



Rural City of  
**Wangaratta**

# Agenda

For the Scheduled Council Meeting  
Council Chambers, Municipal Offices  
62-68 Ovens Street, Wangaratta  
**6:00 PM 24 February 2026**



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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 to Country

*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.*

### 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

#### Recommendation:

That <<enter text>> be granted leave of absence for the period <<enter text>> to <<enter text>> .

## Order of Business

### 6. Citizen Ceremony

### 7. Confirmation of Minutes

#### Recommendation:

That Council read and confirm the Minutes of the Scheduled Meeting of 16 December 2025 and the Unscheduled Meeting of 17 February 2026 as a true and accurate record of the proceedings of the meetings.

### 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

### 9.1 Visitor Information Centre

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Author:	Executive Services Coordinator
Presenters:	Interim Chief Executive 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

A petition including 29 signatures from a group of citizens from the Bendigo area has been received.

The petition requests that the Rural City of Wangaratta restores its Visitor Information Centre in Wangaratta to enhance tourist experiences in the city and surrounds.

A copy of the letter has been provided to Councillors under separate cover.

#### Recommendation:

1. That the petition regarding the Visitor Information Centre be received.
2. That the petition be referred to the Chief Executive Officer for consideration and response.

#### Conclusion

Clause 13.3 of the Rural City of Wangaratta Governance Rules sets out how petitions are to be considered. For this petition, council may determine that it be referred to the Chief Executive Officer for consideration and response.

#### Attachments

- 1 Petition - Visitor Information Centre - Confidential

**10. Hearing of Deputations  
Presentation of Reports**

**11. Councillor Reports**

Nil

**Officers' Reports**

**12. Executive Services**

Nil

## 13. Corporate and Leisure

### 13.1 2025/2026 Quarter 2 Forecast Review

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Strategic
Author:	Finance Manager
Approver:	Director - Corporate & Leisure

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 of Council's financial performance and anticipated full year financial position based on developments over Quarter Two of this financial year.

#### Recommendation:

That Council approves the 2025/2026 Quarter 2 Forecast Review, including:

1. The decrease in the projected full year accounting result of \$3.78m surplus to a (\$5.69m) deficit.
2. The decrease in capital works expenditure by \$281K to \$22.37m, largely due to the deferral of the WSAC Power efficiency project to align to contract timelines.

#### Background

Council has completed its second quarter financial reporting process to manage and monitor its financial performance against the 2025/26 Budget.

Council's 2025/26 Quarter 2 Forecast Report indicates decreases to the forecast full year Accounting Result of **\$9.47m** and a decrease to the Adjusted Underlying Operating Result by **\$8.74m**. This is primarily driven by the payout to exit license agreement with the Co-Store and the write off off assets from prior year projects being capitalised.

#### Implications

##### Financial/Economic Implications Quarter 2 Forecast Review:

The Chief Executive Officer is of the opinion that a revised budget is not required, pursuant to Section 97(3) of the Local Government Act 2020.

**Accounting Result - Unavourable decrease:**

The accounting result has deteriorated from a **\$3.78m** surplus forecast at Quarter 1 to a **(\$5.69m)** deficit in the Quarter 2 Forecast, representing a total unfavourable movement of **\$9.47m**.

**Adjusted Underlying Deficit – Unfavorable Increase:**

The adjusted underlying operating result has deteriorated from a **(\$9.15m)** deficit forecast at Quarter 1 to a **(\$17.89m)** deficit in the Quarter 2 Forecast, representing a total unfavourable movement of **\$8.74m**.

Rural City of Wangaratta	FY25/26 Adopted Budget	FY25/26 Adopted Budget (inc carry overs)	FY25/26 Q1 Reforecast	FY25/26 Q2 Reforecast	Projected Full Year to Adopted Budget Variance
31st December 2025	\$'000	\$'000	\$'000	\$'000	\$'000
Income	99,702	101,105	91,805	87,589	(4,216)
Expenses	86,260	86,996	88,027	93,276	(5,250)
Accounting Surplus/Deficit	13,442	14,109	3,778	(5,688)	(9,466)
<i>Add/(Less) Non-Operating</i>	15,960	17,237	12,928	12,206	723
<b>Adjusted Underlying Result</b>	<b>(2,518)</b>	<b>(3,128)</b>	<b>(9,150)</b>	<b>(17,893)</b>	<b>(8,743)</b>
Capital Works Expenditure	23,633	25,931	22,656	22,375	281
Net Fav/(Unfav) Q2 Variance					<b>(8,462)</b>

Total projected income has decreased by **\$4.22m** to **\$87.59m**. This unfavorable decrease is largely due to:

**Grants Operating - (\$834K) unfavourable** movement due to:

- Homecare grants decreased by **(\$923k)** due to less packages being funded, this is offset by reduction to Materials and Services.
- Budgeted grant for New Years Eve event did not occur **(\$50k)**.

**User Fees - (\$950k) unfavourable** movement due to:

- Early Learning - **(\$419k)** not running at capacity, this is offset by less staffing requirements.
- Aged Care **(\$244k)** - Comprehensive assessments is not to the level anticipated; this is offset by less staffing requirements.
- Wangaratta Government Centre tenant vacancy has resulted in a reduction of rent of **(\$155k)**.
- Parking revenue has been reduced by **(\$138k)** to reflect current market conditions around usage of the parking app.
- Reduction in Wangaratta Sports and Aquatic Centre (WSAC) stadium hire and memberships **(\$88k)**.

**Contribution – Cash Capital– (\$735k) unfavourable** movement due to:

- No Development Contribution Plan (DCP) cash contributions have been received in 2025/26, consistent with the ongoing trend of developers providing in-kind contributions instead of cash payments.

**Other Revenue – (131\$k) unfavourable** movement due to:

- Impact on interest income due lower cash on hand from the termination of Co-Store licence (\$99k).

**Statutory Fees and Fines \$55k favourable** movement due to:

- Additional fine income received from Victorian Electoral Commission \$52k.

**Reimbursements \$81k favourable** movement due to:

- Finalisation of prior year Natural Disaster claim paid \$81k.

Total expenditure has a net forecast increase of **\$5.25m** to **\$93.28m**. Overall this increase is an unfavourable movement, which is a result of the below drivers over the quarter:

**Employee Benefits \$862k – favourable** movement due to:

- Realisation of YTD savings via vacancies and lower staffing requirements in Aged Care and Early Learning.

**Materials and Services \$1.35m – favourable** movement due to:

- Home Care materials and services reduced based on packages to be delivered **\$1.15m, this is offset by Operating Grant reduction**
- Saving identified through out the organisation of **\$788k** including:
  - Reduction in plant operating expenses \$100k
  - Reduction in drainage maintenance \$100k
  - Reduction in road maintenance materials \$100k
  - Removal of panning project \$50k
- Software Licence increase **(\$100k)**
- Co-Store Licence adjustment **(\$86k)**
- Asset valuation to be completed by external valuers **(\$82k)**
- Legal Fees increase **(\$48k)**

**Other Expenses – (\$7.22m) unfavourable** movement due to:

- Termination of Co-Store licence agreement **(\$5.00m)**.
- Reallocation of non Council owned assets from Work in Progress, spend that has occurred is transferred from a capital to and expense item when capitalised **(\$2.14m)**.

**Net gain/(loss) on sale/disposal of Property, Plant, Equipment and Infrastructure (\$1.71m) unfavourable** movement due to:

- As part of the capitalisation process when assets have a remaining useful life and they are upgraded or renewed the **Written Down Value (WDV)** of these assets are written off and the cost of the renewal becomes the new WDV.

**Capital Works**

Expenditure of **\$6.80m** towards Council's capital works program had been spent as at **31st December 2025**, with a further **\$4.09m** of works committed.

