used for on-site detention will provide blockage protection for the outflow control device so far as reasonably practicable, and an alternative overland flow path should blockage occur.
23. Before construction begins, the permit holder must satisfy the Responsible Authority that appropriate measures will be taken to enhance the quality of stormwater discharged from the developed site, according to the procedures and

criteria outlined in the *Water Sensitive Urban Design Guidelines for the Rural City of Wangaratta* and IDM Clause 20.

24. A Traffic Impact Assessment Report (in accordance with the relevant guidelines) must be submitted. The report must address traffic and access issues arising from the (completed) subdivision, predicted traffic generation and the impact of the development on the existing road network, nearby intersections and access points to abutting land. The report must make recommendations for appropriate intersection treatments to Boorhaman Road and identify any mitigation works that may be required.
25. Before construction begins or plan certification for each stage, whichever comes first, the permit holder must submit designs prepared by a registered engineer for roads and intersections serving the development in accordance with recommendations of an approved Traffic Impact Assessment Report.
26. Prior to the issue of a statement of compliance for each stage the permit holder must satisfy the Responsible Authority that:
  - a) All roads and intersections have been constructed according to the approved designs.
  - b) Appropriate drainage has been constructed to IDM standards on both sides of every new road within the development.
  - c) All existing or proposed roads within the subject property have appropriate high-efficiency street lighting according to IDM standards and Australian Standard 1158.
27. Prior to the issue of a statement of compliance the permit holder must satisfy the Responsible Authority that a vehicle crossing providing each Lot with safe and convenient access to and from a suitable public road has been designed, constructed, sealed, and drained to IDM standards.
28. Prior to the issue of a statement of compliance for Stage 2 of the subdivision, the permit holder must satisfy the Responsible Authority that the approved pedestrian and emergency access to Boorhaman East Road has been suitably designed, constructed, sealed and drained in accordance with IDM standards, to the satisfaction of the Responsible Authority. The design must allow for shared access for cyclists and pedestrians while preventing vehicle access generally, but still allow for immediate emergency vehicle access.
29. Prior to the issue of a statement of compliance for the final stage of the subdivision, the permit holder must satisfy the Responsible Authority that the approved shared path from the development to the Boorhaman Recreation Reserve has been suitably designed, constructed, sealed and drained in accordance with IDM standards, to the satisfaction of the Responsible Authority.

30. Before the development starts, the areas set aside for the wastewater envelopes and purposes of distribution and absorption of wastewater must, so far as practicable, be protected to prevent soil disturbance during construction of the proposed development to the satisfaction of the Responsible Authority.
31. Subject to the consent of the Responsible Authority, where earthworks associated with the establishment of building envelopes necessitates soil disturbance of areas set aside for wastewater envelopes, or practical avoidance of soil disturbance in these areas is otherwise unavoidable, wastewater envelopes must be compacted and hydroseeded upon the completion of earthworks.
32. Where the development will be completed in stages, plans and specifications for each stage, including any temporary works required, must be submitted to and approved by the Responsible Authority before construction begins.
33. Prior to the issue of a Statement of Compliance for each stage:
  - a) When any drainage infrastructure serving completed stages is located outside the boundary of those stages, the permit holder must create temporary easements, so the Authority has appropriate legal access to the infrastructure in question.
  - b) A temporary court bowl must be designed and constructed to IDM standards (Clause 12.3.4) at the end of any road that ends without a permanent court bowl. Arrangements must be made to ensure that adjacent permanent sealed road surfaces are not damaged.
  - c) The permit holder must lodge a bond with Authority equal to 150% of the full cost of upgrading any temporary works to IDM-compliant permanent infrastructure. This amount must include any necessary land acquisition.
34. Within two years following the issue of a statement of compliance for each stage, the permit holder must upgrade any temporary courtbowls to IDM-compliant permanent courtbowls, to the satisfaction of the Authority, unless development of the following stage has commenced.
35. Before construction begins, where a development includes landscape elements that will pass into the ownership and control of Council, a Landscape Plan for each stage must be submitted to and approved by Council. The plan must demonstrate provision of appropriate street trees, reserve plantings and screening buffers generally in accordance with the landscaping shown on the endorsed Concept Development Plan but including a detailed planting schedule, paths, treatment of road reserve areas and any other proposed landscaping elements.
36. Prior to the issue of a statement of compliance all works relevant to the current stage shown on the Landscape Plan must be completed to the satisfaction of Council.

37. Before construction begins, and during construction, a Site Management Plan and Traffic Management Plan must be submitted to and approved by the Responsible Authority, and effective measures consistent with the Plan must be taken to:
- a) Secure occupational health and safety
  - b) Locate any existing underground services
  - c) Implement effective traffic management and environmental controls
  - d) Establish and maintain safe construction vehicle access to the site
  - e) Maintain vehicle and machinery hygiene
  - f) Avoid the spread of soil-borne pathogens and weeds
  - g) Minimise erosion, sedimentation, and contamination
  - h) Reduce the impact of noise, dust, and other emissions
  - i) Prevent mud, dirt, sand, soil, clay, or stones from entering the drainage system
  - j) Avoid having such materials deposited on public land by construction vehicles
  - k) Establish and maintain all recommended Tree Protection Zones.
38. No excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves or nature strips, unless the materials are for road or footpath construction works in these reserves required as part of this permit.
39. Prior to the issue of a statement of compliance, all areas, Council assets and underground services disturbed in the course of works must be restored to their original condition, to the satisfaction of the Responsible Authority and reserve areas must be tidied, levelled, and trimmed to a standard capable of being maintained by a small tractor and slasher.
40. All civil infrastructure, other than landscape elements, created by the development and passing into Council ownership must be maintained by the permit holder in good condition and repair for a period of three months following practical completion of the works. Any subsequent defects must be corrected as they become evident for a further period of nine months.
41. All landscape elements, including vegetation integral to WSUD devices, created by the development, and passing into Council ownership, must be maintained by the permit holder in good condition and repair for a period of at least 24 months, including two complete summers, from practical completion. During this period, any dead, diseased, or damaged plants and/or landscaped areas must be repaired or replaced as soon as reasonably possible, rather than upon completion of the maintenance period. Any landscaping elements replaced during the defects period will be subject to a new 24-month maintenance period.
42. Prior to the issue of a statement of compliance the permit holder must:
- a) Submit an itemised statement of the civil construction costs for the current stage, excluding GST to be approved by Council.

- b) Provide Council with a civil works maintenance bond equal to 5% of the approved civil construction costs for the current stage. This bond will be held by Council until all defects reported before or during the maintenance and defects liability period have been made good to the satisfaction of Council.
  - c) Unless otherwise agreed to, provide Council with a landscaping maintenance bond equal to 5% of the approved landscaping costs for the current stage. This bond will be held by Council until any and all defects reported before or during the landscaping defects liability period have been made good to the satisfaction of Council.
  - d) Pay to Council plan checking fees equal to 0.75%, and site supervision fees equal to 2.5% of the approved civil construction costs for the current stage.
  - e) Arrange CCTV verification of all underground drainage assets to be handed over to Council at the conclusion of current stage and supply the results of that verification to Council in the format specified in the IDM.
43. Prior to the issue of a statement of compliance as-constructed drawings covering all civil construction works for the current stage must be submitted to Council in A-SPEC and DWG or DXF format, geo-referenced to Zone 55, GDA 94, to the satisfaction of Council, unless otherwise agreed by Council.

**Permit Commencement and Expiry**

44. This permit will operate from the issued date of this permit.
45. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:
- a) The plan of subdivision for Stage 1 has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit.
  - b) All stages of the plan of subdivision have not been certified within 8 years of the issued date of this permit.
  - c) A statement of compliance is not issued within 5 years of the date of certification.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

**AusNet Electricity Services Conditions**

46. The applicant must enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.

47. The applicant must enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
48. The applicant must enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
49. The applicant must provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
50. The applicant must obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
51. The applicant must adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
52. The applicant must set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
53. Given the existing 22kV feeder is a REFCL feeder, additional HV underground assets will trigger the need for a REFCL isolating substation. Should this be required, an additional reserve may be required on the plan of subdivision for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
54. The applicant must provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
55. The applicant must provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
56. The applicant must agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.

57. The applicant must ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

**Country Fire Authority Conditions**

58. Section 173 Agreement Required

Before statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987.

The agreement must state that if a dwelling is constructed on any lot, that the following must be implemented prior to occupancy of that dwelling and maintained to the satisfaction of the Responsible Authority on a continuing basis:

- a) A minimum of 20,000 litres of water (or lesser amount with written approval of CFA) must be provided for firefighting purposes and which meets the following requirements:
  - i. The tank must be on the same lot as the dwelling, be above ground and be constructed of concrete or metal.
  - ii. All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
  - iii. The tank must incorporate a ball or gate valve (British Standard Pipe 65mm) and CFA coupling (64 mm CFA 3 thread per inch male fitting).
  - iv. The CFA coupling on the water tank must be within 4 metre of the access way and be unobstructed.
  - v. The location of the tank must be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
  - vi. Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).
- b) Access to the dwelling and firefighting water supply within the lot must meet the following requirements:
  - i. Curves must have a minimum inner radius of 10 metres.
  - ii. The trafficable width must be a minimum of 3.5 metres, be of all-weather construction and have a minimum load limit of 15 tonnes.
  - iii. Encroachments must be clear for at least 0.5 metres on each side and 4 metres above the access way.
  - iv. Where the distance to the dwelling or water supply outlet from the road exceeds 60 metres then a turning area for firefighting vehicles close to the dwelling must be provided by one of the following:
    - A turning circle with a minimum radius of 8 metres.

- A driveway encircling the dwelling.
- The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroads Design for an 8.8 metre service vehicle.

#### 59. Roads

Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- a) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- b) Curves must have a minimum inner radius of 10 metres.
- c) Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- d) Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

#### Permit Notes

- For the purposes of satisfying Section 173 Agreement conditions of the Country Fire Authority (condition 55), these requirements have been amalgamated into Rural City of Wangaratta condition 12. Satisfactory compliance with condition 12 will be deemed to also satisfy condition 55.
- This permit does not include the removal, destruction or lopping of native vegetation. The removal, destruction or lopping of any native vegetation requires a further permit, unless identified as exempt under the provisions of the Wangaratta Planning Scheme.
- Before undertaking any works that cross onto public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work within a Road Reserve.
- Trees within road reserves are protected Council Infrastructure. No tree within the road reserve may be removed, lopped or otherwise destroyed in the carrying out of works associated with this permit.

**AusNet Electricity Services Permit Notes**

- It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).
- Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.
- Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.



Rural City of  
**Wangaratta**

This report has been prepared to document the statutory planning processing and assessment pursuant to the *Planning and Environment Act 1987 (the Act)*.

## **WANGARATTA PLANNING SCHEME – OFFICER REPORT**

**PlnApp22/103**

**Staged Multi-Lot Subdivision and Variation of Easements.**

**Boorhaman East Road BOORHAMAN VIC 3678**

**Lot D PS822851P VOLUME 12251 FOLIO 050**

### **KEY DETAILS**

<b>Land owner</b>	<b>DJ O'Keefe</b>
<b>Applicant</b>	<b>North East Survey Design Pty Ltd</b>
<b>Zone</b>	<b>Township Zone</b>
<b>Overlays</b>	<b>Nil</b>
<b>Property ID</b>	<b>19749</b>
<b>Site inspection</b>	<b>The site was visited on multiple occasions during the assessment.</b>

### **PROPOSAL AND SITE DETAILS**

#### **Subject Site**

The subject land is located in the north of the Boorhaman township approximately 400m north of the Boorhaman recreation reserve (and golf course), effectively being bordered by Boorhaman Road to the west, East Boorhaman Road to the south and (unmade road) Sandford Road to the north. The site has an area of 24.3Ha and is generally rectangular in shape with protruding access points to Boorhaman and Boorhaman East roads respectively. Topographically the site is generally flat with the exception of interspersed drainage lines and a depression along the sites southern boundary. The site is largely devoid of any significant canopy vegetation with the exception of two medium sized

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remnant eucalypts. The site otherwise comprising pasture grasses. Improvements are limited to that of a small shed rural fencing and two small dams. The land is currently used for agricultural purposes at modest intensities.



**Subject site in context of Boorhaman township (IntraMaps 2022)**



**Subject site in context of Boorhaman township (IntraMaps aerial imagery 2022)**

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**Subject site and surrounds (IntraMaps aerial imagery 2022 – note that cadaster polygon is misaligned to underlying imagery by approx. 14-16m)**

### **Surrounding Land**

Adjoining the sites western and southern boundaries are a number of lots developed for residential purposes. These lots range in size from 2400m<sup>2</sup> to 9700m<sup>2</sup> but are typified by lot sizes in the range of 5000m<sup>2</sup> to 6000m<sup>2</sup>. The majority of these lots were created by previous small subdivisions (3-5 lots) of the periphery of the subject land over the last decade. The built form of these neighbouring lots is typified by modern detached single-story dwellings many with large outbuildings, most being afforded generous setbacks and separation. Landscaping has generally commenced on these lots yet plantings for the most part are juvenile and remain in their infancy.

Immediately to the north of the site lies an unmade road reserve (Sandford Road) beyond which lies expansive agricultural land typified by relatively flat and sparsely vegetated cropping and grazing operations. Land to the east is similarly used and developed for agricultural purposes. To the south of the site is the Boorhaman township the core of which consists of half a dozen dwellings and hotel. The Boorhaman recreation reserve is also located south of the site. The broader locality consists predominately of highly productive mid to large scale agricultural ventures whilst to the west lies the Warby Ovens National Park and Ovens River flood plain.

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**The Proposal**

The application seeks approval to undertake a staged subdivision of the land. Contrary to previous piecemeal subdivisions of the site, the current application proposes to subdivide the entirety of the site creating thirty-seven (37) new lots. The proposed layout is also shown to incorporate a new local road network inclusive of perimeter roads on the northern and eastern boundaries, a 1.6Ha drainage reserve and new vehicle and pedestrian connections. The general subdivision layout is shown below;



**Proposed subdivision layout (NESD, M7526 Ver 6)**

It is proposed to undertake the subdivision across four (4) stages. The proposed drainage basin is shown to be developed as part of stage 1. A summary of each stage is shown below;

Stage	No. of Lots	Lot Sizes
1	9	5001m <sup>2</sup> - 5071m <sup>2</sup>
2	10	5911m <sup>2</sup> - 8955m <sup>2</sup>
3	9	5003m <sup>2</sup> - 5024m <sup>2</sup>
4	9	5001m <sup>2</sup> - 5039m <sup>2</sup>

Each lot is shown to include an indicative effluent disposal field (envelope) and indicative building envelope. Effluent envelopes are located at the front of each proposed lot. No setbacks are specifically nominated for building envelopes but measured at scale indicate a setback of 3m from any newly proposed boundary and a minimum of 10m from any existing boundary and/or neighbouring property.

The proposed layout shows a new road network in the form of an internal loop road with two connections to Boorhaman Road. The road provides for gentle curvature along its southern and western legs whilst traffic calming slow points with vegetated outstands are shown along the eastern road leg. The first access (proposed to be constructed in Stage 1) is approximately 460m north of Boorhaman East Road. This intersection is shown to include upgrades to the existing Boorhaman Road. The second access

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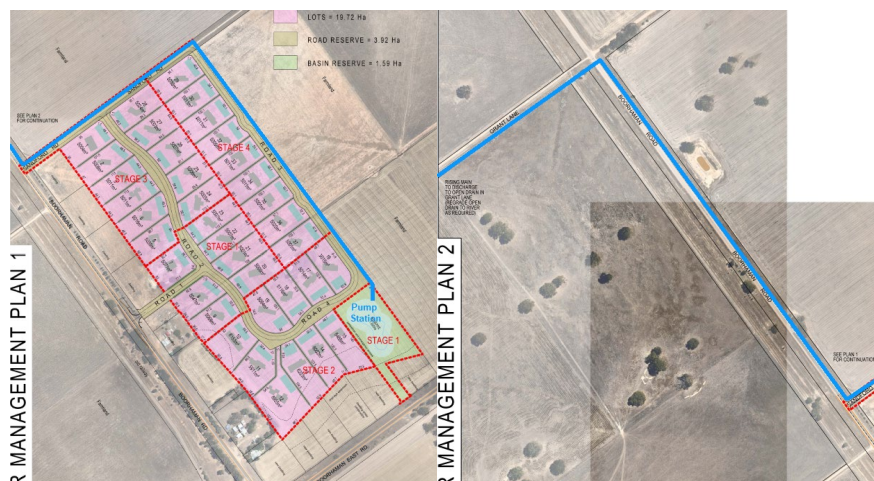
(proposed to be constructed in Stage 3) will be constructed in the existing Sandford Road road reserve. The proposed road layout provides for a permitter road along the sites interfaces with agricultural land on the northern and eastern boundaries.

A footpath is shown on one side of all new roads. A shared path is also shown within the drainage basin and continuing to Boorhaman East Road. This path is nominated as providing emergency vehicle access to the internal road. The shared path is further shown to continue beyond the subject land, west along Boorhaman East Road before heading south along Boorhaman Road providing off-street pedestrian and bicycle connectivity from the subject site to the Boorhaman recreation reserve.

Extensive landscaping is shown as being proposed in the form of street tree plantings, buffer plantings along interfaces with existing properties and plantings within the drainage reserve.

Drainage infrastructure to service the subdivision is to be provided in the form of a detention basin in the southeast of the site. The associated drainage reserve has an area of 1.6Ha. The proposed basin is shown to be an elongated organic freeform shape bordered by a maintenance/shared path. Drainage outflows are proposed to be via a pumped system with discharges being directed north within the proposed road reserve along the sites eastern boundary then to Sandford Road, then north along Boorhaman Road and then west along Grants Lane from where existing drainage network will convey flows to the Ovens River.

It is proposed to alter and or remove (as required) existing drainage easements on the land to reflect and function with the proposed stormwater management system.



**Drainage Plan (NESD, M7526 Stormwater Management Plan Ver 4, *emphasis added*)**

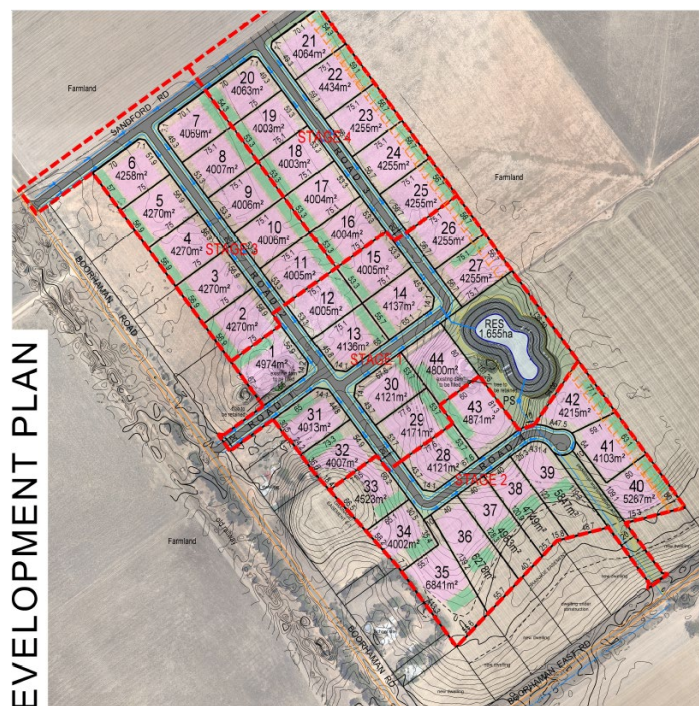
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### Application History and Evolution

The proposal has evolved significantly from when the original application was submitted to Council. The initial proposal sought approval for 44 Lots with a design incorporating an internal road loop and elongated cul de sac. This version never proceeded to public advertising due to significant and fundamental shortcomings identified with the layout.

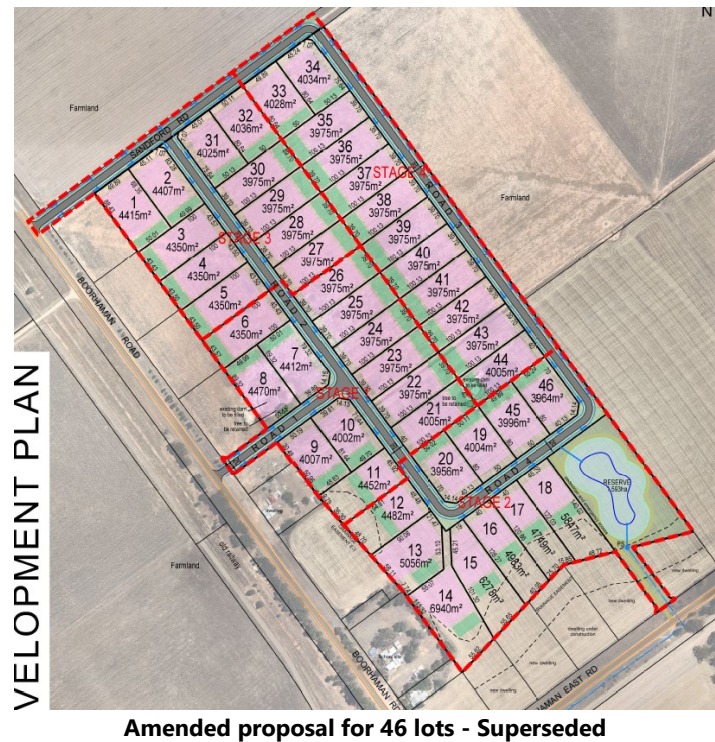
Following consultation with Council a revised proposal was submitted that included a perimeter road along the northern and eastern boundaries. The revised proposal sought approval for 46 lots. This version of the proposal was subject to public notice and received a number of objections.