The full year expenditure forecast has reduced by **\$281k** from the Quarter 1 Adopted Forecast. Key changes are as follows:

- Deferral of WSAC power efficiency project to following financial years - **\$280k**
- Deferral of After Hours Drop off - Domestic Animals to following financial years - **\$41k**
- Reduction of IT asset renewal - **\$30k**
- Reduction of asset renewals - **\$14k**

Additional Capital Works to be included in the forecast are as follows:

- Targoora Lighting Upgrade - correction to the funding amount advised in Q1- **\$152k**

### **Balance Sheet**

A this point in time; Council's working capital is in a strong position at 168% due largely to Capital Works delays and carried over projects that are expected to be spent later this year.

However, when considering the Long-Term Financial Plan projections, the current working capital position is likely to deteriorate in future years. We continue to work with a financial sustainability focus to ensure all reasonable efforts are made to address any long-term impacts.

Current year rates outstanding is sitting at 52% compared to 52% same time last year. The rates receivable balance as at 31 December 2025 was \$22.35m.

### **Legal/Statutory**

In accordance with section 94 of the Local Government Act 2020 (the Act), Council must prepare a budget for each financial year. Additionally, section 101 of the Act requires Council to apply principles of sound Financial Management. Section 97 of the Act requires the Chief Executive Officer, at least every three months, to prepare a statement comparing the budgeted financial performance with the actual performance to date and present this report to Council.

Section 181G of the Local Government Act 1989 requires that Council prepares a quarterly statement in respect of Environmental Upgrade Agreements.

### **Social**

Social benefits of the delivery of Council services and projects are outlined in the 2025/26 Budget and in the Council Plan 2025-29.

### **Environmental/Sustainability Impacts**

Council budgets for and delivers several projects that support its Environmental Sustainability Strategy. Refer to the Council Plan 2025-29 for further details.

## **Strategic Links**

### **Council Plan 2025 – 2029**

This report supports the 2025-2029 Council Plan through the following objectives and actions:

#### **1. Strengthening our Leadership**

Undertake regular and transparent reporting against Council's Adopted Budget.

## Risk Management

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Poor performance against budget	M	M	M	Regular monitoring and reporting of the budget position

## Consultation/Communication

Consultation has been undertaken with Council Managers and the Corporate Management Team. Officers believe that appropriate consultation has occurred, and the matter is now ready for Council consideration.

## Options for Consideration

1. That Council endorses the Quarter 2 Forecast Review report – recommended.
2. That Council advises of any changes to the 2025/26 Quarter 2 Forecast and proposes an alternative recommendation for changes to the 2025/26 Quarter 2 Forecast.

## Conclusion

This report compares actual performance with Council's 2025/26 adopted Q1 Forecast, adopted by Council on 24 November 2025. Council's Quarter 2 Forecast Review continues to be based on the best estimates of the Organisation as to its financial outlook.

## Attachments

- 1 Q2 2025\_26 Finance Report [↓](#)

## 13.2 2025-2029 Council Plan Performance Quarter 2 (October - December 2025)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Operational
Author:	Governance Manager
Approver:	Director - Corporate & Leisure

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 presents the 2025-26 Quarter 2 (October – December 2025) update for the Council Plan and Actions.

#### Recommendation:

That Council:

1. Notes the Quarter 2 (2025-26) results for the Council Plan 2025-2026 Actions as contained in the attached reports.

### Background

#### Council Plan Actions

Of the 37 actions relating to the 25-26 Financial year all are currently on track (**see attachment 1**). Of note, within the reporting period the following actions have taken place:

- 1) Council officers continue to review community facility usage resulting in Warrena Park facilities now being shared by 4 user groups
- 2) Through Victoria Health funding, we have implemented healthy eating options at Children Services Centre,
- 3) Council has been successful in attracting a Community Energy Upgrade Fund Grant of over \$0.5m from the Federal Government to transition the WSAC from gas to electric thermal heat pumps, with the project design period commencing this January.
- 4) Events growth including RegFest continuing into it's third year, launching our Hello Summer Program and delivering our NYE festivities with around 8,500 attendees.

#### Strategic Indicators

There are 26 Strategic Indicators for the 25-29 Council Plan. These are now reported annually and as such there is no update at this time.

## Implications

### Policy Considerations

There are no specific Council policies or strategies that relate to this report.

### Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report. Funding to deliver the actions in the Council Plan has been allocated via council's Annual Budget.

### Legal/Statutory

The obligation to report on progress of delivery of the actions and priorities set out in the Council Plan actions is prescribed by the *Local Government Act 2020*.

### Social and Diversity

The intended social benefits from delivering these actions are outlined in the Council Plan 2025-29.

### Equity Impact Assessment (EIA)

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

### Environmental/Sustainability Impacts

The intended environmental/sustainability benefits from delivering these actions are also outlined in the Council Plan 2025-29.

## Strategic Links

### Council Plan 2025 – 2029

This report supports the 2025-2029 Council Plan by providing an update on the organisation's progress in implementing its actions.

## Risk Management

Council risks a reputational failure by failing to adequately monitor and deliver its key objectives. By the regular reporting of its Strategic Indicators and Actions, Council can ensure the appropriate level of monitoring and transparency occurs to mitigate this risk.

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to proactively monitor Council's progress against it's Council Plan	2 – Unlikely	Moderate	5 – Medium	Schedule a standing bi-annual Council Meeting report.

### Consultation/Communication

Council Plan actions are being progressively implemented by the appropriate officers across the organisation. The status of Council Plan actions and strategic indicators are reported to the executive management team and Audit & Risk Committee on a quarterly basis alongside other regular updates.

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

### Options for Consideration

There are no options for consideration.

### Conclusion

The attached reports provide the community with an appropriate level of transparency on the progress of council's delivery against the actions and commitments set out in the Council Plan 2025-29.

### Attachments

- 1 2025-2029 Council Plan Actions Quarter 2 - (October - December 2025) [↓](#)

### 13.3 Instruments of Appointment and Authorisations

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Operational
Author:	Governance & Reporting Advisor
Approver:	Director - Corporate & Leisure

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 approve the updated S11A and S11B Instruments of Appointment and Authorisations under the Planning and Environment Act 1987 and Environment Protection Act 2017 respectively.

#### Recommendation:

In the exercise of the power conferred by s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Wangaratta Rural City Council (**Council**) resolves that:

1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument; and
2. The instrument comes into force immediately once it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, Wangaratta Rural City Council (**Council**) resolves that: –

1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument;
2. The instrument comes into force immediately once it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

#### Background

Council regularly updates its suite of delegations to reflect changes in legislation, operational capacity and efficiency and service delivery. The specific Instruments of Appointment and Authorisations presented to Council today will ensure Council maintains suitably qualified Council representatives to undertake work and enforce provisions of the *Planning and Environment Act 1997* and the *Environment Protection Act 2017*.

**Implications**

**Policy Considerations**

There are no specific Council policies or strategies that relate to this report.

**Financial/Economic Implications**

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

**Legal/Statutory**

These Instruments of Appointment and Authorisations give effect to the *Planning and Environment Act 1997* and the *Environment Protection Act 2017*.

**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**

By providing the legislative authority for Council representatives to enforce key environmental obligations under the *Planning and Environment Act 1997* and the *Environment Protection Act 2017*, Council is demonstrating its commitment to protecting the natural environment.

**Strategic Links**

**Council Plan 2025 – 2029**

This report supports the 2025-2029 Council Plan through the following objectives and actions:

Natural Environment

2.3 Increase, preserve and protect the natural environment and open spaces.

**Other strategic links**

This report supports the Wangaratta Environmental Sustainability Strategy, Climate Adaptation Plan and the Environmental Sustainability Strategy

**Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Unauthorised Council representatives enforce key provisions of legislation outlined in this report.	4 – Likely	Moderate	7 – High	Regularly updating the Instruments of Authorisation and Appointment as contained in this report in consultation with key internal stakeholders.