Following conciliation proceedings, further revisions were made to the proposal reducing the lot yield (to 37 lots) and amending the drainage design. It is this version of the proposal that is the subject of this assessment.



Initial proposal for 44 lots - Superseded

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PLANNING CONTROLS & TRIGGERS

Control	Clause(s)	Consideration
Township Zone	Clause 32.05-5	A permit is required to subdivide land.

The sections of both Boorhaman Road and Boorhaman East Road adjacent the site are encumbered by the Vegetation Protection Overlay (Schedule 2). No native vegetation within these overlays is to be impacted by works.

Planning Scheme Mandatory Requirements

Pursuant to Clause 53.01 the proposal is subject to a Public Open Space contribution. This requirement is addressed in further detail below.

Cultural sensitivity

Pursuant to the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan (CHMP) is not required as the land is not a registered cultural heritage place or an area of cultural heritage sensitivity.

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**Restrictions on Title (Covenants, S173 agreements and easements)**

There are three separate restrictions lodged on title in the form of Section 173 agreements. These restrictions state:

- Section 173 agreement AK909393C contains restrictions pertaining to required wastewater treatment systems and building envelope finished surface heights. These restrictions are derived from a previous subdivision of the site and are not intended to burden land forming part of the current proposal (i.e. what was at the time the residual non-residential lot).
- Section 173 agreement AN933427Y contains restrictions pertaining to required wastewater treatment systems, building envelope finished surface heights and onsite stormwater detention requirements. These restrictions are derived from a previous subdivision of the site and are not intended to burden land forming part of the current proposal.
- Section 173 agreement AS326138Y contains restrictions pertaining to onsite stormwater detention requirements, building envelope finished surface heights, fencing restrictions and a restriction on the siting of buildings and effluent disposal areas. As with the previously referred to agreements these restrictions are derived from a previous subdivision of the site and are not intended to burden land forming part of the current proposal.

The current proposal does not specifically contravene any of these restrictions. However, whilst each of the restrictions shown on Title were at their inception not intended to burden the current subject site (by virtue of the land always previously being the residual lot not intended for residential development), each agreements wording could be reasonably construed as applying to the proposed lots as none of the agreements specify a particular past plan of subdivision and instead more generally refer to either 'lots' or the 'land'. Even when viewed leniently and pragmatically the existence of these agreements would result in a confusing scenario whereby future owners could perceive themselves to be subject to the conflicting requirements of three agreements.

Should the application be viewed favorably and a permit granted, it should be inclusive of conditions requiring the removal of Section 173 Agreements AK909393C, AN933427Y and AS326138Y.

**Special Water Supply Catchments**

The land is not within a declared Special Water Supply Catchment listed in Schedule 5 of the *Catchment and Land Protection Act 1994*.

**Agricultural versatility**

Whilst the land is identified as being of high agricultural versatility the land is located within a residential zone and therefore agricultural versatility has negligible relevance in consideration of this application.

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**REQUEST FOR FURTHER INFORMATION**

Pursuant to Section 54(1) of the Act, additional information was sought by Council during the assessment of the application.

The information sought was:

- An amended road layout that provides for a permitter road where the development interfaces with agricultural land.
- An amended stormwater management strategy (and associated plans) that addresses stormwater and detention requirements and computations for the sites external catchment.
- Improved Water Sensitive Urban Design (WSUD) elements.

The applicant submitted sufficient information and changes to allow for the continued assessment of the application.

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**AMENDMENT TO APPLICATION**

Date of change	What was amended (i.e. plans, hours of operation?)	How was the amendment made?
1 August 2023	<ul style="list-style-type: none"><li>• The subdivision layout was amended to increase the size of lots and reduce the lot yield. Stormwater outflow was amended to be directed further north via Grants Lane.</li><li>• Additional civil infrastructure in the form of internal footpaths and an external shared path was added.</li><li>• Additional landscaping was included.</li></ul>	The applicant submitted the revised plan following public notice and an ensuing conciliation meeting.

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**REFERRALS & PUBLIC NOTIFICATION****Referrals**

The application was referred to the following authorities:

Authority	Referral trigger(s)	Section and status	Response
Country Fire Authority	Clause 66.01 (requirements of Clause 56.09-3 not met)	Sec 55 – Determining	Conditional consent
AusNet Services	Clause 66.01	Sec 55 – Determining	Conditional consent
Goulburn Murray Water	n/a	Sec 52 – Advice only	Comments provided

**Internal advice (including verbal advice)**

Unit	Reason for advice	Response
Technical Services	Drainage, roads, intersections & access.	Conditional consent
Environmental Health	Consideration of proposed wastewater treatment	Conditional consent

**Public Notice**

Public notice was carried out by Council in accordance with Section 52 of the Act. Notice was given in the form of letters to adjoining and adjacent owners and occupiers and a notice in the Wangaratta Chronicle.

A total of sixteen (16) objections were received which are considered later in this report.

Following receipt of objections a conciliation meeting was held on 30 May 2023 with objectors and the applicant.

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**PLANNING CONSIDERATION****Planning Policy Framework (PPF) and Municipal Planning Strategy (MPS)**

The following clauses of the PPF and MPS are relevant to the assessment of this application:

**Clause 02.03-1 Settlement – Rural Townships**

Rural townships have more limited development infrastructure and potential for incremental growth due to their lack of infrastructure, particularly water, drainage and reticulated sewerage. However there is still demand for residential developments at

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various densities in Rural Townships, particularly in Tarrawingee and Everton (because of the natural water supply) and Springhurst and Eldorado (from commuters to Albury Wodonga, possibly increasingly associated with the future freight logistics centre at Barnawartha).

#### **Clause 02.03-6 Housing - Rural lifestyle**

There is demand for low density residential lots in Wangaratta in the 0.4 hectare to 2 hectare size range. The market preference is to the north (Waldara area), south-east (Wangaratta-Whitfield Road) and south-west (west of Reith Road). Potential lot sizes vary depending on whether reticulated sewer is available.

Council seeks to manage housing in its towns by:

- Supporting the development of a diverse and affordable housing stock that meets the varying needs of the local population.
- Encouraging medium density housing and mixed-use development in strategic locations, such as the town centres of townships.
- Developing accommodation to support and enable people experiencing social disadvantage, the elderly and students to live and study in Wangaratta.
- Directing rural residential style housing to land zoned for rural living or low-density residential around serviced townships.
- Encouraging environmentally sustainable design principles in housing and subdivision.

#### **Clause 11 - Settlement**

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- Health, wellbeing and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of urban design and amenity.
- Energy efficiency.
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

#### **Clause 11.01-1R – Settlement (Hume)**

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**Strategies identified in this clause are identified as being;**

- Facilitate growth and development specifically in the regional cities of Shepparton, Wangaratta, Wodonga and Benalla.
- Facilitate and strengthen the economic role of Seymour, while supporting population growth.
- Support growth and development in other existing urban settlements and foster the sustainability of small rural settlements.
- Support improved access to a range of employment and education opportunities, particularly in key urban locations such as Benalla, Seymour, Shepparton, Wangaratta and Wodonga.

**Clause 11.02-1S – Supply of Urban Land**

The objective of this clause is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Strategies identified to achieve this objective are identified as;

- Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- Ensure that sufficient land is available to meet forecast demand.
- Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.
- Planning for urban growth should consider:
  - Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
  - Neighbourhood character and landscape considerations.
  - The limits of land capability and natural hazards and environmental quality.
  - Service limitations and the costs of providing infrastructure.
- Monitor development trends and land supply and demand for housing and industry.
- Maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry.

Restrict rural residential development that would compromise future development at higher densities.

**Clause 12.01-1S – Protection of Biodiversity**

This clause has the stated objective to assist in the protection and conservation of Victoria's biodiversity

Relevant strategies to be considered in the assessment of an application include;

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- Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.
- Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:
  - Cumulative impacts.
  - Fragmentation of habitat.
  - The spread of pest plants, animals and pathogens into natural ecosystems.
- Avoid impacts of land use and development on important areas of biodiversity.
- Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).
- Assist in the identification, protection and management of important areas of biodiversity.
- Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

#### **Clause 12.01-1L – Protection of Biodiversity**

Clause 12.01-1L identifies the following strategies in seeking to enhance the protection of biodiversity.

- Site and design subdivision and development on a land capability basis to identify, protect and enhance existing native vegetation, including by avoiding its clearance.
- Protect biodiversity values and remnant vegetation on roadsides.
- Facilitate the re-establishment and regeneration of native vegetation.
- Facilitate bio-corridors between areas of native vegetation.

#### **Clause 12.01-2S – Native vegetation management**

Ensuring that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation is the objective of this clause.

The strategy to achieve this objective is to ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach of -

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

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**Clause 12.01-2L – Native Vegetation Management**

The strategies identified at Clause 12.01-2L include;

- Avoid any adverse impacts on biodiversity values, particularly from the clearance of native vegetation.
- Protect native vegetation along One Mile and Three Mile Creeks.
- Protect remnant paddock trees.

**Clause 13.02 - Bushfire**

The objective of Clause 13.02-1S is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Consideration must be given to the threat of bushfire on all land affected by the Bushfire Management Overlay and/or designated as being within a Bushfire Prone area.

In seeking to ensure decision making protects human life the following strategies are identified;

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

**Clause 13.02-1L – Bushfire Planning**

Local strategies identified at Clause 13.02-1L to be considered when assessing an application where bushfire is a relevant consideration include;

- Minimise buildings, works and development that require clearing of native vegetation to achieve the required bushfire attack levels (BAL) for the class of construction.
- Use design techniques that minimise clearing of native vegetation to establish defensible space distances.
- Apply development and subdivision design techniques such as perimeter roads, vegetation selection and BAL construction standards to reduce potential impact of bushfire hazard and risk.

**Clause 13.07-1S – Land Use Compatibility**

The objective of this clause is to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

To ensure this objective consideration must be given to the following strategies when assessing a proposal;

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- Ensure that use or development of land is compatible with adjoining and nearby land uses.
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

#### **Clause 14.02-2S – Water Quality**

The objective of this clause is to protect water quality through the following strategies;

- Protect reservoirs, water mains and local storage facilities from potential contamination.
- Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.
- Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.
- Prevent the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments.
- Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.
- Use the mapped information available from the Department of Energy, Environment and Climate Action to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources from proposed land use or development.

#### **Clause 15.01-3S – Subdivision Design**

The objective of Clause 15.01-3S is to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

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- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing native habitat.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
- Reduce car dependency by allowing for:
  - Convenient and safe public transport.
  - Safe and attractive spaces and networks for walking and cycling.
  - Subdivision layouts that allow easy movement within and between neighbourhoods.
  - A convenient and safe road network.
- Being accessible to people with disabilities.
- Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.

#### **Clause 15.01-5S – Neighbourhood Character**

Clause 15.01-5S seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place. Strategies identified to aid in achieving this objective include;

- Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.
- Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:
  - Pattern of local urban structure and subdivision.
  - Underlying natural landscape character and significant vegetation.
  - Neighbourhood character values and built form that reflect community identity.

#### **Clause 16.01-1S – Housing Supply**

The objective of this clause is to facilitate well-located, integrated and diverse housing that meets community needs

Identified strategies include;

- Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

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- Identify opportunities for increased residential densities to help consolidate urban areas.
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.
- Encourage the development of well-designed housing that:
  - Provides a high level of internal and external amenity.
  - Incorporates universal design and adaptable internal dwelling design.
- Support opportunities for a range of income groups to choose housing in well-serviced locations.
- Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

#### **Clause 19.02-6L – Public Open Space Contributions**

The objective of Clause 19.02-6L is to identify when and where land contributions for public open space may be sought in preference to financial contributions or vice versa. Strategies to guide this decision making include:

- Require land contributions to be in accordance with any structure plan, master plan or township development plan where there is one referenced or incorporated into this scheme.
- Require a financial contribution toward the maintenance and improvement of existing open space in all other areas of the municipality.
- Improve upon existing open space and open space networks in townships.

The policy further provides that:

- Only unencumbered land will be counted towards a public open space contribution.
- Encumbered land is generally defined as land that cannot be normally considered developable for residential purposes. This includes land:
  - Subject to a 1 in 100 year floodway.
  - That would be excluded from development due to the need to conserve flora and fauna
  - values.
  - That may be contaminated.
  - That is steeply sloping (i.e. greater than one in three slope) or subject to landslip.
  - That is affected by a servicing easement (e.g. including but not limited to high voltage power lines, water pipe and sewer easements).
- Any encumbered land that is offered to Council is at Council's discretion to accept.
- Any such land is to be adjoining other unencumbered open space to maximise the corridor and habitat value.

#### **Clause 19.03-2S – Infrastructure Design and Provision**

The objective of this clause is to ensure that community needs are serviced by timely, efficient and cost-effective development infrastructure. Strategies to achieve this are identified as providing an integrated approach to the planning and engineering design of new subdivision and Development and to integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

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**Clause 19.03-2L – Infrastructure Design and Provision**

Clause 19.03-2L expands on state policy through directing consideration of the following strategies:

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

**Zone****Clause 32.05 – Township Zone**

The purpose of the Township Zone is to:

- Implement the Municipal Planning Strategy and the Planning Policy Framework.
- Provide for residential development and a range of commercial, industrial and other uses in small towns.
- Encourage development that respects the neighbourhood character of the area.
- Allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The Decision Guidelines of the Zone identified at Clause 32.05-13 are to:

**General**

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives set out in a schedule to this zone.
- The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017.
- The design, height, setback and appearance of the proposed buildings and works including provision for solar access.
- The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.
- Provision of car and bicycle parking and loading bay facilities and landscaping.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The scale and intensity of the use and development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

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- Any other decision guidelines specified in a schedule to this zone.

#### Subdivision

- The Municipal Planning Strategy and the Planning Policy Framework.
- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.
- Any other decision guidelines specified in a schedule to this zone.

#### Overlay(s)

The subject land is not encumbered by any overlays. Adjoining Boorhaman and Boorhaman East road reserves are encumbered by Vegetation Protection Overlay (Schedule 2).

#### Clause 42.02 – Vegetation Protection Overlay (Schedule 2)

The objective of the Vegetation Protection Overlay is to protect areas of significant vegetation and to maintain and enhance habitat and habitat corridors for indigenous fauna through preserving existing vegetation and ensuring development minimises impacts upon vegetation.

Schedule 2 to the Vegetation Protection Overlay (Roadside Vegetation of Conservation Significance) identifies roadsides as being home to many Ecological Vegetation Classes some of which are endangered and serving as important habitat for rare, threatened or endangered fauna species. Roadside vegetation also contributes to the quality of travel and tourism experiences and towards the appeal of the visual and natural environment of the area. The Overlay specifically seeks to protect and preserve roadside native vegetation of 'high conservation' significance identified in the Rural City of Wangaratta Roadside Conservation Management Plan 2014 and to maintain and enhance flora and fauna corridors.

The relevant decision guidelines of the Overlay are;

- The *Rural City of Wangaratta Roadside Conservation Management Plan 2014*.
- Any alternative ways of carrying out the proposed works that would nullify or reduce impacts.
- The need for replacement compensatory planting and the most appropriate way of implementation.
- The landscape, recreational and amenity values of the vegetation.
- The need to protect vegetation from damage and disturbance by mowing, burning, grazing,
- droving, cultivation, spraying, grading, road formation and drainage works.
- Pest plant and animal control.
- Maintaining sight distance and clearance to fixed objects for road or rail safety.
- Any relevant fire management plan.
- Any comments of the Department of Environment, Land, Water, and Planning

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**Particular provisions****Clause 52.17 – Native Vegetation**

The purposes of Clause 52.17 are identified as being to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation and to manage the removal, destruction or lopping of native vegetation to minimise land and water degradation. Ensuring no net loss is to be achieved through the application of the principles of avoid, minimise and offset.

Decision guidelines are identified as;

- Efforts to avoid the removal of, and minimise the impacts on, native vegetation should be commensurate with the biodiversity and other values of the native vegetation, and should focus on areas of native vegetation that have the most value. Taking this into account consider whether:
  - The site has been subject to a regional or landscape scale strategic planning process that appropriately avoided and minimised impacts on native vegetation.
  - The proposed use or development has been appropriately sited or designed to avoid and minimise impacts on native vegetation
  - Feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.
- The role of native vegetation to be removed in:
  - Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway in a special water supply catchment area listed in the Catchment and Land Protection Act 1994.
  - Preventing land degradation, including soil erosion, salination, acidity, instability and water logging particularly:
    - where ground slopes are more than 20 per cent
    - on land which is subject to soil erosion or slippage
    - in harsh environments, such as coastal or alpine areas.
  - Preventing adverse effects on groundwater quality, particularly on land:
    - where groundwater recharge to saline water tables occurs
    - that is in proximity to a discharge area
    - that is a known recharge area.
- The need to manage native vegetation to preserve identified landscape values.
- Whether any part of the native vegetation to be removed, destroyed or lopped is protected under the Aboriginal Heritage Act 2006.
- The need to remove, destroy or lop native vegetation to create defensible space to reduce the risk of bushfire to life and property, having regard to other available bushfire risk mitigation measures.
- Whether the native vegetation to be removed is in accordance with any Property Vegetation Plan that applies to the site.
- Whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.

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- Consider the impacts on biodiversity based on the following values of the native vegetation to be removed:
  - The extent.
  - The condition score.
  - The strategic biodiversity value score.
  - The number and circumference of any large trees.
  - Whether it includes an endangered Ecological Vegetation Class.
  - Whether it includes sensitive wetlands or coastal areas.

#### **Clause 53.01 – Public Open Space Contribution and Subdivision**

This clause provides that a person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both).

The schedule to Clause 53.01 identifies that a subdivision that is not exempt from making a public open space contribution and is located in a residential, commercial or industrial zone will be subject to a contribution equal to 5% of land or land value.

#### **Clause 56 – Residential Subdivision**

Clause 56 seeks to create liveable and sustainable neighbourhoods and urban places with character and identity and to achieve residential subdivision outcomes that appropriately respond to the site and its context for both infill sites within established residential areas and regional cities and towns. Furthermore, the purpose of Clause 56 is to ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

#### **General provisions**

##### **Clause 65.01 - Approval of an Application or Plan**

This clause directs that consideration be given to matters including the MPS, PPF, the purpose and any relevant matter of the zone, any overlay or other provision. Matters affecting an areas orderly planning or effect upon amenity must also be considered as well as any environmental impacts that may arise from a proposal.

##### **Clause 65.02 – Approval of an Application to Subdivide Land**

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Clause 65.02 requires that any application for subdivision give consideration to;

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not seweraged and no provision has been made for the land to be seweraged, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

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## **ASSESSMENT AGAINST PLANNING POLICY**

### **Bushfire**

The subject site is located within a Bushfire Prone Area (BPA) but is not encumbered by the Bushfire Management Overlay (BMO). The nearest extent of BMO and high risk vegetation lies approximately 1 kilometre to the west being the Warby Ovens National Park. The site and surrounds are generally considered to be of low to moderate bushfire risk, grassfires being the most likely bushfire eventuality. The topography is very flat and vegetation is predominately managed pastures and crops with only minimal overstorey present.

The subdivision design incorporates a permitter ring road along its northern and eastern boundaries where the site interfaces with agricultural land. Residential properties and sealed roads border the site to the south and west. The provision of permitter roads acts to provide a physical buffer of managed vegetation between the bushfire threat and homes and the sealed road acts as a fire break whilst also providing an effective location

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from which defences can be readily established. Permitter roads in bushfire prone areas are consistent with local planning policy at Clause 13.02-1L and is similarly consistent with Country Fire Authority (CFA) and DEECA design guideline *Settlement Planning at the Bushfire Interface (July 2020)*. The proposed layout also provides two points of vehicle access and a third emergency access (via drainage basin and shared path) ensuring vehicle access to all lots remains viable in the event a single access is blocked.

The application was referred to the CFA in their capacity as a determining referral authority. CFA has consented to the proposal providing conditional consent. CFA's conditions are cognisant of the absence of reticulated water in Boorhaman (consequently fire mains cannot be provided) and impose obligations on future owners to provide dedicated static water supplies for firefighting purposes.

Having regard to the bushfire threat, the proposed subdivision layout and CFA's conditional support of the proposal, it is considered that the application is generally consistent with relevant bushfire planning policies and does not establish or increase any undue bushfire threat to persons or property.

### **Residential Subdivision**

The Township Zone falls within the broader suite of residential zones. As is identified in the purposes of the Township Zone, providing for residential development is a fundamental purpose of the zone. In this singular context the proposal is considered to be wholly consistent with the stated purpose as the proposed subdivision seeks to create new lots envisaged for future residential development. No commercial, industrial, educational, recreational, religious, community nor any other non-residential uses are specifically proposed. Any such use or development post subdivision would be subject to relevant planning controls and assessment as required by the planning scheme.

### **Neighbourhood Character**

Appropriately responding to neighbourhood character is recognised throughout multiple policies, clauses and decision guidelines of the planning scheme. It is generally sought that development should either respect the existing neighbourhood character or contribute to a preferred neighbourhood character. Respecting an areas character does not though preclude development, change and growth. The planning scheme does not include any strategic guidance with respect to a preferred neighbourhood character for Boorhaman nor are there any relevant neighbourhood character objectives, policies or statements that inform a preferred character.

In addition to the absence of direction regarding preferred character, the existing, or a prevailing neighbourhood character for Boorhaman is somewhat difficult to clearly identify and characterise. The towns minimal development and the diversity of that development largely nullifies any distinctly distinguishable built form character. Observable traits include that residential lot sizes being consistently larger than urbanised centres which generally afford good separation of buildings and generous setbacks. Dwelling styles and vintages vary significantly throughout the township whilst large outbuildings are prevalent.

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However, neighbourhood character may comprise of more than merely built form characteristics. This absence of defined built form character in itself serves to reinforce the towns identity as a rural township central to and servicing a significant rural catchment. Parcels of actively farmed land interwoven through the core of the township and at its periphery act to further emphasise this rural aesthetic.

More recent residential development in Boorhaman neighbouring the subject site clearly seeks to harness this aesthetic. The detached separation of buildings, emerging landscaping and rural outlook and surrounds serve to impart a relatively open neighbourhood character to these neighbouring lots.

The proposed creation of 37 new lots in a town that currently comprises approximately 20 dwellings will unarguably be transformative of this section of Boorhaman and the township more broadly. However, the proposed lot sizes are not dissimilar to much of the existing residential development in Boorhaman and could therefore reasonably be viewed as being consistent with, but building upon the towns existing established character, particularly in terms of the pattern of subdivision and lot sizes.

Contemporary housing considered likely to evolve on the proposed lots would similarly be consistent with the emerging built form character of neighbouring lots that has evolved over the past decade. The site is also setback from main roads behind existing development, this being likely to somewhat mitigate visual impacts of the development from primary roads.

Ultimately it is considered that whilst an underlying broad rural character exists in Boorhaman, the existing neighbourhood character and particularly the built form character of the township is not overtly defined, consistent or readily identifiable. The proposed subdivision will allow for development and growth in a manner that is not so disrespectful to this existing neighbourhood character that refusal on character grounds is warranted.

### **Infrastructure**

The subdivision proposes the construction of new roads, crossovers, drainage infrastructure, footpaths and landscaping. It is also submitted that lots will be serviced with reticulated electricity whilst telecommunications services will be provided in accordance with the requirements of relevant authorities. In addition to infrastructure within the site it is also proposed to construct a shared path beyond the site extending to the Boorhaman Recreation Reserve to the south. All infrastructure is proposed to be designed and constructed in accordance with the Infrastructure Design Manual (IDM) or the requirements of the relevant authority as applicable.

Issues of contention raised through submissions relate to the poor standard of existing infrastructure, the additional burden to be placed upon existing infrastructure and the and inadequacy of proposed new infrastructure (a more expansive listing of concerns and response is included below in the summary of objections).

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The infrastructure being proposed as part of the subdivision is generally considered to be appropriate and proportional to the scale of development. It is submitted that proposed drainage infrastructure (refer below for further details) will act to alleviate existing drainage issues in the area through the provision of a constructed outfall and it is proposed to construct a shared path beyond the confines of the site. Any upgrades to electricity infrastructure arising from the burden of the development will be required to be provided by the proponent and to the satisfaction of Ausnet Services. At the scale and densities proposed there is an insufficient nexus to warrant additional infrastructure beyond what is proposed external of the site.

### **Wastewater**

Boorhaman is not serviced with reticulated sewer. It is unknown but not envisaged that North East Water's strategic implementation plans include the provision of reticulated sewer to Boorhaman in the short to medium term. Therefore, future development of lots would require that all generated wastewater be able to be treated by an onsite wastewater management system. In this context it is also noteworthy that Boorhaman is not serviced with reticulated water, groundwater extraction (bores) being prevalent in the area for both domestic and agricultural use.

A Land Capability Assessment (LCA) was submitted with the application demonstrating that onsite wastewater treatment was feasible given the proposed lot sizes and environmental conditions of the site. Secondary treatment systems are identified as being required along with a minimum disposal area of 500m<sup>2</sup>. The submitted LCA was premised on a superseded layout and at the time of the LCA's formulation a number of bores on neighbouring lots where unknown or not correctly accounted for in the design of effluent disposal envelopes. Subsequent redesign of the subdivision has relocated proposed effluent disposal fields to be within the front setbacks of new lots thereby achieving suitable setbacks from existing dwellings and bores on neighbouring properties. Whilst a revised LCA has not been provided (reflecting the revised layout) the fundamental conditions upon which the LCA was originally drafted, being lot sizes and soil characteristics, remain consistent (or more favourable) in the revised subdivision design.

Review of the proposal (including the LCA) by Councils Environmental Health Unit has not identified any non-compliance with the proposed wastewater management strategy. Whilst Officers foster some apprehension as to the cumulative effects arising from such a concentration of systems and the reliance upon future owners to properly manage, maintain and service wastewater treatment systems, there is little statutory or regulatory grounds through which these concerns can be used to refute the proposal. It is therefore considered that it has been suitably demonstrated that wastewater generated by future development can be effectively managed in accordance with the EPA code of practice for onsite wastewater management and without undue risk to the health and safety of persons or the environment.

To give effect to the requirements for effluent treatment envelopes and the necessity for secondary treatment systems any permit would need to include relevant requirements to be safeguarded by Section 173 Agreements on Title.

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**Land Use Compatibility**

The subject site is bordered to the north and the east by actively farmed agricultural land. Consideration of potential land use conflicts between existing agricultural operations and the amenity expectations of future residents warrants consideration. The areas zoning establishes a potential conflict with residentially zoned land (such as the subject site) directly abutting farming zoned land with no zoning buffers or existing physical delineation. The proposed subdivision and resulting residential development should not impede farming activities occurring on farming zoned land and conversely farming activities should not be permitted to unreasonably impact upon the amenity of future residents within a residential zone.

As the agent of change it is considered reasonable that the proposed subdivision include appropriate measures to mitigate against future conflicts so far as is practicable. To that end the proposed layout has been designed to include perimeter roads to those boundaries that abut farming land. These roads (and associated road reserves) serve to establish physical setbacks and buffers between farming land and future housing. Canopy trees are also proposed on both sides of these roads. Once established these trees will act to reduce dust, light spill, spray drift and noise.

The proposed lot sizes afford potential to create large setbacks to farming land on most lots through the incorporation of building envelopes and/or building exclusion zones. Additional administrative controls in the form of Section 173 Agreements acknowledging the impacts of agricultural operations may also be appropriate and act to minimise conflicts.

This suite of measures is considered to provide for reasonable mitigation of potential land use compatibility issues and adequately address the challenges presented by the localities underlying zoning.

**Native Vegetation**

Two medium size remnant eucalypts are present within the site. The proposed subdivision design shows both trees to be retained within private lots (lots 7 and 16). As both lots are greater than 0.4Ha the native vegetation protections of Clause 52.17 will remain applicable, i.e. these trees are not deemed lost or consequential losses due to the subdivision. The specific location of both trees within lots is not prohibitive of future development of lots and therefore there is minimal motivation for the future removal of these trees. Any future removal of these trees would be subject to further planning approval.

A third medium sized remnant tree is present in the existing Sandford Road road reserve. It is unknown (pending detailed road design) as to whether this tree can be retained (and incorporated into streetscape plantings) or whether it will be lost (either actively removed or through tree protection zone encroachment). In the event that road construction works result in the loss of this tree further planning approvals and requisite offsets would be required.

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The potential loss of one single tree is not considered likely to result in any significant adverse biodiversity impacts. Through the incorporation of trees within private lots the principles of 'avoid' and 'minimise' have been adequately demonstrated. Should the tree in the Sandford Road road reserve need to be removed offsets would be required addressing the principle of 'offset'. It is considered that the proposal is consistent with relevant environmental, biodiversity and native vegetation policies of the Wangaratta Planning Scheme.

### **Open Space**

Pursuant to Clause 53.01 a person who proposes to subdivide land must make a contribution to the Council for public open space. Such a contribution may be made by way of a contribution of unencumbered land within a development dedicated to open space purposes or by way of a monetary contribution. In either instance the contribution payable equates to 5% of the land or land value.

The current application seeks to make the requisite public open space contribution by way of a monetary contribution. This preference is consistent with guidance provided by Council prior to the application being made. By submitting that a public open space contribution will be made by way of a monetary contribution the proposal accords with relevant policy.

Council officers' decision to seek the contribution by way of a monetary contribution and not land is considered to be consistent with Clause 19.02-6L-02 that directs that in the absence of a relevant structure plan, master plan or development plan, open space contributions should be sought via a monetary contribution. There are no relevant structure plans, master plans or development plans set out in the planning scheme applicable to the provision of open space infrastructure in Boorhaman. Further reasonings supporting officers' decision in this regard are detailed below in response to submissions made with respect to open space.

### **Traffic**

Additional traffic generated by the development and the impact of that traffic upon both the proposed and existing intersections as well as the existing road network has been cited in submissions. A review and response to these concerns is addressed later in this report in the objection summary table. More generally the application proposes the construction of new internal roads including the construction of (currently unmade) Sandford Road. All new roads are proposed to be constructed to IDM standards (LDRZ-R standard) consistent with the proposed lot sizes (>4000m<sup>2</sup>) and available infrastructure. A footpath is proposed on one side of all new roads, the inclusion of a footpath exceeds the design requirements for an LDRZ-R standard road but has been proposed to address concerns of existing residents.

LDRZ-R roads have a design volume of up to 1000 vehicles per day (vpd). A 37 lot subdivision is anticipated to generate 370 vpd (based on 10vpd) and therefore the

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proposed new internal roads will be constructed to a standard far exceeding the anticipated usage.

New intersections with Boorhaman Road will necessitate appropriate treatments. Detailed design of intersection treatments informed by a Traffic Impact Assessment Report (TIAR) will be required should a permit be issued. Standard permit conditions can appropriately address this eventuality.

Furthermore, it is noted that there is a pre-existing Council project intending to reduce the posted speed limit through Boorhaman from the current 80kph to 60kph. Notwithstanding this standalone initiative the TIAR required by the subdivision would inform any required speed zone changes necessary to cater for additional vehicle movements generated by the subdivision.

It is considered that traffic generated by the proposal is not sufficient to generate any meaningful increase in hazard to road users and that traffic volumes will remain well below the design standard of the existing road network. Similarly, newly proposed roads will be constructed to a standard far exceeding anticipated usage rates. New intersections and any required intersection treatments and/or upgrades will be informed by a TIAR and detailed design.

### **Drainage**

The application proposes a stormwater management system comprising onsite detention (in the form of water tanks), grassed swale drains and a detention basin. Outflows from the basin will be via a pumped system and directed north of the development discharging to drains in Grants Lane and onto the Ovens River. The proposed stormwater management system has been formulated in accordance with relevant standards and requirements for water treatment and detention to accommodate flows from prescribed storm events. The proposed drainage infrastructure has been designed to accommodate flows from external catchments and it is envisaged that the formalised drainage constructed as part of the subdivision will also improve the existing drainage network and act to reduce existing nuisance flooding currently experienced by residents.

Whilst drainage infrastructure would be subject to further detailed design and computations the stormwater management plan submitted with the application is considered to adequately demonstrate that stormwater generated by and flowing through the subdivision can be effectively managed without adversely impacting the environment or surrounding properties.

### **Clause 56 – Subdivision**

Clause 32.05-5 (Township Zone) directs that any proposal for subdivision (other than an application to subdivide land into lots each containing an existing dwelling or car parking space) must comply with the requirements of Clause 56. An assessment of the proposal against the relevant clauses of Clause 56 (being Clauses 56.02-1, 56.03-5, 56.04-2 to

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56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4) is detailed below:

Clause	Response	Complies
<p><b>56.02-1 Strategic implementation objective</b></p> <p>To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.</p> <p><b>Standard C1</b></p> <p>An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.</p>	<p>The Wangaratta Planning Scheme is largely silent on the envisaged future development of Boorhaman. There is no relevant growth area or development plan applicable to the town and as such only generalised policy objectives are considered to be applicable.</p> <p>At a strategic level the land is zoned for residential purposes and therefore the proposal for a residential subdivision can be considered to be generally consistent with policy.</p> <p>Likewise the proposal provides for future residential development and provision of housing supply. The proposed lot sizes and ensuing envisaged development is akin to low density residential development and as such is consistent with policy that seeks housing diversity throughout the municipality.</p>	<p>✓</p> <p>Meets objective</p>
<p><b>56.03-5 Neighbourhood character objective</b></p> <p>To design subdivisions that respond to neighbourhood character.</p> <p><b>Standard C6</b></p> <p>Subdivision should:</p> <ul style="list-style-type: none"> <li>• Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• Respond to and integrate with the surrounding urban environment.</li> <li>• Protect significant vegetation and site features.</li> </ul>	<p>It is submitted that the proposal respects the existing neighbourhood character as the proposed lot sizes are similar to other recently subdivided lots in the area and that existing trees on the site will be retained.</p> <p>The Wangaratta Planning Scheme does not include any relevant policy or statement identifying a preferred neighbourhood character for Boorhaman. In the absence of an identified preferred character any proposal should respect the existing character. How the proposal responds to and respects the existing neighbourhood character is addressed in more detail elsewhere in this report.</p>	<p>✓</p> <p>Meets standard &amp; objective</p>

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	<p>The proposed layout integrates appropriately with the surrounding urban environment. The proposed layout ensures that existing residential properties will be predominately neighbored by new residential lots. Three existing lots will have side boundaries to new roads and two existing lots will have shared side boundaries to open space and a shared path. These new roads and paths are located in either existing road reserves or in land that was obviously set aside for future road connections.</p> <p>The existing trees on site will be retained within private lots. These trees will be afforded ongoing protection due to the lots in which they are being retained both being greater than 0.4HA in area.</p>	
<p><b>56.04-2 Lot area and building envelopes objective</b></p> <p>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</p> <p><b>Standard C8</b></p> <p>An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:</p> <ul style="list-style-type: none"> <li>• That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or</li> <li>• That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.</li> </ul> <p>Lots of between 300 square metres and 500 square metres should:</p>	<p>All proposed lots are greater than 5000m<sup>2</sup> and can therefore readily be assumed as being able to accommodate the construction of a dwelling (including unimpeded solar access), associated outbuildings, private open space and sufficient area to treat wastewater onsite. The proposed lot sizes and nominated building envelopes ensure solar access to existing properties will not be adversely impacted.</p> <p>The existing trees on site will be retained within private lots. These trees will be afforded ongoing protection due to the lots in which they are being retained both being greater than 0.4HA in area.</p>	<p>✓ Meets standard &amp; objective</p>

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<ul style="list-style-type: none"> <li>• Contain a building envelope that is consistent with a development of the lot approved under this scheme, or</li> <li>• If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.</li> </ul> <p>If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.</p> <p>Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.</p> <p>A building envelope may specify or incorporate any relevant siting and design requirement.</p> <p>Any requirement should meet the relevant standards of Clause 54, unless:</p> <ul style="list-style-type: none"> <li>• The objectives of the relevant standards are met, and</li> <li>• The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.</li> </ul> <p>Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:</p> <ul style="list-style-type: none"> <li>• The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and</li> </ul>		
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<ul style="list-style-type: none"> <li>• The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.</li> </ul> <p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> <li>• Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.</li> <li>• Existing or proposed easements on lots.</li> <li>• Significant vegetation and site features.</li> </ul>		
<p><b>56.04-3 Solar orientation of lots objective</b></p> <p>To provide good solar orientation of lots and solar access for future dwellings.</p> <p><b>Standard C9</b></p> <p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> <li>• The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.</li> <li>• Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.</li> </ul>	<p>The existing orientation and shape of the land (being rectangular and orientated on a north-west to south-east axis) does not readily lend itself to a north-south and/or east west street network. Consequently, the proposed lots are not orientated in accordance with the prescriptive requirements of the standard. Irrespective, lots still comply with the standard (and therefore the objective) due to the lot sizes being adequate (5000m<sup>2</sup>+) to ensure effectively unencumbered solar access is available to future development. It is however noted that maximising this opportunity will largely be incumbent upon future owners forgoing standard street orientation for dwelling presentation or otherwise designing dwellings in a manner that both provides for a traditional street presentation and good solar access.</p>	<p>✓</p> <p>Meets standard &amp; objective</p>

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<ul style="list-style-type: none"> <li>• Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</li> </ul>		
<p><b>56.04-4 Street orientation objective</b></p> <p>To provide a lot layout that contributes to community social interaction, personal safety and property security.</p> <p><b>Standard C10</b></p> <p>Subdivision should increase visibility and surveillance by:</p> <ul style="list-style-type: none"> <li>• Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.</li> <li>• Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.</li> <li>• Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.</li> <li>• Providing roads and streets along public open space boundaries.</li> </ul>	<p>All lots with the exception of proposed lot 12 have meaningful street frontages. Proposed Lot 12 is a 'battle-axe' arrangement. The proposal does not include the creation of any connector streets or arterial roads.</p> <p>The proposed drainage reserve and shared path to Boorhaman East Road are shown to abut the side and rear boundaries of private lots.</p> <p>The large lot sizes and rural setting are anticipated to result in rural style fencing and therefore transparent sight lines of open space from adjoining and nearby dwellings will be maintained.</p>	<p>✓</p> <p>Meets objective</p>
<p><b>56.04-5 Common area objectives</b></p> <p>To identify common areas and the purpose for which the area is commonly held.</p> <p>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</p> <p>To maintain direct public access throughout the neighbourhood street network.</p> <p><b>Standard C11</b></p> <p>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p>	<p>No common property is proposed.</p>	<p>n/a</p>

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<ul style="list-style-type: none"> <li>• The common area to be owned by the body corporate, including any streets and open space.</li> <li>• The reasons why the area should be commonly held.</li> <li>• Lots participating in the body corporate.</li> <li>• The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</li> </ul>		
<p><b>56.05-1 Integrated urban landscape objectives</b></p> <p>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</p> <p>To incorporate natural and cultural features in the design of streets and public open space where appropriate.</p> <p>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</p> <p>To provide for integrated water management systems and contribute to drinking water conservation.</p> <p><b>Standard C12</b></p> <p>An application for subdivision that creates streets or public open space should be accompanied by a landscape design.</p> <p>The landscape design should:</p> <ul style="list-style-type: none"> <li>• Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.</li> </ul>	<p>The existing Boorhaman township is not considered to exhibit any distinct form of urban landscaping nor does the planning scheme set out any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area.</p> <p>The proposed layout incorporates inductive street tree plantings at high densities, buffer plantings to existing dwellings and a landscaped drainage reserve. The submitted plan also shows pedestrian connectivity throughout the development by way of footpaths and shared paths. Subject to detailed landscaping plans it is considered that the proposal satisfies this objective.</p>	<p>✓</p> <p>Meets standard &amp; objective</p>

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<ul style="list-style-type: none"><li>• Create attractive landscapes that visually emphasise streets and public open spaces.</li><li>• Respond to the site and context description for the site and surrounding area.</li><li>• Maintain significant vegetation where possible within an urban context.</li><li>• Take account of the physical features of the land including landform, soil and climate.</li><li>• Protect and enhance any significant natural and cultural features.</li><li>• Protect and link areas of significant local habitat where appropriate.</li><li>• Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.</li><li>• Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.</li><li>• Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.</li><li>• Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.</li><li>• Provide for walking and cycling networks that link with community facilities.</li><li>• Provide appropriate pathways, signage, fencing, public lighting and street furniture.</li><li>• Create low maintenance, durable landscapes that are capable of a long life.</li><li>• The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.</li></ul>		
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<p><b>56.05-2 Public open space provision objectives</b></p> <p>To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.</p> <p>To provide a network of public open space that caters for a broad range of users.</p> <p>To encourage healthy and active communities.</p> <p>To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.</p> <p>To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.</p> <p><b>Standard C13</b></p> <p>The provision of public open space should:</p> <ul style="list-style-type: none"> <li>• Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.</li> <li>• Provide a network of well-distributed neighbourhood public open space that includes:</li> <li>• Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings.</li> <li>• Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.</li> <li>• Additional small local parks or public squares in activity centres and higher density residential areas.</li> <li>• Active open space of at least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:</li> </ul>	<p>The proposed subdivision does not propose any dedicated unencumbered open space (open space contribution is to be provided via a monetary contribution).</p> <p>A linear pedestrian connection through the proposed drainage reserve is shown. This connection is shown to extend beyond the perimeter of the site and extend to the Boorhaman Recreation Reserve to the south.</p> <p>Encumbered land (drainage basin) is incorporated into a publicly accessible and landscaped reserve.</p>	<p>✓</p> <p>Meets objective</p>
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<ul style="list-style-type: none"> <li>• Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space</li> <li>• Sufficient to incorporate two football/cricket ovals</li> <li>• Appropriate for the intended use in terms of quality and orientation</li> <li>• Located on flat land (which can be cost effectively graded)</li> <li>• Located with access to, or making provision for, a recycled or sustainable water supply</li> <li>• Adjoin schools and other community facilities where practical</li> <li>• Designed to achieve sharing of space between sports.</li> <li>• Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.</li> </ul> <p>Public open space should:</p> <ul style="list-style-type: none"> <li>• Be provided along foreshores, streams and permanent water bodies.</li> <li>• Be linked to existing or proposed future public open spaces where appropriate.</li> <li>• Be integrated with floodways and encumbered land that is accessible for public recreation.</li> <li>• Be suitable for the intended use.</li> <li>• Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.</li> <li>• Maximise passive surveillance.</li> <li>• Be integrated with urban water management systems, waterways and other water bodies.</li> <li>• Incorporate natural and cultural features where appropriate.</li> </ul>		
<p><b>56.06-2 Walking and cycling network objectives</b></p> <p>To contribute to community health and well-being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</p>	<p>There is no relevant regional or local walking and cycling strategy, plan or policy for the area set out in the planning scheme. Similarly, Boorhaman is too isolated for walking or cycling to be a viable form of alternate transport beyond those short journeys within the township.</p>	<p>✓</p> <p>Meets relevant standards and objective</p>