### Consultation/Communication

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

### Options for Consideration

There are nil alternative options available for councillors to consider. By endorsing the S11A and S11B Instruments Council ensures authorised officers can continue to enforce key provisions of the Planning and Environment Act and Environment Protection Act.

### Conclusion

Councillors are recommended to endorse the updated S11A and S11B Instruments of Authorisation and Appointment for the Planning and Environment Act 1997 and under the EP Act respectively to ensure the currency of authorised Council representatives for the purposes of enforcing those Acts are maintained.

### Attachments

- 1 S11A [↓](#)
- 2 S11B [↓](#)

## 14. Community and Infrastructure

### 14.1 Community Asset Committees Annual Report 2024-2025

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Strategic
Author:	Executive Assistant - Community & Infrastructure
Approver:	Director Community and 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 brief Councillors on the activities of the thirteen Community Asset Committees during 2024/25 including their expenditure on maintenance and improvements.

#### Recommendation:

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

#### Background

In alignment with the Local Government Act 2020 and the Instrument of Sub Delegation, it is now a requirement that Council Officers report to Council annually on the activities of all Community Asset Committees.

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	

This mandatory annual report from the Chief Executive Officer seeks to increase the level of accountability and transparency between the Victorian State Government and Local Government.

## Implications

### Policy Considerations

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

### Financial/Economic Implications

All Community Asset Committees are provided with an annual Facility Maintenance Allowance which is based on a matrix of facility size, condition, and recreational usage. This allowance is used to facilitate improved service for volunteers and ongoing 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.

### Equity Impact Assessment (EIA)

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

### 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 reviewing the use of electricity and the potential for solar panels at the halls.

## Strategic Links

### Council Plan 2025 – 2029

This report supports the 2025-2029 Council Plan through the following objectives and actions:

#### 1. Community Wellbeing

- 1.2 People feel connected and included in the community
  - 1.2.2 Provide resources to strengthen volunteering at Council Services and local community groups

#### 4. Infrastructure & Place

- 4.3 Ensure assets are financially sustainable and fit for purpose
  - 4.3.1 Explore additional efficiencies in the maintenance and repair of Council Infrastructure and assets
  - 4.3.3 Encourage the sustainable use of Council and Community facilities by prioritising shared access and multi-use

### Rural City of Wangaratta 2045 Community Vision

This report supports the 2045 Community Vision through the following objectives:

Places and spaces for community connection and culture  
 Transport, roads and Infrastructure  
 Community Safety

### Risk Management

#### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Committee of management could collapse	2	moderate	1	RCOW support

### 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 Report to Council on Community Asset Committees 2024-2025 - Confidential

## 14.2 T14476 - Recruitment Labour Hire Services

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Author:	Director Community and Infrastructure
Presenters:	Marcus Goonan

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 for the award and execution of Contract T14476 – Recruitment Labour Hire Services, including endorsement of the full contract term and associated expenditure, which is projected to exceed the CEO's financial delegation.

Collaboration was undertaken with all relevant operational teams to ensure the recommended panel arrangement meets organisational workforce needs, supports service continuity, and aligns with procurement and financial governance requirements. Joint procurement was considered but surrounding Councils already had panels in place.

### Recommendation:

That Council:

1. Awards Contract T14476 - Recruitment Labour Hire Services to:
  - a. Chandler Macleod Group
  - b. JPEX Recruitment & Labour Services
  - c. Protech Personnel Vic Pty Ltd
  - d. Julie Reid Management Pty
  - at the tendered Schedule of Rates
  - for a term of 3+1+1 years, with pricing schedules, with approximately 1.5yrs remaining on the initial contract award.
2. Notes the estimated contract cost for the maximum term is \$1,000,000 plus (excluding GST).
3. Authorises the Chief Executive Officer to re-sign and seal all the relevant contract documents for Contract T14476 - Recruitment Labour Hire Services including possible extensions.

## Background

Rural City of Wangaratta (RCoW) engage a panel of recruitment agencies for the provision of recruitment and labour hire services for permanent, temporary and casual staff for indoor and outdoor work to supplement Council's existing workforce via an open tender process approved under CEO delegation.

It is now clear that the original estimated spend will be exceeded and will be over CEO delegation. Given this we are seeking approval from Council for the remaining term of this contract.

To ensure ongoing service delivery, it is crucial that the RCoW attracts, engages and retains a suitably skilled and diversified workforce to meet the human resource needs of RCoW, both now and into the future.

RCoW's workforce consists of staff engaged on a permanent, temporary and casual basis across four directorates and a wide variety of occupations and locations. To maintain quality service delivery to its customers, RCoW also requires on a regular basis the services of temporary agency staff and contractors to cover various planned and unplanned absences and workload.

## Implications

### Policy Considerations

Procurement Policy

### Financial/Economic Implications

The estimated spend with these suppliers is captured within existing operating budgets.

### Legal/Statutory

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

### 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

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

## Strategic Links

### Council Plan 2025 – 2029

This report supports the 2025-2029 Council Plan through the following strategic theme:

#### 1. Infrastructure and Place

We are developing places that connect people, businesses, and neighbourhoods. Our focus is on maintaining and improving what we already have, while delivering new infrastructure to meet community needs.

- Ensure Assets are financially sustainable and fit for purpose.
- Explore additional efficiencies in the maintenance and repair of Council Infrastructure and assets.

### Community Vision 2045

The content of this report supports delivery of the new Community Vision:

*The Rural City of Wangaratta is a place for everyone.*

*We are a welcoming, connected, and caring community.*

*We value our urban and rural communities, ensuring shared opportunity and quality of life.*

*Our natural environment supports our wellbeing and forms a strong part of our cultural identity.*

*Our strength is our resilience and active participation in shaping a future for everyone to thrive.*

### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Inability to provide Council with value for money	Possible (3)	Moderate (3)	Medium (9)	Council may seek multiple quotes from the panel to ensure value for money
Unavailability of quality personal	Unlikely (2)	Moderate (3)	Medium (6)	Council evaluates all submissions to ensure quality of service

### Consultation/Communication

This was a public Tender Process and no community consultation was required. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

### Options for Consideration

1. Award Contract T14476 – Recruitment Labour Hire Services to the four recommended providers for the term of 3+1+1 years at the tendered Schedule of Rates.
2. Council may choose not to award the contract and instead proceed to a new tender.
3. Council may opt to extend the existing labour-hire arrangements for a limited period (e.g., up to 12 months) while a revised procurement process is undertaken.
4. Council may explore delivering recruitment and labour-hire functions internally through increased staffing or new workforce models.

**Conclusion**

Award Contract T14476 – Recruitment Labour Hire Services to Chandler Macleod Group, JPEX Recruitment & Labour Services, Protech Personnel Vic Pty Ltd, and Julie Reid Management Pty Ltd, at the tendered Schedule of Rates, for a term of 3+1+1 years as outlined in the evaluation report.

**Attachments**

- 1 T14476 - Recruitment Labour Hire Services - EVALUATION REPORT - Confidential

## 15. Sustainability and Culture

### 15.1 C95 Amendment - Moyhu Township Development Plan - Consideration of Submissions & Next Steps in Amendment Process

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Strategic
Author:	Strategic Planning Officer
Approver:	Director of Sustainability and Culture

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

The Moyhu Township Development Plan (TDP) was adopted in 2024. Amendment C95 proposes to implement the key recommendations of the Moyhu TDP into the Wangaratta Planning Scheme, including local policy, rezoning of land and application of overlays to achieve the objectives of the plan.

This report is presented to Council to consider the submissions received and matters raised in the public exhibition process of the amendment. The report also informs and advises Council about the content of submissions, key issues raised and how issues are addressed. It further seeks Council's agreement to:

1. make changes to the exhibited amendment to respond to submissions; and
2. adopt the amendment.