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<p>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</p> <p>To reduce car use, greenhouse gas emissions and air pollution.</p> <p><b>Standard C15</b></p> <p>The walking and cycling network should be designed to:</p> <ul style="list-style-type: none"> <li>• Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.</li> <li>• Link to any existing pedestrian and cycling networks.</li> <li>• Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.</li> <li>• Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.</li> <li>• Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.</li> <li>• Ensure safe street and road crossings including the provision of traffic controls where required.</li> <li>• Provide an appropriate level of priority for pedestrians and cyclists.</li> <li>• Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.</li> <li>• Be accessible to people with disabilities.</li> </ul>	<p>In this regard it is pragmatic to view this objective from the perspective of passive recreation opportunities and the safety of cyclists and pedestrians.</p> <p>The submitted plan shows pedestrian connectivity throughout the development by way of footpaths to all new roads (one side of street) and a shared path through the proposed drainage basin and beyond to the nearby recreation reserve and hotel. This network provides for a distinct improvement in passive recreation opportunities as compared to the existing network.</p>	
<p><b>56.06-4 Neighbourhood street network objective.</b></p> <p>To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians,</p>	<p>The application proposes the creation of a new internal street network based on a 'loop' layout. Sandford Road along the sites northern boundary (currently unmade) will be fully constructed</p>	<p>✓</p> <p>Meets relevant standards and objective</p>

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<p>cyclists, public transport and other motor vehicles using the neighbourhood street network.</p> <p><b>Standard C17</b></p> <p>The neighbourhood street network must:</p> <ul style="list-style-type: none"> <li>• Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.</li> <li>• Provide clear physical distinctions between arterial roads and neighbourhood street types.</li> <li>• Comply with the Head, Transport for Victoria's arterial road access management policies.</li> <li>• Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.</li> <li>• Provide safe and efficient access to activity centres for commercial and freight vehicles.</li> <li>• Provide safe and efficient access to all lots for service and emergency vehicles.</li> <li>• Provide safe movement for all vehicles.</li> <li>• Incorporate any necessary traffic control measures and traffic management infrastructure.</li> </ul> <p>The neighbourhood street network should be designed to:</p> <ul style="list-style-type: none"> <li>• Implement any relevant transport strategy, plan or policy for the area set out in this scheme.</li> <li>• Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.</li> <li>• Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.</li> <li>• Ensure connector streets align between neighbourhoods for direct</li> </ul>	<p>allowing access from Boorhaman Road whilst a second central access from Boorhaman Road is also proposed.</p> <p>The proposed road network is generally considered to achieve the objective of Cluse 56.06-4 as it; Integrates with the existing road network (namely Boorhaman Road). Provides road types/profiles that clearly define the residential/neighbourhood street type and encourage appropriate vehicle speeds.</p> <p>All lots are afforded clear and safe access for emergency vehicles (no private roads or shared accesses). Emergency service vehicles and service vehicles (ie waste collection) can manoeuvre throughout the subdivision without having to reverse or undergo complex turning movements.</p> <p>Delineation is provided for pedestrians through the inclusion of dedicated off-street footpaths. Appropriate width verges are provided for requisite utilities and landscaping.</p>	
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<p>and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.</p> <ul style="list-style-type: none"> <li>• Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.</li> <li>• Provide an appropriate level of local traffic dispersal.</li> <li>• Indicate the appropriate street type.</li> <li>• Provide a speed environment that is appropriate to the street type.</li> <li>• Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).</li> <li>• Encourage appropriate and safe pedestrian, cyclist and driver behaviour.</li> <li>• Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.</li> <li>• Minimise the provision of culs-de-sac.</li> <li>• Provide for service and emergency vehicles to safely turn at the end of a dead-end street.</li> <li>• Facilitate solar orientation of lots.</li> <li>• Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.</li> <li>• Contribute to the area's character and identity.</li> <li>• Take account of any identified significant features.</li> </ul>		
<p><b>56.06-5 Walking and cycling network detail objectives.</b></p> <p>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.</p> <p>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	<p>Should a permit be issued all new infrastructure within the development will have to comply with the Infrastructure Design Manual (IDM) including the proposed footpaths and shared paths within the development. The proposed shared path beyond the site will be subject to further detailed design but the necessity for this path to function with pre-existing infrastructure and constraints may require an alternate design outcome.</p>	<p>✓</p> <p>Meets relevant standards and objective</p>

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<p><b>Standard C18</b></p> <p>Footpaths, shared paths, cycle paths and cycle lanes should be designed to:</p> <ul style="list-style-type: none"> <li>• Be part of a comprehensive design of the road or street reservation.</li> <li>• Be continuous and connect.</li> <li>• Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.</li> <li>• Accommodate projected user volumes and mix.</li> <li>• Meet the requirements of Table C1.</li> <li>• Provide pavement edge, kerb, channel and crossover details that support safe travel for</li> <li>• pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.</li> <li>• Provide appropriate signage.</li> <li>• Be constructed to allow access to lots without damage to the footpath or shared path surfaces.</li> <li>• Be constructed with a durable, non-skid surface.</li> <li>• Be of a quality and durability to ensure: <ul style="list-style-type: none"> <li>– Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.</li> <li>– Discharge of urban run-off.</li> <li>– Preservation of all-weather access.</li> <li>– Maintenance of a reasonable, comfortable riding quality.</li> <li>– A minimum 20 year life span.</li> </ul> </li> </ul>		
<p><b>56.06-7 Neighbourhood street network detail objective</b></p> <p>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</p> <p><b>Standard C20</b></p> <p>The design of streets and roads should:</p>	<p>The proposed road network is consistent with a low density residential street network albeit with the added inclusion of a footpath on one side of all roads. All new roads will be sealed with grassed swale drains. Footpaths are proposed to be constructed of concrete. Road reserves are of sufficient width to accommodate street tree plantings. Should a permit be issued all new roads and associated road reserve infrastructure within the development will have to comply with the</p>	<p>✓ Meets objective</p>

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<ul style="list-style-type: none"> <li>• Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.</li> <li>• Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.</li> <li>• Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.</li> <li>• Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.</li> <li>• Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.</li> </ul>	<p>Infrastructure Design Manual (IDM) standards.</p> <p>Whilst the block size shown exceeds that sought by the standard the lengthened block is non the less not considered inappropriate given the large lot sizes. Block sizes of between 120m and 240m in length are appropriate in a standard density context but would be excessive in the low density environment being proposed.</p> <p>Passive traffic calming measures (meandering alignments and vegetated outstands) are shown to be included in the road design to aid in ensuring appropriate and safe vehicle speeds.</p>	
<p><b>56.06-8 Lot access objective</b></p> <p>To provide for safe vehicle access between roads and lots.</p> <p><b>Standard C21</b></p> <p>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</p> <p>Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.</p> <p>The design and construction of a crossover should meet the</p>	<p>The proposal does not propose nor about any arterial roads. All proposed lots are well in excess of 300m<sup>2</sup> and will be able to easily accommodate safe and functional accesses. All lots will be provided with new IDM compliant crossovers.</p>	<p>✓</p> <p>Meets relevant standards and objective</p>

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requirements of the relevant road authority.		
<p><b>56.07-1 Drinking water supply objectives</b></p> <p>To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.</p> <p><b>Standard C22</b></p> <p>The supply of drinking water must be:</p> <ul style="list-style-type: none"> <li>• Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</li> <li>• Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.</li> </ul>	<p>Boorhaman is not serviced with reticulated potable water. Future dwellings will be reliant upon rainwater and/or groundwater for a potable drinking supply.</p> <p>CFA's conditional consent is premised on future dwellings having a static water supply.</p>	n/a
<p><b>56.07-2 Reused and recycled water objective</b></p> <p>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p> <p><b>Standard C23</b></p> <p>Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> <li>• Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health.</li> <li>• Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</li> </ul>	<p>Boorhaman is not serviced with reticulated recyclable water infrastructure. Appropriately treated wastewater may be re-used within individual lots for the purposes of gardening.</p>	n/a
<p><b>56.07-3 Waste water management objective</b></p> <p>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p>	<p>It is proposed that each lot will be serviced by an onsite wastewater treatment system. Each such system will be required to be installed and maintained in accordance with the requirements of the relevant authority (Council).</p>	<p>✓</p> <p>Meets relevant standards and objective</p>

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<p><b>Standard C24</b></p> <p>Waste water systems must be:</p> <ul style="list-style-type: none"> <li>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.</li> <li>Consistent with a domestic waste water management plan adopted by the relevant council.</li> </ul> <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>A Land Capability Assessment was submitted with the application demonstrating that onsite wastewater treatment was feasible given the proposed lot sizes and environmental conditions of the site. Secondary treatment systems are identified as being required along with a disposal area a minimum of 500m<sup>2</sup>. At the time of formulation a number of bores on adjoining land where unknown or not correctly accounted for in the design of effluent disposal envelopes. Subsequent redesign of the subdivision has relocated proposed effluent disposal fields to be within the front seatbacks of new lots thereby achieving suitable setbacks from existing dwellings and bores on neighbouring properties.</p> <p>Review of the proposal (including the LCA) by Councils Environmental Health Unit has not identified any non-compliance with the proposed wastewater management strategy.</p> <p>Wastewater management issues, including the concerns raised by objectors are discussed further above in this report.</p>	
<p><b>56.07-4 Urban run-off management objectives</b></p> <p>To minimise damage to properties and inconvenience to residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p> <p><b>Standard C25</b></p>	<p>The proposed stormwater management plan submitted with the application identifies a system of grassed swales and retention basin with pumped discharge as the proposed means of providing drainage and water sensitive urban design outcomes.</p>	<p>✓</p> <p>Meets relevant standards and objective (or can readily meet objective subject to conditions)</p>

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<p>The urban stormwater management system must be:</p> <ul style="list-style-type: none"><li>• Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.</li><li>• Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed.</li><li>• Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.</li><li>• Designed to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.</li></ul> <p>The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.</p> <p>For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:</p> <ul style="list-style-type: none"><li>• Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.</li><li>• Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.</li></ul> <p>For storm events greater than 20% AEP and up to and including 1% AEP standard:</p>		
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<ul style="list-style-type: none"> <li>• Provision must be made for the safe and effective passage of stormwater flows.</li> <li>• All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.</li> <li>• Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria <math>d_a V_{ave} &lt; 0.35 \text{ m}^2/\text{s}</math> (where, <math>d_a</math> = average depth in metres and <math>V_{ave}</math> = average velocity in metres per second).</li> </ul> <p>The design of the local drainage network should:</p> <ul style="list-style-type: none"> <li>• Ensure run-off is retarded to a standard required by the responsible drainage authority.</li> <li>• Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.</li> <li>• Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.</li> <li>• Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.</li> </ul> <p>Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.</p>		
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<p><b>56.08-1 Site management objectives</b></p> <p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p> <p><b>Standard C26</b></p> <p>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> <li>• Erosion and sediment.</li> <li>• Dust.</li> <li>• Run-off.</li> <li>• Litter, concrete and other construction wastes.</li> <li>• Chemical contamination.</li> <li>• Vegetation and natural features planned for retention.</li> </ul> <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>	<p>It is submitted that best practice site management measures will be employed.</p> <p>Standard permit conditions can give effect to this objective and ensure that surrounding land and environment is not degraded.</p>	<p>✓</p> <p>Meets relevant standards and objective (or can readily meet objective subject to conditions)</p>
<p><b>56.09-1 Shared trenching objectives</b></p> <p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p> <p><b>Standard C27</b></p> <p>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</p>	<p>It is submitted that shared trenching techniques will be utilised as feasible. A lack of reticulated utilities in Boorhaman will limit the opportunity for shared trenching.</p>	<p>✓</p> <p>Meets relevant objective (or can readily meet objective subject to conditions)</p>

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<p><b>56.09-2 Electricity, telecommunications and gas objectives</b></p> <p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p> <p><b>Standard C28</b></p> <p>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</p> <p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</p> <p>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</p> <p>Where proposed to be connected, a reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency.</p>	<p>Electricity and telecommunications are proposed to be constructed in accordance with the requirements of relevant service providers.</p> <p>Reticulated gas is not available and is not proposed to be provided.</p>	<p>✓</p> <p>Meets relevant standards and objective (or can readily meet objective subject to conditions)</p>
<p><b>56.09-3 Fire hydrants objective</b></p> <p>To provide fire hydrants and fire plugs in positions that enable fire fighters to</p>	<p>Boorhaman does not have reticulated water and therefore fire hydrants cannot be provided. CFA's conditional consent to the proposal is contingent upon future dwellings</p>	<p>n/a</p>

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<p>access water safely, effectively and efficiently.</p> <p><b>Standard C29</b></p> <p>Fire hydrants should be provided:</p> <ul style="list-style-type: none"> <li>• A maximum distance of 120 metres from the rear of the each lot.</li> <li>• No more than 200 metres apart.</li> </ul> <p>Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.</p>	<p>providing onsite static water supply (20KI) dedicated for fire fighting purposes.</p>	
<p><b>56.09-4 Public lighting objective</b></p> <p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse gas emissions and to saving energy.</p> <p><b>Standard C30</b></p> <p>Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.</p> <p>Public lighting should be designed in accordance with the relevant Australian Standards.</p> <p>Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.</p>	<p>It is submitted that public lighting is not expected to be required due to the rural nature of the location. This view is generally supported as it is expected that pedestrian nocturnal use of footpaths would be minimal. Irrespective, street lighting can be readily incorporated into the layout should it be deemed necessary during detailed design such as where new roads intersect with Boorhaman Road.</p>	<p>✓</p> <p>Meets relevant standards and objective (or can readily meet objective subject to conditions)</p>

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As detailed in the above assessment, the proposal generally accords with the relevant requirements of Clause 56. Most standards are achieved and all objectives are either satisfied or can be readily achieved through permit conditions (as is common practice).

### Consideration of submissions

A total of sixteen (16) objections were received, their grounds for objection and the Officer response is as follows:

Objection	Officer Response
<b>Drainage and Stormwater Management</b> <ul style="list-style-type: none"> <li>Area currently experiences localised flooding in rain events*.</li> <li>Existing drainage of site and locality inadequate, subdivision will exacerbate these issues.</li> <li>Shortcomings and inadequacies of stormwater management plan (SWMP), including rainfall data source.</li> <li>No allowance made for changing weather patterns (increased rainfall) resulting from climate change.</li> <li>Reliance on pumps given electrical supply issues in area.</li> <li>Concerns that RCoW will not adequately maintain drainage pumps.</li> <li>Unenforceable requirement for onsite detention (water tanks).</li> <li>Basin presents a safety (drowning) hazard to children.</li> <li>Downstream stormwater discharges through private land.</li> <li>Existing contours are prohibitive of proposed drainage flows.</li> <li>Potential for stagnant water to foster mosquitoes (vector of Ross River Fever and Japanese Encephalitis) and other water borne parasites.</li> <li>Management of water quality discharged from the site (contaminants, chemicals, fertilisers etc) and potential to adversely impact upon Ovens River.</li> <li>No stormwater management plan provided.**</li> <li>22.5Kl detention tanks insufficient capacity.</li> <li>Previous Council endorsed drainage solutions have not functioned as promised/intended.</li> </ul>	<p>An integrated stormwater management plan (SWMP) has been submitted in support of the application. Notwithstanding standard requirements for future detailed design and computations, review of the SWMP by Council engineers has not identified any shortcomings or irregularities in the formulation of the SWMP nor proposed methodology.</p> <p>It is anticipated that drainage works associated with the subdivision should have a beneficial effect upon existing drainage issues in the locality.</p> <p>Whilst the planning scheme acknowledges climate change and the likelihood of future extreme weather events is a generally accepted notion the submitted SWMP adheres to the prescriptive performance requirements for stormwater management.</p> <p>Detention basin has been designed to allow for additional storage capacity in the event of a power outage (and pump failure) as per design standards.</p> <p>Concerns regarding the ongoing maintenance of reserve areas are largely beyond the control of the applicant. Council design standards include requirements to promote ease of maintenance. Upon completion of the subdivision ownership and maintenance of the reserve would transfer to Council. Any potential failure of Council to maintain the basin into the future is beyond the scope of what can be considered.</p>

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<p>*Photos provided documenting past localised flooding.</p> <p>**Submission made prior distribution of SWMP</p>	<p>Onsite detention (OSD) (water tanks) is typically addressed through Section 173 Agreements. Any requirement of an agreement is enforceable by Council. Use of Section 173 Agreements for OSD requirements is standard practice.</p> <p>Basin design standards either require batters that reduce likelihood of drowning and/or that fencing be installed to inhibit access. Also noted that current dam on property presents a similar or greater risk of drowning.</p> <p>Drainage basin outflows have been amended to no longer impact upon private land (ie va Keats Lane). Drainage discharge will be directed via Grants Lane.</p> <p>Stormwater management is holistic and will include land forming to direct flows either overland or via swales. Existing contours and levels do not necessarily represent land form post civil works.</p> <p>Effective drainage is unattainable without some form of detention. Basins and swale drains are recognised and accepted forms of detention (swale drains should only temporarily store/detain water). Properly designed and maintained detention systems should not harbor mosquitoes in normal conditions.</p> <p>The combined elements of the SWMP serve to treat stormwater for contaminants. Grassed swales serve function of stormwater conveyance, temporary storage but also treatment, OSD tanks also contribute to treatment of stormwater. It is considered that the SWMP adequately addresses stormwater treatment.</p> <p>The proposed requirement for 22.5kl water tanks are for the exclusive purpose of stormwater detention (and treatment). These capacities are not intended to cater for potable water supply. Future owners may wish to install larger capacity 'multi-purpose' tanks that serve for stormwater detention, fire-fighting and potable water supply purposes.</p>
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	<p>Any purported failure of previously approved drainage solutions is difficult to assess. The smaller scale of previous subdivisions in the area has hindered the establishment of a comprehensive drainage solution. It has however been established that much of the localities existing drainage issues are due to the absence of an appropriate outfall/discharge point and subsequent inability of water to escape which in turn causes localised flooding. Proposed SWMP addresses this by providing an outfall (via Grants Lane). It is anticipated that legacy drainage issues will be improved through the proposed works.</p>
<p><b>Agricultural Impacts</b></p> <ul style="list-style-type: none"> <li>Residential amenity expectations in an actively farmed area.</li> <li>Insecticide, herbicide and chemical spray drift impacting housing and potable water supply (tank water).</li> <li>Impacts on crop yields from increased flooding (by virtue of proposed drainage resolution).</li> </ul>	<p>The subdivision design seeks to introduce buffers from agricultural land through a combination of a perimeter road and building envelopes. Landscaping (including street trees) will further act to reduce offsite impacts upon future residents. Adjoining farming properties retain their reasonable 'right to farm' (subject to relevant legislative requirements). Should a permit be issued it would be proposed to include an agreement on Title identifying and notifying future owners of agricultural activities rightfully occurring on adjoining land.</p> <p>Controlling spray drift is incumbent upon the user. Any agricultural chemical user has a legal obligation to ensure that the chemicals they apply remain within the target area.</p> <p>Flooding issues are addressed above but in summary the submitted SWMP has been designed to accommodate stormwater from within the site and also cater for external catchments.</p>
<p><b>Neighbourhood Character</b></p> <ul style="list-style-type: none"> <li>Block sizes too small.</li> <li>Too many blocks – adversely transformative of the existing town character.</li> <li>Density of proposal is not in keeping with existing or desired neighbourhood character.</li> <li>Loss of amenity.</li> <li>Plan is based on maximising lot yield and profit and ignores liveability.</li> </ul>	<p>The subdivision design has been amended post receipt of these submissions. The revised design increases the proposed lot sizes and reduces the lot yield (post conciliation).</p> <p>An assessment and discussion with respect to the proposals response to neighbourhood character is detailed previously in this report.</p>

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<p><b>Effluent Treatment</b></p> <ul style="list-style-type: none"> <li>• Blocks too small to adequately treat wastewater.</li> <li>• Proximity of effluent disposal fields to existing dwellings is insufficient and risks safety of water supplies.</li> <li>• Localised flooding will inundate effluent disposal fields.</li> <li>• Effluent disposal fields are located in close proximity to existing bores and risks safety of drinking water supplies.</li> <li>• Density and cumulative effects of wastewater treatment systems not addressed.</li> <li>• Enforcement of wastewater system requirements (as detailed in LCA)</li> </ul>	<p>The applications response to wastewater treatment is addressed previously in this report.</p> <p>Objections were received in response to an earlier iteration of the subdivision layout whereby effluent fields were in some instances located close to neighbouring properties and/or bores. The latest and current version of the subdivision layout affords greater setbacks to existing properties through moving effluent fields to the 'front' of new lots.</p> <p>The submitted Land Capability Assessment (LCA) has adequately demonstrated that each lot can dispose of wastewater in accordance with relevant EPA legislation.</p>
<p><b>Groundwater Depletion</b></p> <ul style="list-style-type: none"> <li>• Additional bores will adversely impact aquifer and impact existing bore water users.</li> <li>• Environmental degradation from additional bore water extraction.</li> </ul>	<p>No bores are being applied for nor approved by the current application. It is speculative to assume that future lots will seek to install bores or indeed how many. The taking and use of groundwater and the associated legislative and permit requirements lie within the jurisdiction of Goulburn Murray Water (GMW).</p> <p>Future dwellings will require a permit from GMW to install and use a bore. Aquifer capacity, recharge and water quality are matters to be considered by GMW in the assessment of any bore application.</p> <p>Councils' consideration of groundwater is limited to how the subdivision and associated known works (such as onsite wastewater treatment systems) could adversely impact subsurface water.</p>