#### Recommendation:

That Council:

1. Considers all submissions to Amendment C95 – Moyhu Township Development Plan and makes changes to the exhibited amendment as detailed and recommended in this report and its attachments, pursuant to Sections 22 and 23 of the Planning and Environment Act, 1987;
2. Adopts Amendment C95 incorporating the changes identified in Attachments 1 and 2 of this report pursuant to Section 29 of the Act;
3. Submits Amendment C95 to the Minister for Planning for approval pursuant to Section 31 of the Act;
4. Delegates the Director of Sustainability & Culture authority to make any changes to the adopted documents and Amendment C95 as required by the Department of Transport and Planning or otherwise identified in preparation of the planning scheme amendment material.
5. Notifies all submitters to Amendment C95 of Council's decision.

## Background

The Moyhu Township Development Plan was prepared and adopted by Council in 2024 to provide the town with an overall direction for growth and development. The Moyhu Township Development Plan (TDP) provides the basis for Amendment C95 and changes to the Wangaratta Planning Scheme.

### What the exhibited C95 Amendment proposes:

#### Zoning:

- Rezone land identified in the Moyhu Township Development Plan as the Strategic Development Area from Farming Zone (FZ) and Low Density Residential Zone (LDRZ) to Township Zone (TZ) and LDRZ.
- Rezone 7 Nyberg Close from Farming Zone (FZ) to Public Use Zone 6 (PUZ6 Local Government).
- Rezone 1 Byrne Street from Township Zone (TZ) to Public Use Zone 1 (PUZ1 Service and Utility).

#### Overlays:

- Apply the Vegetation Protection Overlay (VPO) to the Moyhu Township Vegetation Protection Area.
- Apply the Heritage Overlay schedules 312 – 322 on various properties within Moyhu.
- Apply the Design and Development Overlay Schedule 10 to the Moyhu Township.
- Apply the Environmental Audit Overlay to 33-35 Bartley Street and 9 and 22 Byrne Street.

#### Planning Scheme Ordinances:

- Amending Local Policy at Clause 02.03-1 Settlement to recognise the Moyhu TDP in the Settlement hierarchy.
- Insert new Local Policy at Clause 11.01-1L-05 Moyhu Township to introduce policy objectives and strategies to achieve planning outcomes sought by the Moyhu TDP.
- Insert new Schedule 3 to Clause 42.02 Vegetation Protection Overlay to protect scattered and patches of native and other significant vegetation in the area identified by VPO maps.
- Amend the Schedule to Clause 43.01 Heritage Overlay to protect built form and heritage values for 11 additional places within Moyhu.
- Insert Schedule 10 to Clause 43.02 Design and Development Overlay to apply to the Moyhu Township to guide built form, environmental and fire safety outcomes in areas identified to facilitate residential outcomes.
- Make changes to operation provisions to accommodate the above changes.

### **Public Exhibition of Amendment C95**

Amendment C95 was publicly exhibited formally between 20 November – 22 December 2025.

Public notification of the amendment included:

- Direct notification to prescribed Ministers, government departments and statutory authorities.
- Direct notification to approximately 115 property owners and occupiers impacted by the proposed changes.
- Display of amendment exhibition material and mapping at Council offices.
- Display of amendment exhibition material and mapping online.
- Public notices published in the Wangaratta Chronicle on 14 and 21 November and in the Victorian Government Gazette on 20 November 2025.
- Public drop-in session occurred on 27 November 2025 at the Moyhu Soldiers Memorial Hall.

### **Submission to Amendment C95**

Council has received 5 submissions in response to the exhibition of the amendment.

Of these submissions:

- All 5 were from authorities.
- 2 fully supported the amendment and did not request any changes.
- 3 requested changes to the exhibited documents.

### **Key Issues**

A full analysis of the submissions, along with a response and outcome is contained in **Attachment 1**.

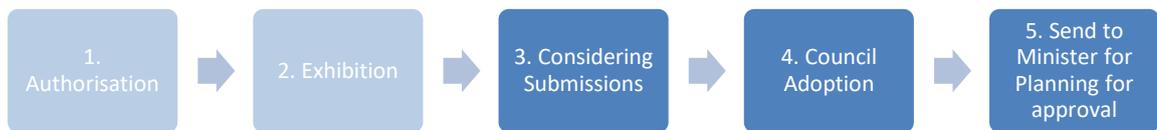
Submissions requested the following changes:

- Update of explanatory report in relation to potentially contaminated land and separation distances.
- Removal of rezoning from TZ to PUZ1 to a particular parcel of land.
- Strategies to be included/elaborated on.
- Rewording in local policy and mapping made clearer on the delivery/outcomes from this Township Development Plan (TDP).

**Attachment 2** identifies updated (post exhibition) changes to exhibited documents, resolving the matters raised in these submissions.

### Next Steps in the Amendment Process

The first two steps in the amendment process have been completed. This report provides Council with the opportunity to consider the remaining steps in the amendment process.



### Implications

#### Policy Considerations

Other relevant Council policies considered in the development of this amendment include consideration of key actions from the:

**Domestic Wastewater Management Plan:** in managing impacts of wastewater in the Municipality.

**Environmental Sustainability Strategy:** in planning for growth and particularly subdivision that reduces greenhouse gas emissions, protects the natural environment and makes efficient use of existing resources.

**Walking and Cycling Strategy:** which identifies recreational and offroad cycling and walking networks to improve non-vehicular transport opportunities around Moyhu township.

#### Financial/Economic Implications

Financial costs associated with the amendment including statutory fees and exhibition are covered by Councils operational budget.

#### Legal/Statutory

Amendment C95 abides by the requirements of the Planning and Environment Act 1987 and other relevant legal/statutory processes.

#### Social and Diversity

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

#### Equity Impact Assessment (EIA)

In relation to the requirements of the Gender Equity Act 2020 Planning Scheme Amendments are putting existing changes into legislation and not considered to be a policy program or service. Therefore, an Equity Impact Assessment is not required.

#### Environmental/Sustainability Impacts

Sustainability impacts have been considered throughout the development of the Moyhu Township Development Plan and policy implemented into the Wangaratta Planning Scheme has an obligation to consider and attempt to minimise risk to the natural environment.

Bushfire risk was considered to avoid locating new development in areas assessed as high risk at the landscape scale. Significant native vegetation was also considered by applying a Vegetation Protection Overlay over areas that contain large river red gums.

**Strategic Links**

**Council Plan 2025 – 2029**

This report supports the 2025-2029 Council Plan through the following objectives and actions:

**1. Natural Environment**

2.1 Mitigate the impacts of climate change and support the community to prepare for and recover from natural hazard events

2.1.4 Advocate for planning and building legislation that supports sustainable development

2.3 Increase, preserve and protect the natural environment and open spaces

2.3.1 Ensure the provision of open spaces aligns with the community needs

**2. Infrastructure & Place**

4.1 Plan for infrastructure, facilities and open spaces that reflect changing community and environmental needs

4.1.1 Strategically plan for growth across infrastructure, facilities and open spaces.

**Rural City of Wangaratta 2045 Community Vision**

This report supports the 2045 Community Vision through the following priorities:

- Places and spaces for community connection and culture
- Transport, roads and infrastructure
- Care for nature and the environment
- Local economy and employment

**Other strategic links**

*Plan for Victoria, 2025*

The Plan for Victoria will shape the strategic direction, particularly around the provision of land for residential housing and the work program of the Strategic Planning team going forward. The Plan for Victoria specifies residential housing targets to achieve between now and 2051. (For the Rural City of Wangaratta the residential housing target is set at 6000 new dwellings).

**Risk Management  
Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and solutions.	All required Ministers, relevant authorities, owners and occupiers directly notified of the exhibition period. Notice in the local newspaper.

		All submitters to be notified of Council’s decision.
Involve	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	Drop in session held for the community to have direct engagement with the amendment and Council staff. Post-exhibition engagement with submitters to work through issues raised in submissions and find solutions that address the matters raised.

Consultation has occurred in accordance with the requirements of the *Planning and Environment Act, 1987*.