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<p><b>Inadequate (existing and proposed) Infrastructure, Utilities and Services</b></p> <ul style="list-style-type: none"> <li>Existing power supply issues will be exacerbated by additional lots.</li> <li>Existing roads inadequate for increased traffic volumes.</li> <li>Existing mobile phone coverage is poor and will only be further impacted by increased population.</li> <li>Internet coverage is currently inadequate to service existing homes.</li> <li>Existing school bus service will not cater for additional residents and extra bus services will be required.</li> <li>No footpaths or bike paths providing pedestrian connectivity to services in Boorhaman (Recreation Reserve).</li> <li>Boorhaman has an absence/lack of commercial and social amenities to cater for increased number of residents.</li> <li>No footpaths provided within development.</li> <li>No school facilities in Boorhaman.</li> <li>No information regarding (school) bus stops or shelters.</li> <li>Proposed 25Kl water tanks insufficient for domestic residential use.</li> <li>No communal facilities proposed as part of development.</li> </ul>	<p>Existing infrastructure, service and utilities issues cannot be attributed to the proposal. Only the likely impacts that can be reasonably attributed to the application can be considered.</p> <p>The provision of services (e.g. electricity and telecommunications) is incumbent upon relevant service providers and they are obligated to ensure that additional usage/burden is catered for.</p> <p>The existing road network and traffic considerations are addressed in detail elsewhere in this report.</p> <p>In response to submissions it is now proposed to provide a shared path from the subject land to the Boorhaman Recreation Reserve.</p> <p>The current lack of social and commercial amenities in Boorhaman can reasonably be attributed to the lack of population to warrant and sustain such facilities. The increased population arising from the subdivision may be the catalyst for the development and/or expansion of services within the township (services typically follow demand).</p> <p>In response to submissions it is now proposed to provide a footpath to all new roads. The provision of a footpath exceeds the design requirements/standards for such a development.</p> <p>The provision of education services and transport to such facilities is beyond the control of the applicant and is ultimately the responsibility of the Department of Education. Townships with larger populations than Boorhaman such as Eldorado similarly do not have primary school facilities. Residents of all townships within the municipality are reliant upon secondary school facilities within Wangaratta. In all these instances bus services cater to these needs.</p> <p>The 25Kl water tanks referred to in documentation is specifically in the context of onsite detention and is not intended to be</p>
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	<p>representative of a domestic supply. It will be incumbent upon future residents to provide a potable water supply (and ensure that the 25Kl detention function is achieved).</p> <p>The proposal is of insufficient size to reasonably warrant the inclusion of communal facilities (noting that open space is discussed elsewhere in this report).</p>
<p><b>Traffic</b></p> <ul style="list-style-type: none"> <li>Increased traffic in locality and existing road network.</li> <li>Local speed limit dangerous for pedestrians and children.</li> <li>Speed limits not enforced.</li> <li>Existing roads adjacent development subject to heavy vehicle traffic.</li> <li>Existing roads inadequate for increased traffic volumes.</li> <li>Bowser Road intersection not suitable for increased traffic volumes created by development.</li> </ul>	<p>The most recent traffic count data available for Boorhaman Road shows an average of 327 vehicle movements per day (both directions) of which 17 were heavy vehicle movements. A very conservative forecast of future movements upon completion of the subdivision (unrealistically attributing all vehicle movements travelling south) is 790vpd. This number of movements is considered to be well within the capacity of the existing road network.</p> <p>Independent of the proposal, the speed limit for Boorhaman Road within the town limits is planned to be reduced to 60kph. Irrespective should any Traffic Impact Assessment Report identify that a change of speed zone is required, those changes will be required to be undertaken.</p> <p>Bowser Road intersection is Department of Transport managed intersection (as opposed</p>

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	to Council). The proposed subdivision is below the 60 lot threshold at which DoT become a relevant referral authority to the application. Below this threshold there is no mechanism (nor nexus) to impose or require the investigation or upgrade of this intersection.
<b>Open Space</b> <ul style="list-style-type: none"> <li>• Lack of public open space (parks) provided in proposal.</li> <li>• Provision of open space by monetary contribution viewed as nefarious collusion between Council and developer.</li> <li>• Reliance on existing inadequate community facilities for open space (Boorhaman Recreation Reserve ).</li> <li>• Lack of connectivity or safe pedestrian linkages to recreation reserve.</li> </ul>	<p>The proposed lot sizes are akin to low density lots. Lots are considered to be of sufficient size and dimensions to afford residents ample opportunity for outdoor recreation and enjoyment. As such the demand and need for public open space (POS) is less than that in denser urban environments where lots (yards) are smaller and the opportunity to recreate within those private lots is significantly curtailed.</p> <p>It is also considered that should open space be provided as part of the subdivision that open space is at considerable risk of under utilisation and it would also present a disproportionate maintenance burden.</p> <p>The proximity of the Boorhaman Recreation Reserve is also considered to provide viable opportunities for outdoor recreation for future residents.</p> <p>The proponents design and subsequent proposal to make an open space contribution by way of a monetary contribution is premised on pre-application advice sought from Council. The planning system distinctly allows for open space to be provided by either money or land contribution (both at rates of 5%). Councils' preference for the developments POS contribution to be made via a monetary contribution is premised on the reasonings above but also planning policy at Clause 19.02-6L-02. This policy directs that in the absence of a structure plan, master plan or development plan referenced within the planning scheme, open space contributions should be sought via a monetary contribution.</p> <p>In response to submissions it is now proposed to provide a shared path from the subject land to the Boorhaman Recreation Reserve.</p>

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<p><b>Other</b></p> <ul style="list-style-type: none"> <li>• Air pollution from wood heaters.</li> <li>• Habitat destruction (due to dam filling)</li> <li>• Soil type not suited to development.</li> <li>• Native grasses and endangered vegetation species located in Lewis Lane will be impacted by drainage network.</li> <li>• Factual errors in planning submission documents.</li> <li>• Omitted documents from advertised material.</li> <li>• Local CFA inadequately resourced to defend development during a bushfire.</li> <li>• Emergency services based in Wangaratta too far away to respond in an emergency.</li> <li>• Fence issues with increased/multiple neighbours.</li> <li>• No consultation with residents prior to public notice of the application.</li> </ul>	<p>The application is for subdivision only. The preferred heating option of future residents is beyond the scope of the assessment. Wood heaters though remain a permissible form of heating but are subject to legislation and must adhere to relevant pollution standards.</p> <p>The existing dam (and associated habitat) could be filled without planning permission. There is insufficient evidence that any habitat destruction associated with the filling of the existing dam will have any meaningful adverse biodiversity impacts.</p> <p>The development of immediately adjoining land indicates that the soil type in the area is capable of accommodating development.</p> <p>Drainage works are no longer proposed to be conducted in Lewis Lane. This submission pre-dates the latest design revision.</p> <p>Submissions identifying factual errors in the submitted application documents are correct in many instances. However reviewing officers do not accept verbatim what is submitted as being factually accurate and undertake independent review and assessment of a proposal. Where errors are relevant and clarification is warranted, such as is the case where within the SWMP Keat Avenue/Lewis Lane are incorrectly referenced (as opposed to Grants Lane), Council has sought written confirmation from the applicant acknowledging that the incorrect references are errors. Ultimately these errors do not affect the consideration of the application, nor are they significant enough to warrant revised documentation.</p> <p>Similarly, submissions identifying documents as having been omitted from the advertised documents is accurate. However, the omission of these documents from advertising material was a conscious decision by officers and not borne of any malicious or nefarious intent.</p> <p>Omitted documents comprised of the stormwater management plan, pages from</p>
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	<p>the planning report and Title instruments (multiple Section 173 Agreements). Explanation of why these documents were omitted is:</p> <ul style="list-style-type: none"><li>• The stormwater management plan submitted with the application was premised on the first version of the subdivision layout (this layout was never publicly advertised). In order to progress the assessment in a timely manner it was determined (by officers) to advertise the revised subdivision layout prior to having received the corresponding revised SWMP. At that point of the assessment concerns with the site's drainage were not fully appreciated and it was not envisaged that omitting the SWMP would be contentious or detrimental to the public interest. Since drainage concerns have been identified extensive efforts have been undertaken to distribute subsequent SWMP's and ensure all interested parties are afforded open and transparent access to drainage documentation. In hindsight it is acknowledged that proceeding to public notice prior to having received the relevant SWMP was an error in judgement and has contributed to an adverse reaction to the proposal and a skepticism as to the integrity of the assessment process.</li><li>• The pages from the planning report interpreted to have been omitted were either blank pages or appendix title pages (ie contained the content "Appendix A"). These pages were omitted merely because they contained no content and would have only acted to add bulk to the suite of advertised documents.</li><li>• By virtue of three previous subdivisions of the site the land is encumbered by three separate and lengthy Section 173 Agreements. These agreements in reality have no bearing upon the subject land and have no impact on the proposal but in the absence of this context these agreements could be inadvertently construed to be applicable. Including these documents served little purpose and would have only acted to significantly increase the number</li></ul>
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	<p>of pages in the suite of advertised documents.</p> <p>The capacity of the local CFA to service the subdivision is somewhat speculative informed by numerous variables. The site is not an identified high bushfire risk (not encumbered by the Bushfire Management Overlay). The subdivision design incorporates bushfire risk mitigation measures and future housing would be subject to bushfire mitigation measures exceeding those of existing properties in Boorhaman. Consideration of the proposal by CFA in their capacity as a mandatory referral agency has not identified any significant concerns with the proposal. CFA has provided conditional consent to the proposal.</p> <p>The proposals distance from Wangaratta and access to emergency services is no different to that of existing development and residents in Boorhaman. In the event of a large scale emergency the challenges of distance are no different from any rural township nor the existing circumstances.</p> <p>The burden of shared fencing and the potential need to construct new fencing with potentially multiple neighbours is acknowledged and recognised but is ultimately outside the purview of planning considerations. Fences (in the context of the current proposal) are exempt from requiring planning permits. Should the application be supported it is recommended that restrictions be included to limit boundary fencing to 'rural style' fencing consistent with existing fence types. This measure is intended to aid in cost mitigation and to aid in ensuring the rural character and aesthetic of the area.</p> <p>A land owner or permit applicant is not obliged to undertake any consultation with neighbours prior to making an application. Once an application has been submitted to Council it is a publicly available document in its entirety but Council is not obliged to actively undertake notification or consultation until it is satisfied that the</p>
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	application is appropriately resolved to do so.
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It is of itself noteworthy the number of objections (having regard for the existing population) and that the majority of objections are well considered, informed and address legitimate and pertinent concerns. Similarly, presentations made by objectors at a Council facilitated conciliation meeting on 30 May 2023 were pragmatic and constructive. A distinct trend observed in both submissions and during conciliation discussions was that subdivision and development of the land is not outright opposed but rather that the density and scale being proposed was excessive.

Revision of the proposed layout intended to address the concerns raised during the conciliation meeting did not result in any objections being withdrawn. As such all sixteen submissions are considered to be unresolved and submitters remain third parties to the application. Whilst the latest revision of the subdivision layout seeks to incorporate changes intended to appease objections, the absence of any further feedback, submissions or withdrawal of objections makes assessing community sentiment difficult and therefore the submissions as received have been relied upon in this assessment.

Not all objections raised in submissions are considered either relevant or matters that can be considered in a planning context. However, many of the issues raised are legitimate and valid concerns and in some instances those concerns are not dissimilar to apprehensions shared by officers. Ultimately though it is not considered that the matters raised in objections are sufficiently strong to warrant refusing the application when weighed against all applicable policy.

### **Conclusion**

The application seeks approval to subdivide the land into thirty-seven (37) lots across four (4) stages. The proposal arguably represents the largest development in Boorhaman's history and will be transformative of the township in many contexts. Public notice of the application has resulted in significant opposition to the proposal, particularly at the density being proposed.

Consideration and assessment of the application against relevant purposes, objectives, policies and decision guidelines of the scheme shows the proposal to be one that at times errs on conflicting with policy or failing to conclusively demonstrate a wholly satisfactory response. But when considered holistically, and the sometimes competing objectives of various policies are fully explored and weighed, the proposed subdivision provides for a suitably compliant and responsive design to warrant support.

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### **CONCLUSION & RECOMMENDATION**

The application seeks approval to subdivide the land into thirty-seven (37) lots across four (4) stages. The proposal arguably represents the largest development in Boorhaman's history and will be transformative of the township in many contexts. Public notice of the application has resulted in significant opposition to the proposal, particularly at the density being proposed.

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Consideration and assessment of the application against the relevant purposes, objectives, policies and decision guidelines of the Wangaratta Planning Scheme shows the proposal to be one that at times errs on conflicting with policy or failing to conclusively demonstrate a wholly satisfactory response. But when considered holistically, and the sometimes competing objectives of various policies are fully explored and weighed, the proposed subdivision provides for a suitably compliant and responsive design to warrant support.

Ultimately the land is zoned for residential purposes and is relatively unencumbered by administrative or environmental constraints. All submissions have been considered and whilst many concerns raised have merit or are otherwise valid, they are ultimately not strong enough to warrant a refusal of the application. It is recommended that a Notice of Decision to Grant a Permit be issued with appropriate conditions.

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#### **RECOMENDATION**

**That Council issue a Notice of Decision to Grant a Permit in accordance with Section 64 (1) & (2) of the *Planning and Environment Act 1987*, and that the notice include the conditions set out in Appendix 1 below.**

#### **Appendix 1 – Proposed permit conditions**

#### **Appendix 1 – Proposed permit conditions**

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
2. Before the plan of subdivision is certified under the *Subdivision Act 1988*, plans and reports must be approved and endorsed by the responsible authority. The plans and reports must:
  - a) be prepared to the satisfaction of the responsible authority.
  - b) be drawn to scale with dimensions and submitted in electronic form.
  - c) be generally in accordance with the plans and reports forming part of the application, but amended to show the following:

Concept Development Plan

    - i. indicative dwelling silhouettes removed.
    - ii. remnant vegetation retained in lots 7 and 18 to be notated as being retained.

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- iii. remnant vegetation in Sandford Road to be identified.

#### Building and Wastewater Envelope Plan

- iv. drafted in a format suitable for registration with the Registrar of Titles (namely the plan must be drawn in monochrome or be black and white, use hatched detailing to indicate affected areas and/or arrows with descriptors).
- v. generally reflect the building and wastewater envelopes shown on the Concept Development Plan including setbacks to neighbouring properties.
- vi. include sufficient written dimensions to enable convenient interpretation.
- vii. provide an effluent disposal area of sufficient dimensions to each lot ensuring that a minimum unencumbered area of 500m<sup>2</sup> remains available for effluent disposal once an internal vehicle accessway has been provided to each lots nominated building envelope.
- viii. provide an effluent disposal area compliant with the setback requirements as detailed in Table 5 of the EPA Code of Practice - Onsite Wastewater Management.

#### Land Capability Assessment

- ix. revised Land Capability Assessment including revised recommendations and effluent disposal envelopes generally reflecting the layout shown on Concept Development Plan M7526 Ver 6 (27/07/2023).
- 3. The layout of the subdivision must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.
  - 4. All existing and proposed easements and sites for existing and required utility services and roads on the land must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the *Subdivision Act 1988*.
  - 5. The subdivision must proceed in the order of stages as shown on the approved and endorsed plan. The responsible authority may consent in writing to vary this requirement.
  - 6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, and electricity to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
  - 7. Prior to the issue of a Statement of Compliance, unless it can be demonstrated to

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the satisfaction of the Responsible Authority that a public open space contribution has previously been made in relation to the subject land, the permit holder must pay to the Council a sum equivalent to five per cent of the undeveloped site value of all land in the subdivision in lieu of open space.

Unless otherwise agreed to in writing by the Responsible Authority, the permit holder must request Council, in writing, to undertake the property valuation and must pay the Council's reasonable costs and expenses to provide such a valuation.

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

#### **Restrictions on Title**

10. Prior to the certification of Stage 1 the land owner must make an application to the responsible authority to end Section 173 Agreements AK909393C, AN933427Y and AS326138Y in accordance with Section 178 of the *Planning and Environment Act 1987*.
11. Prior to the issue of a Statement of Compliance for Stage 1 the permit holder must demonstrate to the satisfaction of the responsible authority that Section 173 Agreements AK909393C, AN933427Y and AS326138Y have been removed from the Title of the land.

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12. Prior to the issue of a Statement of Compliance for Stage 1, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*. The agreement must provide the following:

Attached Plans

- a) Incorporate (have attached) the 'Building and Wastewater Envelope Plan' endorsed pursuant to Planning Permit PInApp22/103.

Specific Obligations of Landowners

b) Building Envelopes and Siting

- i. On each lot to be created, buildings (including eaves and other like encroachments), may be constructed only within the building envelopes as shown on the endorsed plans of this permit and forming part of this agreement.
- ii. The finished floor level of any dwelling must be constructed no less than 450mm above the finished surface level of any building envelope.
- iii. No outbuilding or shed may be constructed within the setback of any dwelling to a public road.
- iv. No fencing, other than rural style post and wire or post and rail fencing, is permitted outside of designated building envelopes.

For the purposes of this agreement a 'building' includes dwellings, verandahs, pergolas, outbuildings, sheds, gazebos, decks, swimming pools, spas and water tanks. For the purposes of this agreement fences are not a 'building' and may be constructed outside of any building envelope subject to any specific requirements outlined in this agreement.

c) Wastewater and Effluent Treatment

- i. On each lot to be created, effluent disposal must be confined to the effluent disposal envelopes as shown on the endorsed plans of this permit and forming part of this agreement. Those areas set aside for effluent disposal must remain available for that purpose at all times.
- ii. Any dwelling constructed on a lot must install and treat all domestic wastewater via an Aerated Wastewater Treatment System (secondary treatment system). The system must be installed, operated and maintained generally in accordance with Land Capability Assessment Report prepared by A.C Geotechnical, Report number 22111, the current

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revision of the EPA Code of Practice - Onsite Wastewater Management and any Septic Tank Permit issued by the responsible authority.

d) Potable Water Supply

- i. Prior to the occupation of any dwelling constructed on a lot, a rain water tank must be provided for the purposes of a dedicated potable water supply. The tank must be of sufficient capacity to independently service the potable water requirements of the associated dwelling.

Any rainwater tank used to also serve ancillary requirements of on-site stormwater detention and/or static water supply for fire-fighting must be designed and installed with multiple outlets to ensure that all requirements can be independently and concurrently achieved.

e) Onsite Stormwater Detention

- i. Prior to the occupation of any dwelling constructed on a lot, a rainwater tank (or tanks) with a storage capacity of at least 25,000 litres must be connected to the roof of each habitable building on the lot for the purposes of stormwater detention. The rainwater tank/s must be installed in a manner whereby all stormwater falling on the roof of the building is collected and conveyed to the rainwater tank/s.
- ii. Each stormwater detention rainwater tank must incorporate a drawdown outlet, not more than 33mm in diameter, installed in a manner that ensures that a reserve capacity of at least 11,250 litres will be restored following drawdown.
- iii. The discharge from all drawdown outlets and tank overflow outlets must be collected and conveyed by pipes to a nominated legal point of discharge.

f) Further subdivision

- i. The land shall not be further subdivided in a manner that creates additional lots until such time as every lot forming part of any subdivision can be provided with reticulated sewer.

g) Acknowledgement of Farming Activities

- i. The owner of the land acknowledges the Farming Zoning of the land and the surrounding area which is used for farming purposes. The owner acknowledges these activities and the rights of adjoining properties to undertake agricultural activities and the potential offsite impacts of such activities.

h) Country Fire Authority Requirements

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- i. Prior to the occupation of any dwelling constructed on a lot, the following requirements must be implemented and maintained to the satisfaction of the Responsible Authority on a continuing basis;
  - A minimum of 20,000 litres of water (or lesser amount with written approval of CFA) must be provided for firefighting purposes and which meets the following requirements:
  - The tank must be on the same lot as the dwelling, be above ground and be constructed of concrete or metal.
  - All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
  - The tank must incorporate a ball or gate valve (British Standard Pipe 65mm) and CFA coupling (64 mm CFA 3 thread per inch male fitting).
  - The CFA coupling on the water tank must be within 4 metre of the access way and be unobstructed.
  - The location of the tank must be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
  - Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).
- ii. Access to the dwelling and firefighting water supply within the lot must meet the following requirements:
  - Curves must have a minimum inner radius of 10 metres.
  - The trafficable width must be a minimum of 3.5 metres, be of all-weather construction and have a minimum load limit of 15 tonnes.
  - Encroachments must be clear for at least 0.5 metres on each side and 4 metres above the access way.
  - Where the distance to the dwelling or water supply outlet from the road exceeds 60 metres then a turning area for firefighting vehicles close to the dwelling must be provided by one of the following:
    - A turning circle with a minimum radius of 8 metres.
    - A driveway encircling the dwelling.
    - The provision of other vehicle turning heads – such as a T or Y head which meet the specification of Austroads Design for an 8.8 metre service vehicle.

#### Compliance with this Agreement and Council Access

- i) The Owner covenants and agrees to allow the Council and its officers, employees, contractors or agents or any of them, to enter the Land (at any reasonable time) to assess compliance with this Agreement.

#### Indemnity

- j) The Owner covenants to indemnify and keep the Council, its officers, employees, agents, workmen and contractors indemnified from and against all costs, expenses, losses or damages which they or any of them may sustain

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incur or suffer or be or become liable for or in respect of any suit action proceeding judgement or claim brought by any person arising from or referable to this Agreement or any non-compliance with this Agreement.

The owner/operator under this Permit must pay the full costs of preparing, executing and registering the Agreement, and provide the Authority with written confirmation that the Agreement has been registered in accordance with Section 181 of the Act.