**Options for Consideration**

Option 1: Recommended Option

Make changes requested by submitters, Council to resolve to adopt the amendment and submit the amendment to the Minister for approval.

Option 2: Not Recommended

That Council considers all submissions and refers the amendment and submissions to a Planning Panel for independent review.

Option 3: Not Recommended

Abandon the amendment.

**Conclusion**

Planning Scheme Amendment C95 represents the implementation of a significant piece of strategic planning work into the mechanical elements of the Wangaratta Planning Scheme. This is achieved by implementing the Township Development Plan to provide a vision to guide the future development of the Moyhu Township. It should be noted this amendment is supported by the Moyhu community.

**Attachments**

- 1 C95 Submissions Summary [↓](#)
- 2 Explanatory Report with Post Exhibition Suggested Changes (Tracked Changes) [↓](#)

## 15.2 Planning Application 25/096 - 16 Depot Road, Bowser - Use & Development of the Land for Warehousing, including Shipping Container Storage and Store

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Strategic
Author:	Planning Coordinator
Approver:	Director of Sustainability and Culture

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 make a determination on whether to grant or refuse a planning permit for the use and development of the land for warehousing, including shipping container storage and store at 16 Depot Road Bowser.

The subject site is located within the Farming Zone and is not affected by any overlays.

A total of 5 objections were received to the application.

A detailed officer's assessment of the application is included at **Attachment 1**.

Based on the attached officer's assessment, it is recommended that a Notice of Refusal is issued as the proposal is not considered to represent an orderly planning outcome.

The copy of the application material is also included at **Attachment 2**.

### Recommendation:

That Council:

1. Issues a Notice of Refusal on the grounds set out in **Attachment 1**.

### Background

This report is presented to Council to determine Planning Application PlnApp25/096 as the application received 5 objections. The grounds of objection, and the officer's consideration of these are discussed in detail in the report at **Attachment 1**.

The key issues discussed later in this report and as part of the officer's assessment report include:

- Amenity
- Land use compatibility
- Rural landscape character
- Retrospective application

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

## 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 Assessment Report at **Attachment 1**.

### Financial/Economic Implications

There are no specific financial implications to Council arising from this report although there may be potential costs should this matter proceed to 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 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 considered by the application and as part of the officer's assessment.

## Strategic Links

### Council Plan 2025 - 2029

This report supports the Council Plan which includes the following strategic themes:

1. Community Wellbeing
2. Natural Environment
3. Economy and Tourism
4. Infrastructure and Place

### Rural City of Wangaratta Community Vision 2045

This report supports the 2045 Community Vision –

*The Rural City of Wangaratta is a place for everyone*

We are a welcoming, connected, and caring community.

We value our urban and rural communities, ensuring shared opportunity and quality of life.

Our natural environment supports our wellbeing and forms a strong part of our cultural identity.

Our strength is our resilience and active participation in shaping a future for everyone to thrive.

### 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
Appeal of decision at VCAT	Possible	Minor	Low	Appropriate representation of Council at VCAT.

### Consultation/Communication

Notice of the application was given to adjoining and surrounding landowners and occupiers. To date, 5 objections have been received. Submissions have been considered as part of the assessment process.

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

### Options for Consideration

1. Council issues a Notice of Refusal for Planning Application PInApp25/096 (recommended).
2. Council issues a Notice of Decision to Grant a Planning Permit for Application PInApp25/096 subject to conditions.

### Conclusion

The proposal is not considered to represent an orderly planning outcome as it would detrimentally impact on the visual landscape character and amenity of sensitive land uses within the area. The proposal does not provide a sympathetic design response to a township entry and is not considered to be a compatible land use within the context of the site and surrounds. Therefore, the proposal should not be supported.

### Attachments

- 1 Officer report [↓](#)
- 2 Application material [↓](#)

**16. Special Committee Reports**

Nil

**17. Advisory Committee Reports**

Nil

## 18. Minutes of Advisory Committee Meetings

### 18.1 Minutes of Advisory Committee Meetings

Meeting Type: Scheduled Council Meeting  
Date of Meeting: 24 February 2026  
Author: Councillor and Executive Services Support Officer  
File No:  
Presenters: Chief Executive 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

Minutes of Advisory Committee Meetings and committee reports are reported to Council for information (please refer attachments.)

Date	Meeting details	Refer
25 September 2025	Audit and Risk Committee	Attachment

#### Recommendation:

That Council notes the minutes of this Advisory Committee.

#### Attachments

- 1 25 September 2025 - Audit and Risk Committee Minutes [↓](#)

**19. Notices of Motion**

Nil

**20. Urgent Business**

**21. Public Question Time**

**22. Confidential Business**

Nil

**23. Closure of Meeting**

**Attachments**

Rural City of Wangaratta	FY25/26 Adopted Budget	FY25/26 Adopted Budget (Inc. carry overs)	FY25/26 Adopted Budget (Inc. carry overs)	FY25/26 Q1 Full Year Forecast	FY25/26 Q2 Full Year Forecast	Variance Fav/(Unfav)	25/26 YTD Actual	Ref
Income Statement as at 31st December 2025	\$	\$	\$	\$	\$	\$	\$	
<b>Income</b>								
Rates and charges	43,240,792	43,240,792	43,240,792	43,240,792	43,232,599	(8,193)	43,203,929	
Statutory fees and fines	1,383,300	1,383,300	1,383,300	1,442,324	1,497,639	55,315	682,821	1
User fees	14,717,616	14,717,616	14,717,616	14,624,940	13,675,009	(949,931)	6,585,345	2
Contributions - cash	1,542,000	1,542,000	1,542,000	1,542,000	807,500	(734,500)	22,603	3
Contributions - non-monetary	3,500,000	3,500,000	3,500,000	1,692,082	1,692,082	-	-	
Grants - Operating	19,785,107	19,910,967	19,910,967	14,915,320	14,080,986	(834,334)	7,266,785	4
Grants - Capital	13,404,621	14,681,568	14,681,568	12,180,752	12,192,562	11,811	1,084,227	
Reimbursements	242,000	242,000	242,000	242,000	322,698	80,698	129,457	5
Other revenue	1,515,835	1,515,835	1,515,835	1,553,560	1,421,801	(131,760)	776,456	6
Net gain/(loss) on sale/disposal of PPE&I	371,110	371,110	371,110	371,110	(1,334,210)	(1,705,320)	(1,315,685)	7
<b>Total Income</b>	<b>99,702,381</b>	<b>101,105,188</b>	<b>101,105,188</b>	<b>91,804,880</b>	<b>87,588,666</b>	<b>(4,216,214)</b>	<b>58,435,939</b>	
<b>Expenses</b>								
Employee benefits	35,236,933	34,611,164	35,325,081	35,679,475	34,817,256	862,220	17,981,711	8
Materials and services	28,554,004	30,069,189	29,166,986	29,855,194	28,504,785	1,350,409	14,873,568	9
Depreciation and amortisation	21,346,841	16,766,000	21,346,841	21,346,841	21,586,807	(239,965)	11,151,247	
Finance costs	508,977	567,540	508,977	508,977	508,977	-	263,542	
Other expenses	613,459	473,109	648,459	636,318	7,858,488	(7,222,170)	7,462,539	10
<b>Total Expenses</b>	<b>86,260,214</b>	<b>82,487,002</b>	<b>86,996,345</b>	<b>88,026,805</b>	<b>93,276,312</b>	<b>(5,249,507)</b>	<b>51,732,607</b>	
<b>Surplus / (deficit) for the year</b>	<b>13,442,167</b>	<b>18,618,186</b>	<b>14,108,843</b>	<b>3,778,074</b>	<b>(5,687,646)</b>	<b>(9,465,721)</b>	<b>6,703,332</b>	
<b>Adjusted Underlying Operating Position</b>								
Grants - Capital (non-recurrent)	10,918,140	12,195,087	12,195,087	9,694,271	9,706,081	(11,811)	778,627	
Contributions - non-monetary	3,500,000	3,500,000	3,500,000	1,692,082	1,692,082	-	(3,865,737)	
Contributions - Cash	1,542,000	1,542,000	1,542,000	1,542,000	807,500	734,500	22,603	
<b>Total Adjustments</b>	<b>15,960,140</b>	<b>17,237,087</b>	<b>17,237,087</b>	<b>12,928,353</b>	<b>12,205,663</b>	<b>722,689</b>	<b>(3,064,508)</b>	
<b>Adjusted Underlying Operating Surplus/(deficit) for the year</b>	<b>(2,517,973)</b>	<b>1,381,099</b>	<b>(3,128,244)</b>	<b>(9,150,278)</b>	<b>(17,893,310)</b>	<b>(8,743,031)</b>	<b>9,767,840</b>	

**Notes - Income Statement**

**1. Statutory fees and fines, net increase \$55k:**

- Additional fine income received from Victorian Electoral Commission

**2. User Fees, net decrease \$950k:**

- Early Learning - (\$419k) not running at capacity, this is offset by less staffing requirements.
- Aged Care (\$244k) – Comprehensive assessments is not to the level anticipated, this is offset by less staffing requirements.
- WGC tenant vacancy has resulted in a reduction of rent of (\$155k).
- Parking meter revenue has been reduced by (\$138k) to reflect current market conditions around usage of parking app.
- Reduction in WSAC stadium hire and memberships (\$88k).

**3. Contributions – cash, net decrease \$735k.**

- No DCP cash contributions have been received, consistent with the ongoing trend of developers preferring in-kind contributions over cash payments.

**4. Operating Grants, net decrease (\$834k):**

- Homecare grants decreased by (\$923k) due to less packages being funded, this is offset by Materials and Services reduction.
- Budgeted grant for New Years eve event did not occur (\$50k).

**5. Reimbursements net increase \$81k:**

- Finalisation of prior year Natural Disaster claim paid \$81k.

**6. Other Revenue net decrease \$131k:**

- Impact on interest income due lower cash on hand from the termination of Co-Store licence (\$99k)

**8. Employee Benefits, net decrease \$862k:**

- Realisation of YTD savings via vacancies and lower staffing requirements in Aged Care and Early Learning.

**Notes - Income Statement cont****9. Materials and Services, net increase \$1.35m:**

- Home Care materials and services reduced based on packages to be delivered \$1.15m, this is offset by Operating Grant reduction
- Saving identified through out the organisation of \$788k including
  - Reduction in plant operating expenses \$100k
  - Reduction in drainage maintenance \$100k
  - Reduction in road maintenance materials \$100k
  - Removal of Planning Scheme Amendment \$50k
- Software Licence increase (\$100k)
- Co-Store Licence (\$86k)
- Asset valuation to be completed by external valuers (\$82k)
- Legal Fees (\$48k)

**10. Other Expenses \$7.22m, net increase:**

- Termination of Co-Store licence agreement (\$5.00m).
- Write off of capitalised assets from prior years (\$2.14m)

Rural City of Wangaratta	30 June 2024	30 June 2025	30 September 2025	31 December 2025	Variance Fav/(Unfav)	Ref
<b>Balance Sheet as at 31st December 2025</b>	\$	\$	\$	\$	\$	
<b>Assets</b>						
<b>Current assets</b>						
Cash and cash equivalents	13,602,412	27,542,428	22,730,409	25,720,527	2,990,119	1
Rate receivables	1,991,246	2,769,993	36,820,485	22,353,563	(14,466,922)	2
Other receivables - current	3,009,855	2,421,150	8,401,026	8,717,002	315,976	
Financial assets - current	10,000,000	-	-	-	-	
Inventories	1,629	3,191	2,692	(15,090)	(17,782)	
Assets held for sale	623,590	276,390	276,390	276,390	-	
Other assets - current	865,787	772,034	(156,301)	(126,578)	29,723	
<b>Total Current assets</b>	<b>30,094,519</b>	<b>33,785,186</b>	<b>68,074,701</b>	<b>56,925,816</b>	<b>(11,148,885)</b>	
<b>Non-current assets</b>						
Financial assets non-current	324,447	395,946	395,946	395,946	-	
Property, plant and equipment and infrastructure	791,462,824	837,019,707	830,590,722	828,893,938	(1,696,784)	3
Book collection	954,935	859,924	1,019,610	1,006,824	(12,786)	
Intangible Assets - Landfill	1,513,978	1,290,203	1,290,203	1,290,203	-	
Right of Use Assets	100,149	142,332	425,259	2,026,075	1,600,816	
<b>Total Non-current assets</b>	<b>794,356,333</b>	<b>839,708,112</b>	<b>833,721,740</b>	<b>833,612,986</b>	<b>(108,754)</b>	
<b>Total Assets</b>	<b>824,450,852</b>	<b>873,493,298</b>	<b>901,796,440</b>	<b>890,538,802</b>	<b>(11,257,639)</b>	
<b>Liabilities</b>						
<b>Current liabilities</b>						
Payables - current	4,328,505	3,049,649	3,873,710	9,911,233	(6,037,523)	4
Trust funds and deposits	4,059,629	5,414,785	8,824,068	8,715,701	108,367	
Provisions - current	6,557,646	6,691,660	7,731,932	6,996,855	735,077	
Interest bearing loans and borrowings - current	2,678,193	9,779,745	9,116,551	8,421,496	695,055	
Lease liabilities - current	111,778	50,339	42,298	(61,953)	104,251	
<b>Total Current liabilities</b>	<b>17,735,752</b>	<b>24,986,179</b>	<b>29,588,558</b>	<b>33,983,331</b>	<b>4,394,773</b>	
<b>Non-current liabilities</b>						
Provisions non-current	15,692,777	14,684,293	14,042,364	14,042,364	0	
Interest bearing loans and borrowings - non-current	22,388,094	12,608,349	12,608,349	12,608,349	0	
Lease liabilities - non-current	-	90,414	391,461	2,077,361	(1,685,900)	5
<b>Total Non-current liabilities</b>	<b>38,080,871</b>	<b>27,383,056</b>	<b>27,042,174</b>	<b>28,728,074</b>	<b>1,685,900</b>	
<b>Total liabilities</b>	<b>55,816,623</b>	<b>52,369,234</b>	<b>56,630,733</b>	<b>62,711,405</b>	<b>6,080,673</b>	
<b>Net assets</b>	<b>768,634,229</b>	<b>821,124,064</b>	<b>845,165,708</b>	<b>827,827,396</b>	<b>(17,338,312)</b>	
<b>Equity</b>						
Accumulated surplus	184,562,055	183,088,061	183,118,294	194,813,914	11,695,620	
Other reserves	40,168,049	45,222,744	45,222,744	45,222,744	-	
Asset revaluation reserve	540,513,499	581,552,983	581,522,750	581,087,406	(435,344)	
Accumulated surplus - current year	3,390,626	11,260,276	35,301,920	6,703,332	(28,598,588)	
<b>Total Equity</b>	<b>768,634,229</b>	<b>821,124,064</b>	<b>845,165,708</b>	<b>827,827,396</b>	<b>(17,338,312)</b>	

**Notes - Balance Sheet**

**1. Cash and Cash Equivalents**  
Cash and Cash Equivalents have increased in December. This balance will fluctuate month to month based on general operations of the business including when payments are received and made.

**2. Rate Receivables**  
The balance reflects outstanding rates for the financial year and will reduce progressively over the course of financial year, as instalments fall due and payments are made by ratepayers.

**3. Property, plant and equipment and infrastructure**  
Property, plant and equipment and infrastructure will increase/decrease in the current period due to increases in WIP and additions and depreciation.

**4. Payables - current**  
Payables - current balance is reflective of supplier invoices received but not yet paid. This account will fluctuate during the year as invoices are received and paid as part of Council operations. Invoices are generally paid when they are due, not when received.