### **Native Vegetation**

13. Before the development starts and at all times during the carrying out of the development, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, to the satisfaction of the responsible authority.
14. At all times during the carrying out of the development:
  - a) the tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans.
  - b) Development works, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind or any other actions or activities that may result in adverse impacts to retained native vegetation must not occur on or over and must be excluded from any areas inside the tree protection fencing to the satisfaction of the responsible authority. The responsible authority may consent in writing to the variation of these requirements.
15. If these exclusion zones are not put in place or construction works cannot be physically carried out without impacting these zones, this vegetation, whilst still retained must be counted as removed and additional approvals must be obtained, and an appropriate offset plan produced.
16. Before works start, the permit holder must advise all persons undertaking the vegetation removal, development or works on site of all relevant permit conditions and associated statutory requirements or approvals.

### **Engineering and Civil Construction**

17. The permit holder must complete full construction of all new access ways, roads, drainage, on-site detention, footpaths, shared paths and any related civil infrastructure. All works must conform to plans and specifications approved by the Responsible Authority.

Plans and specifications must be prepared at the permit holder's expense by a registered engineer and approved by the Responsible Authority before

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construction begins. The Authority will only approve plans and specifications complying with the current edition of the Local Government Infrastructure Design Association's Infrastructure Design Manual (IDM) and drawn in AutoCAD or equivalent.

18. Prior to the issue of a statement of compliance the permit holder must satisfy the Responsible Authority that:
  - a) Where an existing dam, basin or other water body will be filled, the area has been drained and desilted to IDM standards before filling begins.
  - b) Any fill required to meet drainage, building, parking and/or access requirements has been selected, placed, and compacted in layers according to IDM standards.
  - c) Any batters or retaining walls whose individual or cumulative height above or below the adjacent ground level exceeds one metre, and/or any soil stabilisation measures, have been designed and constructed to IDM standards under the supervision of a qualified civil engineer.
19. Before construction begins or plan certification, whichever comes first, drainage and on-site detention plans and computations, prepared according to IDM procedures and criteria, must be submitted to the Responsible Authority for approval.

The plans must be generally in accordance with the drainage strategy outlined in the submitted Stormwater Quality Management Strategy, M7526 (17/070/2023) including that stormwater discharge from the site be directed to Grant Lane.

20. Prior to the issue of a statement of compliance the permit holder must satisfy the Responsible Authority that:
  - a) A legal point of discharge has been established within the boundary of each lot and connected to the external drainage network according to IDM standards without reducing the flow capacity or structural integrity of the external network.
  - b) All stormwater runoff originating from or transferred through each Lot in a 18% Annual Exceedance Probability (AEP) rainfall event will be collected and conveyed by underground pipes or open channels to a legal point of discharge. In a 1% AEP rainfall event all stormwater runoff will be collected and conveyed to a satisfactory destination, without adversely affecting any person, infrastructure, or natural features in or beyond the Lot.
  - c) Any easements required to facilitate future connection to, and maintenance of, drainage infrastructure serving more than one Lot or property have been created.

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- d) No part of any open channel conveying stormwater from or through the developed site passes through the zone of influence of an effluent disposal field.
- 21. Prior to the issue of a statement of compliance the permit holder must satisfy the Responsible Authority that the finished surface levels of all building envelopes, as shown on the endorsed plans, are above the peak water level in nearby waterways, floodways or water bodies in a 1% AEP rainfall or flood event.
- 22. Before construction begins, the permit holder must satisfy the Responsible Authority that:
  - a) Sufficient on-site detention will be provided to limit the peak discharge from the developed site in a 18% and 1% AEP rainfall event to the corresponding pre-development level, unless otherwise agreed by the responsible authority.
  - b) Any in-ground infrastructure used for on-site detention will provide blockage protection for the outflow control device so far as reasonably practicable, and an alternative overland flow path should blockage occur.
- 23. Before construction begins, the permit holder must satisfy the Responsible Authority that appropriate measures will be taken to enhance the quality of stormwater discharged from the developed site, according to the procedures and criteria outlined in the *Water Sensitive Urban Design Guidelines for the Rural City of Wangaratta* and IDM Clause 20.
- 24. A Traffic Impact Assessment Report (in accordance with the relevant guidelines) must be submitted. The report must address traffic and access issues arising from the (completed) subdivision, predicted traffic generation and the impact of the development on the existing road network, nearby intersections and access points to abutting land. The report must make recommendations for appropriate intersection treatments to Boorhaman Road and identify any mitigation works that may be required.
- 25. Before construction begins or plan certification for each stage, whichever comes first, the permit holder must submit designs prepared by a registered engineer for roads and intersections serving the development in accordance with recommendations of an approved Traffic Impact Assessment Report.
- 26. Prior to the issue of a statement of compliance for each stage the permit holder must satisfy the Responsible Authority that:
  - a) All roads and intersections have been constructed according to the approved designs.
  - b) Appropriate drainage has been constructed to IDM standards on both sides of every new road within the development.

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- c) All existing or proposed roads within the subject property have appropriate high-efficiency street lighting according to IDM standards and Australian Standard 1158.
- 27. Prior to the issue of a statement of compliance the permit holder must satisfy the Responsible Authority that a vehicle crossing providing each Lot with safe and convenient access to and from a suitable public road has been designed, constructed, sealed, and drained to IDM standards.
- 28. Prior to the issue of a statement of compliance for Stage 2 of the subdivision, the permit holder must satisfy the Responsible Authority that the approved pedestrian and emergency access to Boorhaman East Road has been suitably designed, constructed, sealed and drained in accordance with IDM standards, to the satisfaction of the Responsible Authority. The design must allow for shared access for cyclists and pedestrians while preventing vehicle access generally, but still allow for immediate emergency vehicle access.
- 29. Prior to the issue of a statement of compliance for the final stage of the subdivision, the permit holder must satisfy the Responsible Authority that the approved shared path from the development to the Boorhaman Recreation Reserve has been suitably designed, constructed, sealed and drained in accordance with IDM standards, to the satisfaction of the Responsible Authority.
- 30. Before the development starts, the areas set aside for the wastewater envelopes and purposes of distribution and absorption of wastewater must, so far as practicable, be protected to prevent soil disturbance during construction of the proposed development to the satisfaction of the Responsible Authority.
- 31. Subject to the consent of the Responsible Authority, where earthworks associated with the establishment of building envelopes necessitates soil disturbance of areas set aside for wastewater envelopes, or practical avoidance of soil disturbance in these areas is otherwise unavoidable, wastewater envelopes must be compacted and hydroseeded upon the completion of earthworks.
- 32. Where the development will be completed in stages, plans and specifications for each stage, including any temporary works required, must be submitted to and approved by the Responsible Authority before construction begins.
- 33. Prior to the issue of a Statement of Compliance for each stage:
  - a) When any drainage infrastructure serving completed stages is located outside the boundary of those stages, the permit holder must create temporary easements, so the Authority has appropriate legal access to the infrastructure in question.
  - b) A temporary court bowl must be designed and constructed to IDM standards (Clause 12.3.4) at the end of any road that ends without a permanent court

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bowl. Arrangements must be made to ensure that adjacent permanent sealed road surfaces are not damaged.

- c) The permit holder must lodge a bond with Authority equal to 150% of the full cost of upgrading any temporary works to IDM-compliant permanent infrastructure. This amount must include any necessary land acquisition.
34. Within two years following the issue of a statement of compliance for each stage, the permit holder must upgrade any temporary courtbowls to IDM-compliant permanent courtbowls, to the satisfaction of the Authority, unless development of the following stage has commenced.
35. Before construction begins, where a development includes landscape elements that will pass into the ownership and control of Council, a Landscape Plan for each stage must be submitted to and approved by Council. The plan must demonstrate provision of appropriate street trees, reserve plantings and screening buffers generally in accordance with the landscaping shown on the endorsed Concept Development Plan but including a detailed planting schedule, paths, treatment of road reserve areas and any other proposed landscaping elements.
36. Prior to the issue of a statement of compliance all works relevant to the current stage shown on the Landscape Plan must be completed to the satisfaction of Council.
37. Before construction begins, and during construction, a Site Management Plan and Traffic Management Plan must be submitted to and approved by the Responsible Authority, and effective measures consistent with the Plan must be taken to:
- a) Secure occupational health and safety
  - b) Locate any existing underground services
  - c) Implement effective traffic management and environmental controls
  - d) Establish and maintain safe construction vehicle access to the site
  - e) Maintain vehicle and machinery hygiene
  - f) Avoid the spread of soil-borne pathogens and weeds
  - g) Minimise erosion, sedimentation, and contamination
  - h) Reduce the impact of noise, dust, and other emissions
  - i) Prevent mud, dirt, sand, soil, clay, or stones from entering the drainage system
  - j) Avoid having such materials deposited on public land by construction vehicles
  - k) Establish and maintain all recommended Tree Protection Zones.
38. No excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves or nature strips, unless the materials are for road or footpath construction works in these reserves required as part of this permit.
39. Prior to the issue of a statement of compliance, all areas, Council assets and underground services disturbed in the course of works must be restored to their

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original condition, to the satisfaction of the Responsible Authority and reserve areas must be tidied, levelled, and trimmed to a standard capable of being maintained by a small tractor and slasher.

40. All civil infrastructure, other than landscape elements, created by the development and passing into Council ownership must be maintained by the permit holder in good condition and repair for a period of three months following practical completion of the works. Any subsequent defects must be corrected as they become evident for a further period of nine months.
41. All landscape elements, including vegetation integral to WSUD devices, created by the development, and passing into Council ownership, must be maintained by the permit holder in good condition and repair for a period of at least 24 months, including two complete summers, from practical completion. During this period, any dead, diseased, or damaged plants and/or landscaped areas must be repaired or replaced as soon as reasonably possible, rather than upon completion of the maintenance period. Any landscaping elements replaced during the defects period will be subject to a new 24-month maintenance period.
42. Prior to the issue of a statement of compliance the permit holder must:
  - a) Submit an itemised statement of the civil construction costs for the current stage, excluding GST to be approved by Council.
  - b) Provide Council with a civil works maintenance bond equal to 5% of the approved civil construction costs for the current stage. This bond will be held by Council until all defects reported before or during the maintenance and defects liability period have been made good to the satisfaction of Council.
  - c) Unless otherwise agreed to, provide Council with a landscaping maintenance bond equal to 5% of the approved landscaping costs for the current stage. This bond will be held by Council until any and all defects reported before or during the landscaping defects liability period have been made good to the satisfaction of Council.
  - d) Pay to Council plan checking fees equal to 0.75%, and site supervision fees equal to 2.5% of the approved civil construction costs for the current stage.
  - e) Arrange CCTV verification of all underground drainage assets to be handed over to Council at the conclusion of current stage and supply the results of that verification to Council in the format specified in the IDM.
43. Prior to the issue of a statement of compliance as-constructed drawings covering all civil construction works for the current stage must be submitted to Council in A-SPEC and DWG or DXF format, geo-referenced to Zone 55, GDA 94, to the satisfaction of Council, unless otherwise agreed by Council.

#### **Permit Commencement and Expiry**

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44. This permit will operate from the issued date of this permit.
45. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:
  - a) The plan of subdivision for Stage 1 has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit.
  - b) All stages of the plan of subdivision have not been certified within 8 years of the issued date of this permit.
  - c) A statement of compliance is not issued within 5 years of the date of certification.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

**AusNet Electricity Services Conditions**

46. The applicant must enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
47. The applicant must enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
48. The applicant must enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
49. The applicant must provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
50. The applicant must obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
51. The applicant must adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.

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52. The applicant must set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
53. Given the existing 22kV feeder is a REFCL feeder, additional HV underground assets will trigger the need for a REFCL isolating substation. Should this be required, an additional reserve may be required on the plan of subdivision for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
54. The applicant must provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
55. The applicant must provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
56. The applicant must agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
57. The applicant must ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

#### **Country Fire Authority Conditions**

58. Section 173 Agreement Required

Before statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987.

The agreement must state that if a dwelling is constructed on any lot, that the following must be implemented prior to occupancy of that dwelling and maintained to the satisfaction of the Responsible Authority on a continuing basis:

- a) A minimum of 20,000 litres of water (or lesser amount with written approval of CFA) must be provided for firefighting purposes and which meets the following requirements:
  - i. The tank must be on the same lot as the dwelling, be above ground and be constructed of concrete or metal.

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- ii. All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
  - iii. The tank must incorporate a ball or gate valve (British Standard Pipe 65mm) and CFA coupling (64 mm CFA 3 thread per inch male fitting).
  - iv. The CFA coupling on the water tank must be within 4 metre of the access way and be unobstructed.
  - v. The location of the tank must be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
  - vi. Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).
- b) Access to the dwelling and firefighting water supply within the lot must meet the following requirements:
- i. Curves must have a minimum inner radius of 10 metres.
  - ii. The trafficable width must be a minimum of 3.5 metres, be of all-weather construction and have a minimum load limit of 15 tonnes.
  - iii. Encroachments must be clear for at least 0.5 metres on each side and 4 metres above the access way.
  - iv. Where the distance to the dwelling or water supply outlet from the road exceeds 60 metres then a turning area for firefighting vehicles close to the dwelling must be provided by one of the following:
    - A turning circle with a minimum radius of 8 metres.
    - A driveway encircling the dwelling.
    - The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroads Design for an 8.8 metre service vehicle.

#### 59. Roads

Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- a) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- b) Curves must have a minimum inner radius of 10 metres.
- c) Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.

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- d) Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

#### **Permit Notes**

- For the purposes of satisfying Section 173 Agreement conditions of the Country Fire Authority (condition 55), these requirements have been amalgamated into Rural City of Wangaratta condition 12. Satisfactory compliance with condition 12 will be deemed to also satisfy condition 55.
- This permit does not include the removal, destruction or lopping of native vegetation. The removal, destruction or lopping of any native vegetation requires a further permit, unless identified as exempt under the provisions of the Wangaratta Planning Scheme.
- Before undertaking any works that cross onto public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work within a Road Reserve.
- Trees within road reserves are protected Council Infrastructure. No tree within the road reserve may be removed, lopped or otherwise destroyed in the carrying out of works associated with this permit.

#### **AusNet Electricity Services Permit Notes**

- It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).
- Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.
- Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.

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## **Appendix 1 – Proposed Permit Conditions**

### **RCoW Conditions**

#### **No further vegetation removal**

- 1 The vegetation removal as shown on the endorsed plans and documents must not be altered without the written consent of the Responsible Authority.
- 2 Only the native vegetation nominated for removal as shown on the endorsed plans is authorised to be removed by this permit.

### **DEECA Conditions**

#### **Notification of permit conditions**

- 3 Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

#### **Consideration of hollow dwelling fauna**

- 4 Before any work commence a comprehensive survey for arboreal animals must be undertaken to ensure any listed species are not negatively impacted as a result of the proposed native vegetation removal.
- 5 Before any work commence all hollows must be checked for faunal occupation by an authorised person and appropriately handled and relocated within the park.

#### **Protection of native vegetation to be retained**

- 6 Before works start, a native vegetation protection fence must be erected to protect all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:
  - a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
  - b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.

- 7 Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

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- a) vehicular or pedestrian access;
- b) trenching or soil excavation;
- c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
- d) construction of entry and exit pits for underground services; or
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

**Native vegetation offsets**

The total area of native vegetation permitted to be removed is 0.172 hectares, comprised of

- a) 2 scattered large trees
  - b) 1 scattered small tree
- 8 To offset the removal of 0.172 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a) A general offset of 0.040 general habitat units located within the North East Catchment Management Authority boundary or Wangaratta Rural City municipal district;
  - b) have a Strategic Biodiversity Value score of at least 0.448;
  - c) provide protection for at least two (2) large trees;
  - d) must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

**Offset evidence**

- 9 Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:
- a) a security agreement signed by both parties, and
  - b) a management plan detailing the 10-year management actions and ongoing management of the site
  - c) to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.
  - d) Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;  
and/or
  - e) credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

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- f) A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.
- 10 Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at [loddonmallee.planning@delwp.vic.gov.au](mailto:loddonmallee.planning@delwp.vic.gov.au).

**Permit expiry**

- 11 This permit will expire if the native vegetation is not removed within two years of the original issue date of this permit.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

**DEECA Notes**

- The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee Act 1988 (FFG). All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office ([loddonmallee.environment@delwp.vic.gov.au](mailto:loddonmallee.environment@delwp.vic.gov.au)).
- Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

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Rural City of  
**Wangaratta**

This report has been prepared to document the statutory planning processing and assessment pursuant to the *Planning and Environment Act 1987 (the Act)*.

## **WANGARATTA PLANNING SCHEME – OFFICER REPORT**

**PlnApp23/148**

Removal of native vegetation

### **Merriwa Park – 66 Ryley Street WANGARATTA**

CA 1 Sec. 74 Township of Wangaratta Parish of Wangaratta North  
Crown Folio Vol 11880 Folio 426

#### **KEY DETAILS**

<b>Land owner</b>	<b>Wangaratta Rural City Council</b>
<b>Applicant</b>	<b>Rural City of Wangaratta – Marcus Goonan</b>
<b>Zone</b>	<b>Public Park and Recreation Zone - PPRZ</b>
<b>Overlays</b>	<b>Heritage Overlays - HO20, HO113 and HO150 Bushfire Management Overlay- BMO Floodway Overlay - FO Land Subject to Inundation Overlay - LSIO</b>
<b>Property ID</b>	<b>7021</b>
<b>Site inspection</b>	<b>The site was visited on 11/10/2023</b>

#### **EXECUTIVE SUMMARY**

The application to remove native vegetation (3 trees) from Merriwa Park meets the Native Vegetation removal three step principles of avoid, minimise and offset. Whilst objectors understandably desire the retention of the trees, the removal is required to mitigate significant public safety risk. The proposal is substantiated by expert evidence, supported by external referral authorities, complies with the Wangaratta Planning Scheme and is accordingly suitable for Council support.

#### **PROPOSAL**

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The application seeks approval for the removal of 2 large and 1 small *Eucalyptus camaldulensis* (River Red Gum) (3 native trees) from within Merriwa Park. The trees proposed for removal are numbered and pertain to:

- 97 – large tree
- 114 – small tree
- 152 – large tree

The application follows the toppling of several River Red Gums in recent years, that expert evidence in the application documents attributes to “wetter-than-average (*sic*) rainfall in the past four years... a permanently high water table of the site (it is an alluvial floodplain adjacent to the King river) and as a consequence, shallow rooted trees, growing in a poorly structured alluvial soil. ”

The applicant advised that trees have recently failed on 30/09/22, 3/03/23, 11/04/23, 4/07/23 which has prompted additional investigation into the risk of further failure.

The following provide photographic evidence of the issues raised by the trees proposed to be removed.

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 <p>Tree 97 Historical TPZ encroachment by existing road. Planning Officer site photo, 11/10/2023</p>	 <p>Root ball of toppled tree -Tree fell on 4/7/2023. Tree 97 in background. Photo by Council Arborist 05/07/2023</p>
 <p>Tree 114 Near to 100% historical TPZ encroachment by existing road and carparking facilities. -Planning Officer site photo 11/10/2023</p>	 <p>Tree 152 Historical TPZ encroachment by existing footpath and BBQ facilities - Planning Officer site photo, 11/10/2023</p>

The proposed vegetation loss equates to 0.172 ha and contains two (2) large trees and one (1) small tree (as per the EVC benchmark). The offset requirements for said removal is:

- 0.040 General Habitat Units
- 0.448 Strategic Biodiversity Value
- Two (2) large trees.

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- One (1) small tree

In addition to the trees proposed for removal in this application, The applicant had also advised that a number of other trees have been assessed and have been reduced/ pruned/ lopped for safety in accordance with the “Lopping and pruning for maintenance” exemptions within Clause 57.17 – Native Vegetation of the Wangaratta Planning Scheme.

The trees that have been received maintenance are numbered as follows: 2, 3, 4, 15, 16, 17, 22, 37, 77, 89, 90, 117, 118, 141, 142, 155, 168, 169, A5 and A6 (20 trees) and can be seen on the plan below (Figure 1)

Flora and Fauna Assessment and Net Loss Reporting – Merriwa Park, Wangaratta



Figure 2-2 Aerial image of the extent of the assessed area at Merriwa Park, Wangaratta. Assessed trees are shown by number and management status; numbering is per ENSPEC 2022 and 2023, or RCoW 2023. Mapped former EVCs are also shown; yellow shading indicates former Floodplain Riparian Woodland EVC, and purple shading former Riverine Grassy Woodland/Riverine Swampy Woodland Mosaic EVC (from DEECA 2023a and 2023b). Image from ESRI Australia (2023).

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### Figure 1: Merriwa Park trees for maintenance pruning and removal

#### SITE DETAILS

Merriwa Park is a large park, tucked away within the Wangaratta CBD. The park acts as part of the gateway that greets visitors to the Wangaratta CBD from the west, via Ryley Street.

The park consists of wide-open lawns, historic red gum forest, and a number of features including, but not limited to:

- A fernery;
- Tennis club (22 courts);
- Concert sound shell with a grassed amphitheatre (primarily used for annual Christmas event);
- Playground
- Christopher Robin Pre-School
- BBQ and shelter facilities;

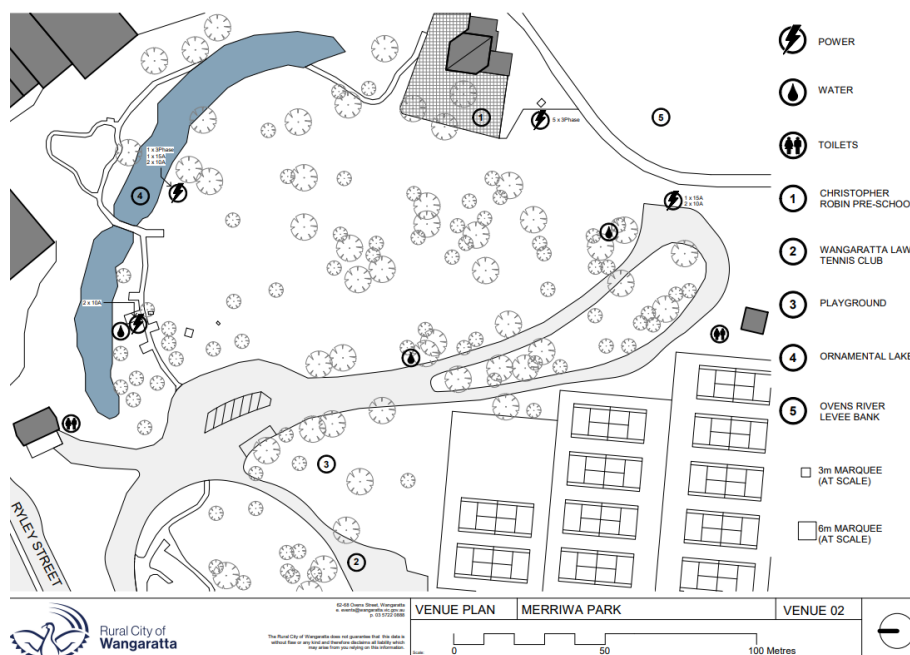
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- Public toilets and;
- An ornamental lake/lagoon which encircles the park.