**5. Lease liabilities - non-current**  
Lease liabilities have increased due to the recognition of additional Right-of-Use (ROU) assets, which reflect new or updated lease arrangements now capitalised under accounting standards.

Rural City of Wangaratta	FY25/26 Adopted Budget	FY25/26 Adopted Budget (inc carry overs)	FY25/26 Q1 Full Year Forecast	FY25/26 Q2 Full Year Forecast	Projected Full Year to Adopted Budget (inc carry overs)	Current Commitments	FY25/26 YTD Actual
<b>Statement of Capital Works 31st December 2025</b>	\$	\$	\$	\$	\$	\$	\$
<b>Infrastructure</b>							
Waste management	270,000	270,000	220,000	220,000	-	-	42,510
Sealed roads and substructure	4,080,000	4,375,987	4,297,611	4,297,611	-	845,861	896,521
Gravel Roads and substructure	1,850,000	1,632,908	1,632,908	1,632,908	-	80,285	1,284,199
Bridges	3,460,000	4,129,947	1,301,178	1,301,178	-	197,109	1,145,596
Kerbing	95,000	95,000	95,000	95,000	-	-	4,874
Drainage	2,240,000	2,569,988	2,785,816	2,785,816	-	465,999	371,436
Footpaths	1,402,646	1,771,555	1,641,474	1,641,474	-	648,763	531,613
Parks, Open Spaces and Streetscapes	50,000	258,996	374,672	374,672	-	112,803	178,380
Recreation, Leisure and Community Facilities	1,811,256	3,300,450	3,820,450	3,911,280	(90,830)	765,618	244,212
Aerodromes	-	80,000	85,375	85,375	-	41,695	41,540
Other Infrastructure	200,000	272,934	272,934	272,931	2	17,083	(292,625)
<b>Total Infrastructure</b>	<b>15,458,902</b>	<b>18,757,765</b>	<b>16,527,418</b>	<b>16,618,246</b>	<b>(90,828)</b>	<b>3,175,215</b>	<b>4,448,255</b>
<b>Total capital works expenditure</b>	<b>23,632,681</b>	<b>25,931,284</b>	<b>22,655,948</b>	<b>22,374,805</b>	<b>281,143</b>	<b>4,087,022</b>	<b>6,799,969</b>
<b>Represented by:</b>							
Renewal expenditure	14,720,319	16,377,821	13,468,102	13,417,802	50,300	2,738,668	5,481,631
Upgrade expenditure	4,262,476	5,999,747	5,237,930	5,147,981	89,949	943,476	1,068,802
New Assets expenditure	4,649,886	3,553,716	3,949,916	3,809,022	140,894	404,878	249,536
<b>Total capital works expenditure</b>	<b>23,632,681</b>	<b>25,931,284</b>	<b>22,655,948</b>	<b>22,374,805</b>	<b>281,143</b>	<b>4,087,022</b>	<b>6,799,969</b>

**Notes - Statement of Capital Works**  
 Expenditure of \$6.80m towards Council's capital works program had been spent as at 31st December 2025, with a further \$4.09m of works committed. The full year expenditure forecast has reduced by \$281k from the Quarter 1 Adopted Forecast. Key Changes are as follows:

- Deferral of WSAC power efficiency project to following financial years - \$280k
- Deferral of After Hours Drop off - Domestic Animals to following financial years - \$41k
- Reduction of IT asset renewal - \$30k
- Removal of ACE Venue asset renewal - \$14k

Additional Capital Works to be included in the forecast are as follows:

- Targoora Lighting Upgrade - correction to the funding amount advised in Q1- \$152k

Category	Item Name	Status	Progress	Comment
1. Community Wellbeing	1.1.1 Advocate for the provision of additional health services, prioritising mental health.	On Track	50.00%	Collaboration at the Ovens Murray Health Prevention meetings. Working with health providers across the municipality and Ovens Murray Public Health region to deliver the Ovens Murray Health Catchment Plan. Attend and speak at various mental Health conferences. Continue to deliver outcomes from the Grit and Resilience Program.
	1.1.2 Encourage accessible and inclusive sport and recreation services and programming.	On Track	50.00%	Supporting sports and recreation clubs to identify needs and apply for grants and funding to increase accessibility. Current focus is Local Sporting and Infrastructure funds and Country Football and Netball grants. Continue to meet with clubs to provide advice on upcoming programs.
	1.1.4 Partner with local health providers and peak bodies to educate the community on the impact of smoking, vaping, drugs, alcohol and gambling.	On Track	50.00%	Implementation of Reducing Harm from Gambling Action Plan. Working with Gambling Alliance to identify key areas and opportunities to provide education to Council staff and Community.
	1.1.5 Partner with community to improve access to affordable, nutritious, and culturally appropriate food, including at public facing Council spaces and events.	On Track	50.00%	Working with local business to educate them regarding their obligations under the Tobacco act. Implemented healthy eating opportunities with Vic Health funding at Children Services Centre. WSAC implementing a healthy option vending machine. WCSC introducing Chickens and Stephanie Alexander garden at Children's Services Centre.
	1.3.1 Collaborate with local organisations to identify and address the drivers of violence in our community, including family violence.	On Track	50.00%	Co design and delivery of STAND training with Centre Against Violence. Supporting and promoting 16 days Activism through a shared community calendar. Attending the Ovens Murray Family Violence Prevention Network. Supporting Community organisations to deliver events through 16 days of activism through grants.
	1.3.2 Offer safe, welcoming, and inclusive spaces and experiences for the community.	On Track	50.00%	Working with community groups through the delivery of Community Grants to improve accessibility to spaces. Reviewing available facilities to co-locate groups and clubs across RCoW. Reviewing the Accessibility and Community Grant policy.
	1.1.3 Provide diverse, inclusive and accessible arts and cultural programs and activities.	On Track	25.00%	Across RCoW cultural venues—the WPACC, Art Gallery and Library—our teams delivered diverse, inclusive and accessible programs in Q1. Highlights included Bangarra Indigenous Dance Company at the WPACC, the Museum of Contemporary Art's Primavera: Young Australian Artists exhibition at the Art Gallery, and exhibitions by local artists Pamela Florence and Barbara Pritchard. Local schools also engaged in performances and arts experiences at the WPACC. Geek Con was a major success, strengthening inclusive and accessible programming at the library with support from Youth Services.
	1.2.1 Support community-led initiatives, social activities and services that connect people, especially those experiencing loneliness or isolation.	On Track	25.00%	Across the Arts, Culture and Events Services and programs, connectivity is a priority to help reduce loneliness and isolation. Highlights for this quarter was the Art Analog program held at the Wangaratta Art Gallery, Craft groups, Chatty Cafe and Board Games sessions at Wangaratta Library and the growing attendances at the Youth Hub for young people aged between 12-18yrs.
	1.2.3 Promote and celebrate the heritage and cultural diversity of our community, including our First Nations history and culture via events, storytelling, exhibitions and programming.	On Track	25.00%	Cultural diversity and First Nations Storytelling was highlighted in the Wangaratta Art Gallery exhibition featuring Matthew Harris, local First Nations artist who returned to his hometown to exhibit recent and new works. Bangarra Dance Company was a highlight of the WPACC program, featuring one of the Nation's most significant First Nations dance companies. The Library's Bainz gallery featured the Wangaratta Historical Society's Street naming exhibition.
	1.2.4 Provide a platform for young people to advocate for the issues that matter to them.	On Track	25.00%	The draft Level Up Youth Strategy, co-designed by five young people aged 13 to 21, was presented to Council for public exhibition. Following this process, the draft returned to the December Council meeting and was formally adopted as Council's guiding strategic framework to ensure and enable a platform for young people and their voices. The Youth Council Advisory Committee called for nominations to ensure the continuation of this important advocacy group; the age was raised to ensure capacity and maturity of the membership.