The park has an established network of walking tracks with seating and is used by the community for a wide range of recreational purposes ranging from picnics and dog walking to open air concerts and weddings amongst other events.

The park is located on the confluence of the King River and a King River anabranch.

Kaluna Park which adjoins Merriwa Park consists of 5.2ha of natural remnant River Red Gum riverine and is bordered by the King River, a billabong and levee bank which separates it from Merriwa Park.



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Image 01: Intramaps 2023

#### PLANNING CONTROLS & TRIGGERS

Control	Planning Scheme Clause no.	Is a permit required?	Reason
Public Park and recreation Zone (PPRZ)	36.02	No	No permit required for vegetation removal.
Heritage Overlays 20, 113 and 150 (HO)	43.01	No	This control does not apply to the area of vegetation removal.
Bushfire Management Overlay (BMO)	44.06	No	No permit required for vegetation removal.
Land Subject to Inundation Overlay (LSIO)	44.04	No	This control does not apply to the area of vegetation removal.
Floodway Overlay (FO)	44.03	No	No permit required for vegetation removal.
Native Vegetation	52.17	Yes	A permit is required to remove, destroy or lop native vegetation.

Controls that do not need a permit require no further detailed consideration in this report.

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**Cultural sensitivity**

Pursuant to the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan (CHMP) is not required:

- the proposed development is an exempt activity or is a low impact activity as defined by the regulations.

**Restrictions on Title (Covenants, S173 agreements and easements)**

No restrictions are lodged on title.

**Special Water Supply Catchments**

The land is within a catchment as listed in schedule 5 of the *Catchment and Land Protection Act 1994*.

**Request for Further Information**

Pursuant to Section 54(1) of the Act, additional information was sought by Council during the assessment of the application.

The information sought was:

- A site plan showing only the trees to be removed.
- An amended the Flora and Fauna Assessment to deal with just the trees that require the planning permit.
- A revised NVM report for any net loss assessment

The applicant submitted the required information and satisfied the request.

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**REFERRALS & PUBLIC NOTIFICATION****Referrals**

The application was referred to the following authorities:

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EXTERNAL REFERRALS	Section	Referral Type	Response
DEECA	To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) and  To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.	Recommending referral authority	Consent subject to Conditions
NECMA	To carry out works (Tree removal) that are within a Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994 and which provides water to a domestic supply.	Determining referral authority	No Objection
GMW	To carry out works (Tree removal) that are within a Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994 and which provides water to a domestic supply.	Determining referral authority	No Objection

**Internal advice (including verbal advice)**

Unit	Reason for advice	Response
Environment & Sustainability	Vegetation assessment	Consent subject to DEECA Conditions

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**Public Notice**

Public notice was carried out by Council in accordance with Section 52 of the Act.

Notice was given in the form of:

- Letters to adjoining and adjacent owners and occupiers.
- Signs on site
- A notice in the Wangaratta Chronicle

A total of 4 objections were received which are considered later in this report.

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**PLANNING CONSIDERATION****Planning and Environment Act 1987****Section 1 – Purpose**

The purpose of this Act is to establish a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

**Section 4 – Objectives**

The purpose of this Act is to establish a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

(1) The objectives of planning in Victoria are—

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- (b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- (c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- (e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);
- (f) to facilitate the provision of affordable housing in Victoria;
- (g) to balance the present and future interests of all Victorians.

(2) The objectives of the planning framework established by this Act are—

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- (a) to ensure sound, strategic planning and co-ordinated action at State, regional and municipal levels;
- (b) to establish a system of planning schemes based on municipal districts to be the principal way of setting out objectives, policies and controls for the use, development and protection of land;
- (c) to enable land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;
- (d) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;

### **Planning Policy Framework (PPF)**

The following clauses of the PPF are relevant to the assessment of this application:

#### **Clause 02.02 – Municipal Planning Strategy; Vision**

Council's vision is that:

In 2028: Whether you stay for a day or a lifetime, it feels like home. We have the mix right - between safety and excitement, growth and certainty, rural and urban. Here, you know that there are opportunities that you can't find anywhere else. There are jobs, neighbourhoods, schools and services that ensure that everyone can build a healthy and fulfilling life for themselves and their family. This is supported by land use objectives including:

**Connections:** The community has developed to allow easy connections and interactions. Land use planning and transport is integrated and effective communications are in place. A wide range of community facilities provide opportunity for activity and involvement in the community.

**Creativity:** The community has opportunities to embrace the arts, to attend vibrant and exciting events, and to experience a community that is creative and evolving.

**Sustainability:** Decisions will be made to ensure long term viability and capacity to the delivery of quality services and infrastructure, so as to meet the changing and complex challenges that face the municipality.

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**Clause 02.03-2 Environmental and landscape values**

The Ovens and King Rivers comprise significant ecological corridors and major floodplain systems. The Ovens River riverine corridor runs through the urban extent of Wangaratta and is being progressively developed with walking and bicycle trails. Part of the Ovens River is classified as a 'heritage river' under the *Heritage Rivers Act 1992* due to its cultural and historic significance and warrants particular building setbacks and land management requirements.

Native vegetation is a critical part of biodiversity and environmental health in the Rural City and remnant vegetation is to be protected. The extent of native vegetation has declined on private land, primarily from agricultural, residential and other pressures. Roadsides are often the only remaining areas of native vegetation in cleared farming areas. Weed invasion, human and stock access, agricultural inputs and inappropriate management have reduced the biodiversity value of remnant native vegetation.

Wetlands are an important part of the natural environment and are scattered throughout the municipality, primarily on the floodplains of the Ovens River and King River.

Ridgelines, escarpments, hilly areas and other significant landscapes form an important part of the rural environment and provide backdrops to large, elevated areas of public and private land. The rural landscape of the municipality is an important natural asset that requires protection from inappropriate land use and development. The Warby Ranges are a prominent and significant feature in Wangaratta, that dominates the landscape in the northwest of the municipality, north of the Hume Freeway.

Council seeks to:

- Protect and enhance biodiversity values, ecosystem health and remnant vegetation, including scattered trees, roadsides, native grasslands, wetlands and riparian environments along waterways.
- Protect ridgelines, escarpments, hilltops and other significant rural landscapes through sensitive siting and design of buildings and works.
- Encourage development that protects important environmental values.

**Clause 02.03.-9 – Infrastructure; Community infrastructure; Open space**

The municipality has a good supply of open space, particularly in central Wangaratta and township areas. However, there is a greater demand for recreational spaces across a wider range of recreational infrastructure types. Recreation activities are diversifying and moving towards passive recreation, walking, cycling, swimming and fitness activities. Deficiencies have been identified in the distribution of open space in some communities, the quality of land upon which open space is established and the development of quality open space.

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Council seeks to:

- Support medical centres that are designed and located to minimise any negative impact on residential amenity.
- Facilitate a diverse range of arts, cultural and educational uses.
- Ensure the existing open space network continues to expand with population growth.
- Improve the diversity, distribution and quality of open space, sport and recreation infrastructure and facilities.
- Use open space contributions in residential zones to ensure the community continues to have access to open space and recreational activities.

### **Clause 11 - Settlement**

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- Health, wellbeing and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of urban design and amenity.
- Energy efficiency.
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

### **Clause 12.01-1S – Protection of Biodiversity**

This clause has the stated objective to assist in the protection and conservation of Victoria's biodiversity.

Relevant strategies to be considered in the assessment of an application include:

- Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.
- Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:

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- Cumulative impacts.
- Fragmentation of habitat.
- The spread of pest plants, animals and pathogens into natural ecosystems.
- Avoid impacts of land use and development on important areas of biodiversity.
- Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).
- Assist in the identification, protection and management of important areas of biodiversity.
- Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

**Clause 12.01-1L – Protection of Biodiversity**

Clause 12.01-1L identifies the following strategies in seeking to enhance the protection of biodiversity.

- Site and design subdivision and development on a land capability basis to identify, protect and enhance existing native vegetation, including by avoiding its clearance.
- Protect biodiversity values and remnant vegetation on roadsides.
- Facilitate the re-establishment and regeneration of native vegetation.
- Facilitate bio-corridors between areas of native vegetation.

**Clause 12.01-2S – Native vegetation management**

Ensuring that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation is the objective of this clause.

The strategy to achieve this objective is to ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach of:

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

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**Clause 12.01-2L – Native Vegetation Management**

The strategies identified at Clause 12.01-2L include:

- Avoid any adverse impacts on biodiversity values, particularly from the clearance of native vegetation.
- Protect native vegetation along One Mile and Three Mile Creeks.
- Protect remnant paddock trees.

**Clause 12.03-1S – River corridors, waterways, lakes and wetlands**

The objective of this clause is to protect and enhance river corridors, waterways, lakes and wetlands.

The following strategies are identified to aid in achieving the objective:

- Protect the environmental, cultural and landscape values of all water bodies and wetlands.
- Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.
- Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.
- Ensure development does not compromise bank stability, increase erosion or impact on a water body or wetland's natural capacity to manage flood flow.
- Facilitate growth in established settlements where water and wastewater can be managed.

**Clause 12.03-1L – River corridors, waterways, lakes and wetlands**

Strategies and guidelines identified to consider in any proposal include:

- Protect high priority waterways identified in the North East River Waterways Strategy (North East Catchment Management Authority, 2004).
- Support the creation of consistent buffers and reserves along rivers and creeks, through the subdivision process to achieve co-ordinated environmental management and recreational opportunities.
- Where subdivision is proposed on land adjoining creek and river reserves, in particular, the Three Mile and Reedy Creeks, regard should be given to:
  - The ability to achieve a 30 metre buffer along both sides of the creek/waterways.
  - The likely effect of the proposed land or use development on the creek/river

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- The Water Quality Guidelines for North Eastern Victoria.

**Clause 12.05-1S – Environmentally sensitive areas**

The objective of Clause 12.05-1S is to protect and conserve environmentally sensitive areas by way of protecting environmentally sensitive areas with significant recreational value from development that would diminish their environmental conservation or recreational values. These areas include the Dandenong and Macedon Ranges, the Upper Yarra Valley, Western Port and Port Phillip Bay and their foreshores, the Mornington Peninsula, the Yarra and Maribyrnong Rivers and the Merri Creek, the Grampians, the Gippsland Lakes and its foreshore, the coastal areas and their foreshores, Alpine areas and nominated urban conservation areas, historic buildings and precincts.

**Clause 12.05-2S – Landscapes**

The objective of this clause is to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Strategies identified to achieve this objective include:

- Ensure significant landscape areas such as forests, the bays and coastlines are protected.
- Ensure development does not detract from the natural qualities of significant landscape areas.
- Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.
- Recognise the natural landscape for its aesthetic value and as a fully functioning system.
- Ensure important natural features are protected and enhanced.

**Clause 12.05-2L – Landscapes**

The objective of this clause is to protect the landscape, biodiversity values and scenic quality of highly visible elevated areas and other significant rural landscapes, including the Warby Ranges, King Valley and Glenrowan Gap.

This objective is to be achieved through implementation of the following strategies:

- Avoid development on ridgelines, escarpments, hilltops or other visually prominent land features.
- Limit development near prominent ridgelines, escarpments and hilltops, or other visually prominent land features.
- Avoid 'skyline' development that would break the line and form of the natural landscape through its location or design.
- Design development on or near prominent ridgelines, escarpments and hilltops so the profile of the building or works reflects the landform on which it is sited.

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- Minimise the need for earthworks and removal of vegetation in highly visible locations including on or near prominent ridgelines, escarpments and hilltops.
- Use building materials and colours with muted tones that blend with the surrounding landscape.
- Avoid residential development that will undermine the landscape values of the Warby Ranges, King Valley and Glenrowan Gap.

**Clause 13.07-1S – Land Use Compatibility**

The objective of this clause is to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

To ensure this objective consideration must be given to the following strategies when assessing a proposal:

- Ensure that use or development of land is compatible with adjoining and nearby land uses.
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

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**Zone****Clause 36.02 – Public Park and Recreation Zone**

The purpose of the Public Park and Recreation Zone is to:

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

The decision guidelines identified in the Public Park and Recreation Zone direct that consideration be given to:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

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**Overlay(s)**

There are no overlays applicable to this site that require consideration for this proposal.

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**Particular provisions****Clause 52.17 – Native Vegetation**

The purposes of Clause 52.17 are identified as being to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation and to manage the removal, destruction or lopping of native vegetation to minimise land and water degradation. Ensuring no net loss is to be achieved through the application of the principles of avoid, minimise and offset.

Decision guidelines are identified as:

- Efforts to avoid the removal of, and minimise the impacts on, native vegetation should be commensurate with the biodiversity and other values of the native vegetation, and should focus on areas of native vegetation that have the most value. Taking this into account consider whether:
  - The site has been subject to a regional or landscape scale strategic planning process that appropriately avoided and minimised impacts on native vegetation.
  - The proposed use or development has been appropriately sited or designed to avoid and minimise impacts on native vegetation
  - Feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.
- The role of native vegetation to be removed in:
  - Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway in a special water supply catchment area listed in the Catchment and Land Protection Act 1994.
  - Preventing land degradation, including soil erosion, salination, acidity, instability and water logging particularly:
    - where ground slopes are more than 20 per cent
    - on land which is subject to soil erosion or slippage
    - in harsh environments, such as coastal or alpine areas.
  - Preventing adverse effects on groundwater quality, particularly on land:
    - where groundwater recharge to saline water tables occurs
    - that is in proximity to a discharge area
    - that is a known recharge area.
- The need to manage native vegetation to preserve identified landscape values.
- Whether any part of the native vegetation to be removed, destroyed or lopped is protected under the Aboriginal Heritage Act 2006.

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- The need to remove, destroy or lop native vegetation to create defensible space to reduce the risk of bushfire to life and property, having regard to other available bushfire risk mitigation measures.
- Whether the native vegetation to be removed is in accordance with any Property Vegetation Plan that applies to the site.
- Whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- Consider the impacts on biodiversity based on the following values of the native vegetation to be removed:
  - The extent.
  - The condition score.
  - The strategic biodiversity value score.
  - The number and circumference of any large trees.
  - Whether it includes an endangered Ecological Vegetation Class.
  - Whether it includes sensitive wetlands or coastal areas.
- Consider the impacts on habitat for rare or threatened species. Where native vegetation to be removed is habitat for rare or threatened species according to the Habitat importance maps, consider the following:
  - The total number of species' habitats.
  - The species habitat(s) that require a species offset(s).
  - The proportional impact of the native vegetation removal on the total habitat for each species, as calculated in section 5.3.1.
  - The conservation status of the species (per the Advisory Lists maintained by DELWP).
  - Whether the habitats are highly localised habitats, dispersed habitats, or important areas of habitat within a dispersed species habitat.

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**General provisions****Clause 65.01 - Approval of an application or plan**

This clause directs that consideration be given to matters including the Municipal Planning Framework and Planning Policy Framework, the purpose and any relevant matter of the zone, any overlay or other provision. Matters affecting an area's orderly planning or effect upon amenity must also be considered as well as any environmental impacts that may arise from a proposal.

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**Other**

The "*Assessor's handbook Applications to remove, destroy or lop native vegetation*" (DELWP 2018) ("the handbook") guides the assessment of applications for a planning permit to remove, destroy or lop native vegetation and 52.17 of planning schemes in Victoria.

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This application meets the Intermediate Assessment pathway set out in the handbook. Section 4 – Consider the Application and Section 5 - Decision making guidance for each pathway, have been considered in the assessment of this application.

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**ASSESSMENT AGAINST PLANNING POLICY**

The Application has been submitted by the Rural City of Wangaratta as the public land manager having responsibility for the care or management of the land.

The impetus for the proposed vegetation removal is public safety within Merriwa Park necessitated by recent flooding, tree failures and toppling of other trees in the park.

The key policy themes for the proposal are:

- Native Vegetation Protection
- Biodiversity and Habitat conservation
- Risk assessment and Public Safety

When considering the proposed vegetation loss, all three trees are already subject to varying degrees of historical TPZ encroachment be it from the existing road and car parking areas, paths and/or other infrastructure within the park. This encroachment is as follows:

Tree 97 - Historical TPZ encroachment by existing road.

Tree 114 - Near to 100% historical TPZ encroachment by existing road and car parking.

Tree 152 Historical TPZ encroachment by existing footpath and BBQ facilities

In short the historical and existing circumstances have already significantly compromised the viability of each tree.

**Native Vegetation Protection**

Assessment of proposals seeking to remove native vegetation must demonstrate application of the principles of avoid, minimise and offset.

Evidence as to the unusually small root ball of the river red gums within Merriwa Park has been seen by the toppling and uprooting of trees recently in the park, as well as by thorough arboriculture investigation. Assessment provided by ENSPEC in September 2022 assessed the trees using a recognised assessment method and at this time the Applicant was able to avoid the removal of any vegetation.

Following further flooding events and the topping of a large river red gum (which had been 'pull' tested to establish its safety and risk of falling the prior day), further investigation by the Arborist took place in October and November 2022.

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The applicants independent and staff arborists initially assessed that 23 native trees were at risk of failure, this led to risk assessment maintenance which reduced the number of trees required for removal.

Finally, the applicant has demonstrated that a suitable offset is being available for all three trees satisfying the principle of 'offset'. The application is therefore considered appropriate for support under the native vegetation clauses of the Wangaratta Planning Scheme subject to the inclusion of conditions.

#### **Biodiversity and Habitat conservation**

The ultimate thrust of the applicable planning policy with regards to the conservation of habitat and biodiversity would be best served by the retention of the vegetation. If the application was to be solely assessed on these requirements it would ultimately not meet the policy and would not be suitable for support.

#### **Risk assessment and Public Safety**

In assessing the risk to public safety and ultimately human life, the overarching purpose and objectives of the Act and Planning in Victoria must be considered.

Planning is to:

- contribute towards Health, wellbeing and safety.
- to balance the present and future interests of all Victorians
- to secure a safe working, living and recreational environment for all Victorians and visitors to Victoria
- Ensure that use or development of land is compatible with adjoining and nearby land uses.

Given the overwhelming professional assessment of the very high risk of failure and the ultimate requirement to remove the trees to minimise the risk to human life, the application demonstrates compliance with the Act and the Wangaratta planning Scheme and it suitable for conditional support.

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#### **Consideration of submissions**

A total of 4 objections were received, their grounds for objection and the Officer response is as follows:

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<b>Ground of objection:</b>
<b>Impact on Fauna</b> <ul style="list-style-type: none"> <li>the removal of hollows</li> <li>loss of habitat</li> <li>reduced contiguous canopy</li> <li>loss of food source</li> <li>cumulative loss including recent maintenance pruning</li> </ul>
<b>Compliance with other / existing Council policies including:</b> <ul style="list-style-type: none"> <li>Tree Management Plan:</li> <li>Urban Tree Plan,</li> <li>The Council Plan</li> </ul>
<b>Biodiversity and Climate Change Adaptation:</b> <ul style="list-style-type: none"> <li>The Urban Tree Plan underscores the importance of large trees for biodiversity, serving as green corridors and habitat for wildlife.</li> <li>The removal of these trees contradicts the goal of adapting to climate change by improving tree canopy and green corridors.</li> </ul>
<b>Character and Amenity</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Objectors had strong objection to the removal, citing the trees' essential role in providing shade, amenity, habitat, and food sources for wildlife.</li> </ul>
<b>Concerns that the Applicant is taking a particularly conservative approach to risk by removing the tree</b> <ul style="list-style-type: none"> <li>Some objections questioned the necessity of tree removal based on safety concerns, suggesting that the risk could be managed through citizen involvement and awareness rather than mass removal.</li> <li>The objection suggests involving citizens in a decision-making process regarding the risk and preservation of trees.</li> </ul>

### Response

The concerns raised by objectors are valid and the applicant's prior actions to preserve the trees has also demonstrated that retention of trees is preferable to removal. However, given the finite life of the trees, the high likelihood of failure and the need to prioritise community safety, the objections to the vegetation removal ultimately aren't strong enough to warrant refusal of the application. Permit conditions that require consideration of hollow dwelling fauna and the protection of native vegetation to be retained can also be included to mitigate some objector concerns.

### CONCLUSION & RECOMMENDATION

The application is consistent with the Wangaratta Planning Scheme and is suitable for support. All submissions have been considered but they are ultimately not strong enough to warrant a refusal of the application. It is recommended that a Notice of Decision to Grant a Permit be issued with appropriate conditions.

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**DECISION**

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**That Council issue a Notice of Decision to Grant a Permit in accordance with Section 64 (1) & (2) of the *Planning and Environment Act 1987*, and that the notice include the conditions set out in Appendix 1 below.**

**Appendix 1 – Proposed permit conditions**

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**RCoW Conditions****No further vegetation removal**

- 1 The vegetation removal as shown on the endorsed plans and documents must not be altered without the written consent of the Responsible Authority.
  - 2 Only the native vegetation nominated for removal as shown on the endorsed plans is authorised to be removed by this permit.
- 

**DEECA Conditions****Notification of permit conditions**

- 3 Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.
- 

**Consideration of hollow dwelling fauna**

- 4 Before any work commence a comprehensive survey for arboreal animals must be undertaken to ensure any listed species are not negatively impacted as a result of the proposed native vegetation removal.
  - 5 Before any work commence all hollows must be checked for faunal occupation by an authorised person and appropriately handled and relocated within the park.
- 

**Protection of native vegetation to be retained**

- 6 Before works start, a native vegetation protection fence must be erected to protect all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:

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- 
- a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
  - b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.

- 7 Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

- 
- a) vehicular or pedestrian access;
  - b) trenching or soil excavation;
  - c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
  - d) construction of entry and exit pits for underground services; or
  - e) any other actions or activities that may result in adverse impacts to retained native vegetation.

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#### **Native vegetation offsets**

The total area of native vegetation permitted to be removed is 0.172 hectares, comprised of

- 
- a) 2 scattered large trees
  - b) 1 scattered small tree

- 8 To offset the removal of 0.172 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a) A general offset of 0.040 general habitat units located within the North East Catchment Management Authority boundary or Wangaratta Rural City municipal district;
  - b) have a Strategic Biodiversity Value score of at least 0.448;
  - c) provide protection for at least two (2) large trees;
  - d) must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

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#### **Offset evidence**

- 9 Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:

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- a) a security agreement signed by both parties, and
  - b) a management plan detailing the 10-year management actions and ongoing management of the site
  - c) to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.
  - d) Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;  
and/or
  - e) credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.
  - f) A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.
- 10 Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at [loddonmallee.planning@delwp.vic.gov.au](mailto:loddonmallee.planning@delwp.vic.gov.au).

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**Permit expiry**

- 11 This permit will expire if the native vegetation is not removed within two years of the original issue date of this permit.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

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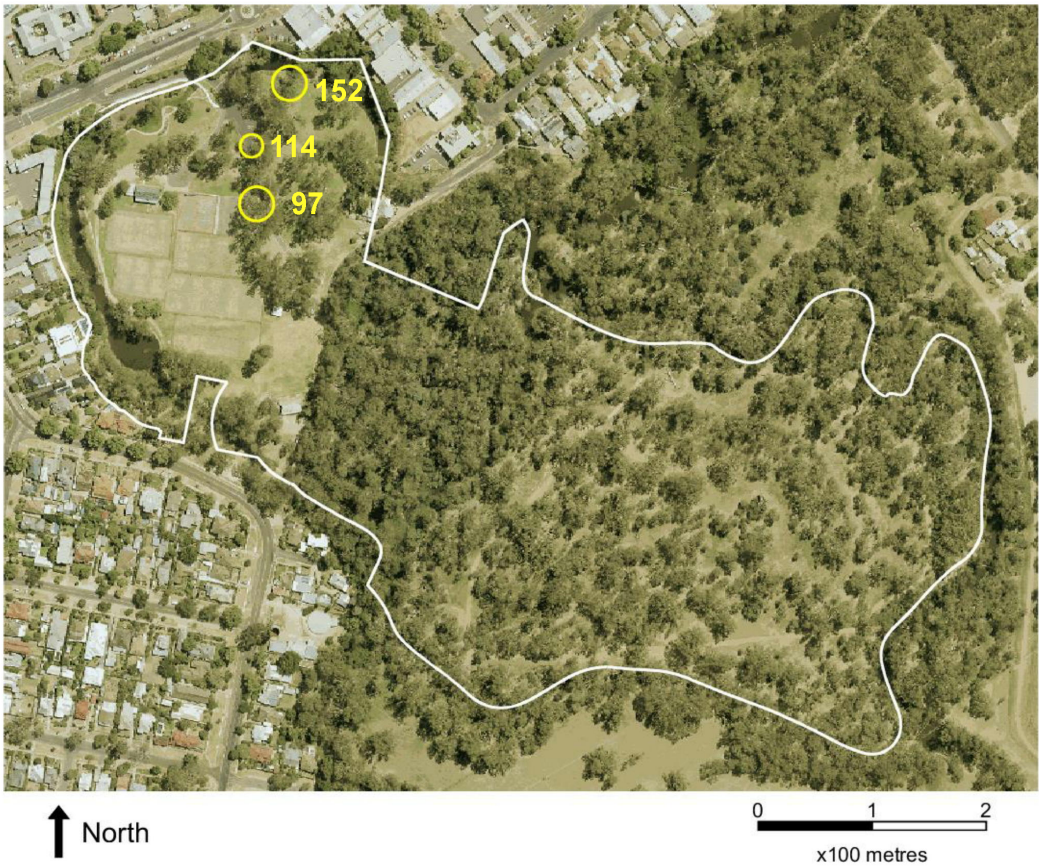
**DEECA Notes**

- The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee Act 1988 (FFG). All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office ([loddonmallee.environment@delwp.vic.gov.au](mailto:loddonmallee.environment@delwp.vic.gov.au)).

- Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

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**Merriwa Park - Trees proposed for removal**



Audit and Risk Committee Self-Assessment

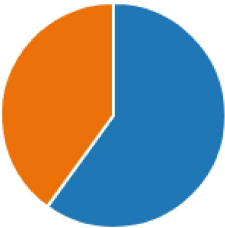
5  
Responses

10:33  
Average time to complete

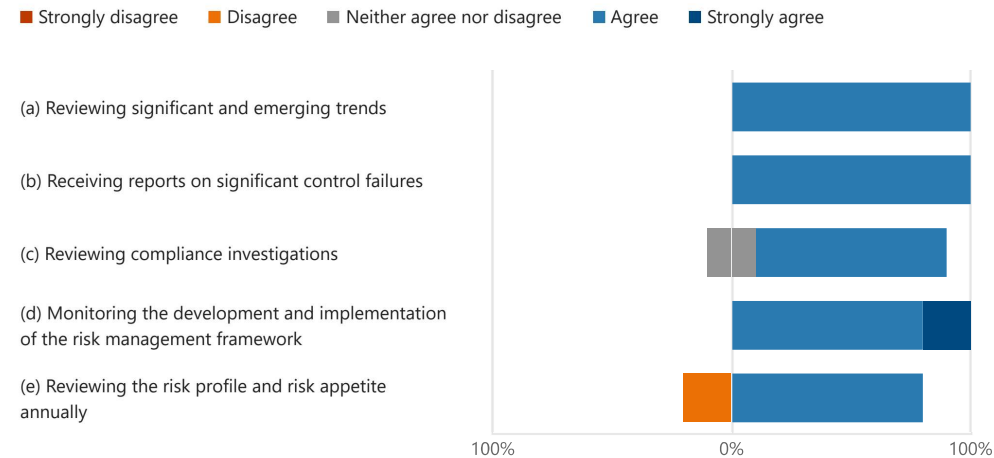
Active  
Status

1. The Audit and Risk Committee have successfully monitored and provided advice on risk management systems and controls.

Strongly Agree	3
Agree	2
Neither Agree nor Disagree	0
Disagree	0
Strongly Disagree	0



2. The following risk management processes have been used successfully by the Committee to monitor risk:



3. Do you have any additional comments which could improve the performance of the Committee in relation to risk management.

5 Responses	Latest Responses
	"Having a session to review and understand the Council's Risk Appetite woul...
	"nil"
	"No"

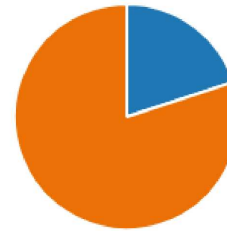
### 3. Do you have any additional comments which could improve the performance of the Committee in relation to risk management.

#### 5 Responses

ID ↑	Name	Responses
1	anonymous	N/A
2	anonymous	No comments
3	anonymous	No
4	anonymous	nil
5	anonymous	Having a session to review and understand the Council's Risk Appetite would be useful

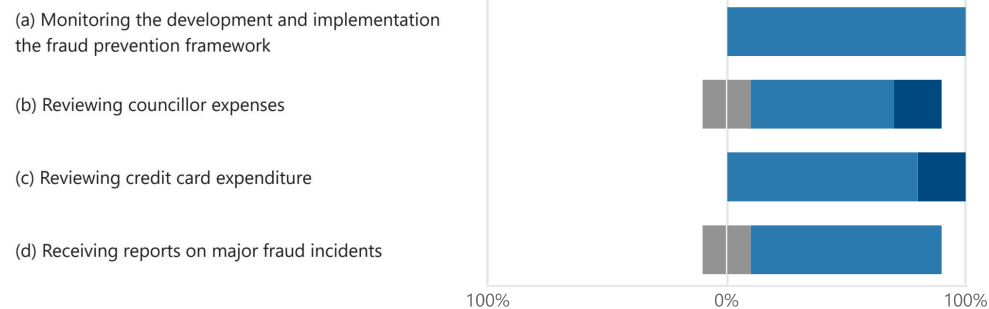
4. The Audit and Risk Committee have successfully monitored and provided advice on fraud prevention systems and controls.

Strongly Agree	1
Agree	4
Neither Agree nor Disagree	0
Disagree	0
Strongly Disagree	0



5. The following risk management processes have been used successfully by the Committee to monitor risk:

Strongly disagree Disagree Neither agree nor disagree Agree Strongly agree



6. Do you have any additional comments which could improve the performance of the Committee in relation to monitoring fraud.

5  
Responses

Latest Responses

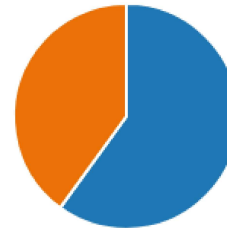
"no"

"nil"

"No"

7. The Audit and Risk Committee have successfully overseen the internal and external audit functions.

Strongly Agree	3
Agree	2
Neither Agree nor Disagree	0
Disagree	0
Strongly Disagree	0



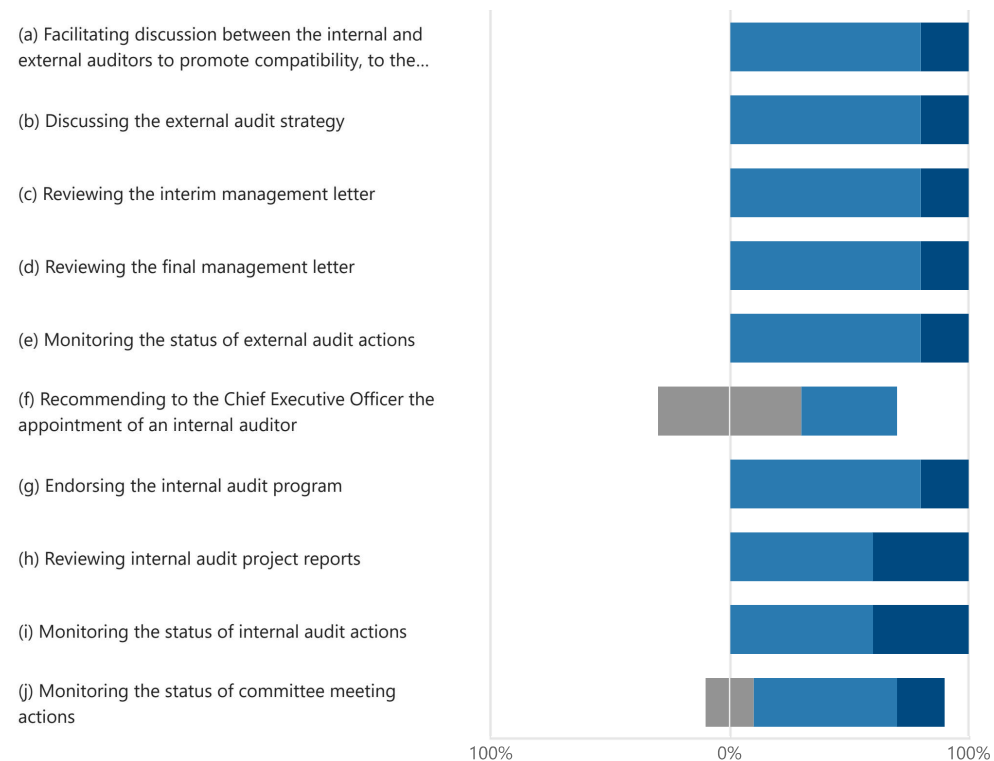
6. Do you have any additional comments which could improve the performance of the Committee in relation to monitoring fraud.

5 Responses

ID ↑	Name	Responses
1	anonymous	N/A
2	anonymous	No major incidents were reported
3	anonymous	No
4	anonymous	nil
5	anonymous	no

8. The following audit oversight processes have been used successfully by the Committee:

■ Strongly disagree  
 ■ Disagree  
 ■ Neither agree nor disagree  
 ■ Agree  
 ■ Strongly agree



9. Do you have any additional comments which could improve the performance of the Committee in relation to audit oversight.

5  
Responses

Latest Responses  
"No, this process works really well"  
"nil"  
"No"

10. The Audit and Risk Committee have successfully monitored the compliance of Council policies and procedures with overarching governance principles and with the Local Government Act and the regulations and any Ministerial directions

Strongly Agree	1
Agree	2
Neither Agree nor Disagree	2
Disagree	0
Strongly Disagree	0

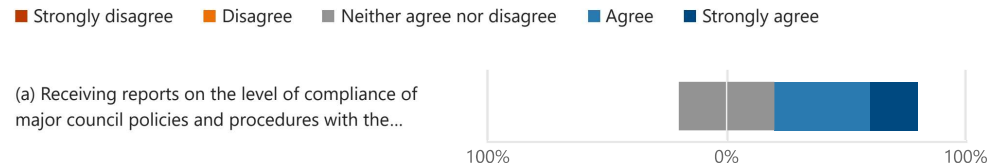


9. Do you have any additional comments which could improve the performance of the Committee in relation to audit oversight.

5 Responses

ID ↑	Name	Responses
1	anonymous	N/A
2	anonymous	A very good relationship is established with both auditors - makes for effective function
3	anonymous	No
4	anonymous	nil
5	anonymous	No, this process works really well

11. The following process has been used successfully by the Committee to ensure Council's compliance with the relevant acts, regulations and Ministerial directions:



12. Do you have any additional comments which could improve the performance of the Committee in relation to monitoring compliance.

5  
Responses

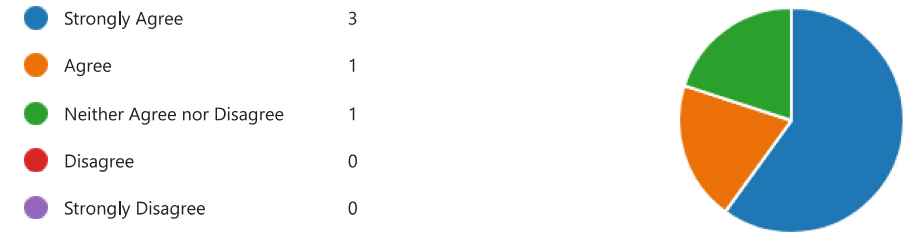
Latest Responses

"A schedule of the applicable policies that need to be overseen and their sch..."

"nil"

"Induction meeting with relevant Council staff for future members."

13. The Audit and Risk Committee have successfully monitored Council's financial and performance reporting.

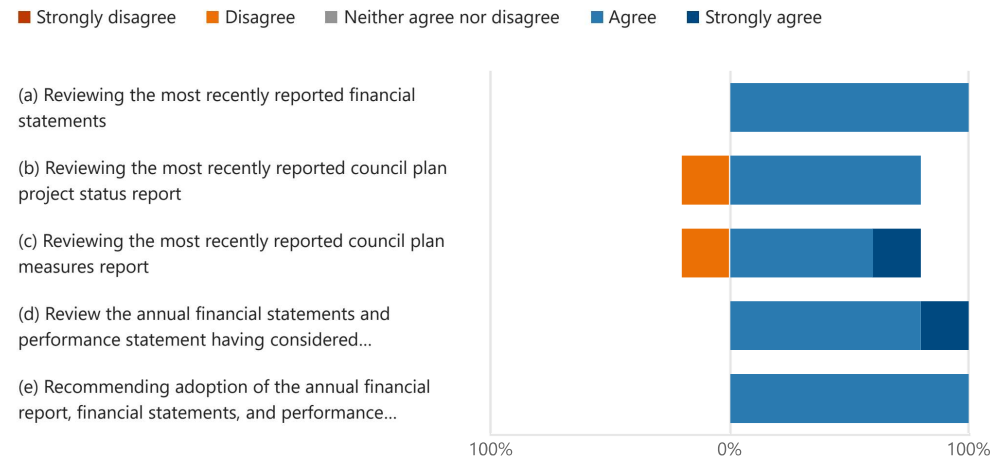


12. Do you have any additional comments which could improve the performance of the Committee in relation to monitoring compliance.

5 Responses

ID ↑	Name	Responses
1	anonymous	N/A
2	anonymous	No comments
3	anonymous	Induction meeting with relevant Council staff for future members.
4	anonymous	nil
5	anonymous	A schedule of the applicable policies that need to be overseen and their scheduled review dates would help track this. I am not aware this is in place for the committee. And an exception report provided by management against the policies and their implementation / level of compliance would assist achieve this requirement.

14. The following processes have been used successfully by the Committee to monitor financial and performance reporting:



15. Do you have any additional comments which could improve the performance of the Committee in relation to financial and performance reporting.

Latest Responses

"no"

"In pursuit of robust performance reporting, the committee could consider a..."

"No"

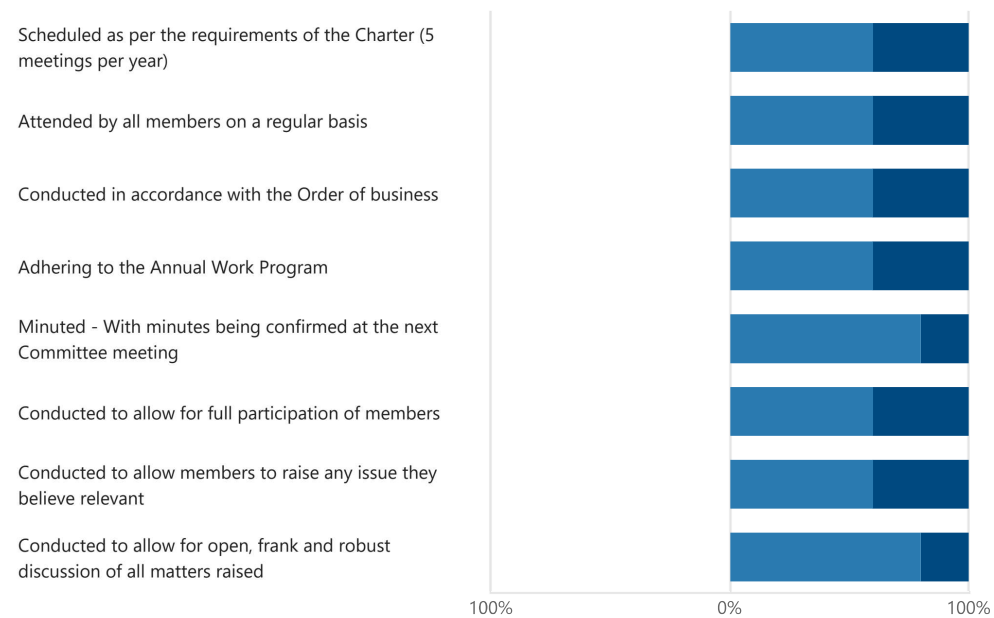
15. Do you have any additional comments which could improve the performance of the Committee in relation to financial and performance reporting.

4 Responses

ID ↑	Name	Responses
1	anonymous	N/A
2	anonymous	No
3	anonymous	In pursuit of robust performance reporting, the committee could consider additional focus on continuous improvement in the selection of and application of metrics and measures - perhaps as part of a structured investment management system (framework). Such a framework should assist with determining root desired investment outcomes (a process that probably requires further development in the application of rigorous business case as part of an investment management system) and then selecting indicators (measures) that reliably (i.e. possess reproducibility and statistical significance) correlate to those stated desired outcomes/investment benefits.
4	anonymous	no

16. Please answer how you would rate the Audit and Risk Committee's performance in regards to the Meetings Procedures as detailed within the Charter.

Strongly disagree Disagree Neither agree nor disagree Agree Strongly agree



## 17. Other Comments.

Are there any other matters you believe should be raised as part of this assessment of the performance of the Audit and Risk Committee

3  
Responses

## Latest Responses

*"Management provide very useful agenda papers and allow committee emb...*  
*"NO"*

---

18. Are there any other areas of fraud or risk that you think should be included on the Audit and Risk Committee Annual Work Plan or the Committee should have more focus on in 2024?

5  
Responses

## Latest Responses

*"no"*  
*"Climate Risk"*  
*"no"*

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17. Other Comments. Are there any other matters you believe should be raised as part of this assessment of the performance of the Audit and Risk Committee

3 Responses

ID ↑	Name	Responses
1	anonymous	N/A
2	anonymous	NO
3	anonymous	Management provide very useful agenda papers and allow committee embers the opportunity to be prepared for meetings. The volume and quality of the information provided is very useful and appreciated.

18. Are there any other areas of fraud or risk that you think should be included on the Audit and Risk Committee Annual Work Plan or the Committee should have more focus on in.

5 Responses

ID ↑	Name	Responses
1	anonymous	Nil
2	anonymous	I think all areas required are adequately covered
3	anonymous	no
4	anonymous	Climate Risk
5	anonymous	no