	1.3.3 Increase opportunities for connection at Council facilities.	On Track	25.00%	Wangaratta Library continues to offer a diverse range of ongoing programmes, including craft groups, book clubs, author talks, and engaging storytime sessions for babies and families. A standout highlight for Q2 was the Young Writer’s Award, celebrating creativity and talent within our community. Wangaratta Art Gallery provided a unique, statewide opportunity for visitors to disconnect from digital demands and immerse themselves in the Art Analog Club. The gallery also hosted vibrant school holiday workshops with artist Jayanto Tan, alongside the Creation Station activity, which invited participants to create Sacred Animals—inspired by the cultural significance of animals at the Yeddonba site. Additional highlights included artist talks and exhibition tours tailored for visiting community groups and schools. The WPACC stage witnessed a number of dance schools and local primary and secondary schools engage with the venue for the productions and end of year concerts.
2. Natural Environment	2.1.1 Support the community in preparing for and recovering from natural hazard events. Through education, partnerships, and emergency planning, with a focus on vulnerable groups in our community.	On Track	50.00%	Council maintains a vulnerable persons register and liaise regularly with primary care providers who have responsibility under various acts. Council has a presence on the Municipal and Regional Emergency Planning Committees. Council Officers have undertaken drills and training to make sure all areas of Councils emergency response are in place.
	2.1.2 Lead by example by actively reducing Council’s carbon footprint.	On Track	50.00%	Government centre & Yarrunga solar install, and Hot water replacement in Government Centre completed. Council has been successful in attracting a Community Energy Upgrade Fund Grant of over \$0.5m from the Federal Government to transition the WSAC from gas to electric thermal heat pumps, with the project design period commencing this January.
	2.1.3 Promote residential and commercial energy efficiency and the use of renewable energy.	On Track	50.00%	The Solar Savers Program is running currently. Councils’ website has been updated with relevant energy information for residents.
	2.1.4 Advocate for planning and building legislation that supports sustainable development.	On Track	50.00%	Council works with the various bodies such as Plumbing and Building Commission to ensure that sustainable development is considered
	2.2.2 Implement the Circular Economy regulatory requirements to minimise the amount of waste sent to landfill.	On Track	50.00%	Implemented first phase of Circular Economy roll out with the delivery of the kerbside purple bin collection, two round of collections have been completed in 25/26 generating 20 tonnes of glass in September 2026 and 50 tonnes of glass in December 2026.
	2.3.2 Deliver programs and events in partnership with State agencies, local groups and Traditional Owners to improve the natural environment.	On Track	50.00%	Council is working with North East Catchment Management Authority to deliver a woody weed removal and native revegetation initiative along Reedy Creek at Stamps Lane. We are also working with Ngalan Bitja Rangers or cultural burn and ecological thinning projects.
	2.3.1 Ensure the provision of open spaces aligns with community needs.	On Track	25.00%	Ongoing consideration of community needs is taken into account through council’s strategic planning work, and in the development of projects.
3. Economy & Tourism	3.1.1 Advocate for and promote investment opportunities in the region, positioning the municipality as a desirable place to live, work, and grow a business.	On Track	50.00%	The Economic Development Team provides a dedicated contact for all investment enquiries, ensuring streamlined processes. They also provide a Business Concierge Service which is tailored assistance for permits, licenses, and navigating regulatory requirements. The team also actively promotes programs and resources to assist individual businesses in pursuing growth.
	3.1.2 Facilitate growth and investment by making it easy to do business with Council.	On Track	50.00%	The Economic Development Team provides a dedicated contact for all investment enquiries, ensuring streamlined processes. They also provide a Business Concierge Service which is tailored assistance for permits, licenses, and navigating regulatory requirements. The team also actively promotes programs and resources to assist individual businesses in pursuing growth.
	3.1.3 Partner with local businesses to foster innovation.	On Track	50.00%	Council staff provide a Business Concierge Service which is tailored assistance for permits, licenses, and navigating regulatory requirements. The team also actively promotes programs, workshops and other resources to assist individual businesses grow, such as the AI Forum held earlier this year.
	3.1.4 Support the development and growth of local businesses.	On Track	50.00%	Shop Local program - Twilight Shopping Night was held on 18 December with 28 stores who participated in the event shopping event. Local Stories promotion has also been undertaken through local media, profiling local businesses as part of the Shop Local campaign. The Workforce Mobility Program - the Training, Placement and Transport survey has now closed and the report and recommendations have been published on ConnectWangaratta. The report has also been shared with training providers.

	3.1.5 Advocate for affordable housing for key workers.	On Track	50.00%	Council continues to work with Affordable Housing providers to promote the need and advocate to State Government on supporting Grant applications to the Regional Worker Accommodation Fund (RWAF) - 2 projects in our Municipality have been funded in 2025.
	3.2.1 Work with educational institutions and State Government to enable programs focusing on skills shortages.	On Track	50.00%	Council Officers through the Local Jobs and Skills Taskforce, work with businesses and peak bodies to create tailored recruitment models and pre-employment programs for growth sectors such as hospitality, health care, construction, and agriculture.
	3.2.2 Advocate for tertiary opportunities to keep people local.	On Track	50.00%	The Local Jobs Plan: Developed in partnership with Workforce Australia and the Department of Education, Skills and Employment, identifies priority industries and strategies for reskilling and upskilling residents. Workforce Mobility Program Feasibility: Council is exploring transport solutions to improve access to education and training for young people, jobseekers, and adult learners.
	3.2.3 Support career pathways for people to stay in the municipality.	On Track	50.00%	Advocacy for Tertiary Opportunities: Council continues to push for expanded tertiary education options to retain talent within the municipality.
	3.3.1 Support and promote the growth of local tourism businesses, experiences and events.	On Track	50.00%	9 grants were awarded through the Tourism Event Funding Program and 3 events received sponsorship. Targeted campaigns showcased cycling, food & wine, and nature-based tourism. Active digital presence: 4,000+ social media followers. Fortnightly e-newsletter reached 1,300 recipients.
	3.3.2 Identify opportunities to enhance and grow events and conferences.	On Track	25.00%	Events Growth: RegFest successfully continued into its third year, reinforcing its position as a signature event. Hello Summer program launched, adding vibrancy to the seasonal calendar. Seniors Festival reached an all-time high in event offerings, showcasing strong community engagement. New Year's Eve celebrations maintained its status as the largest regional event, leading the way in welcoming the new year with c.8,500 attendees.  Conferences & Hospitality: Conference activity continues to experience steady growth, signaling strong demand. The Intermezzo Café agreement with a new provider ensures expertise and quality catering packages, enhancing the conference experience and supporting future expansion.
	3.3.4 Create unique opportunities for cultural experiences, including partnerships with our First Nations community.	On Track	25.00%	Council's Draft Reconciliation Action Plan was supported for release for community consultation at the December Council meeting. This plan outlines a continued commitment for staff to continue to create unique opportunities and partnerships with our First Nations Community. A current project is the Wangaratta Wayfinding Project, the enhancement of the Bullawah Cultural Trail via signage and promotion where staff have been working closely with the Dirrawarrah Indigenous Network and Bangarang Aboriginal Corporation.
4. Infrastructure & Place	4.1.1 Strategically plan for growth across infrastructure, facilities and open spaces.	On Track	50.00%	This is undertaken by council's Strategic Planning function, looking at future planning requirements and statutory planning through planning permit conditions
	4.3.3 Encourage the sustainable use of Council and community facilities by promoting and prioritising shared access and multi-use.	On Track	50.00%	Reviewing available facilities to co-locate groups and clubs across RCoW. This has resulted in Wareena bowls rooms and Werrena hall now occupied by 4 shared community groups.
	4.3.1 Explore additional efficiencies in the maintenance and repair of Council Infrastructure and assets.	On Track	30.00%	Work has started on moving from material based reactive maintenance to location based proactive maintenance. This will allow more ownership and better utilisation of crews. This will take time to implement along with maintenance plans and schedules.
	4.1.3 Consider and plan for climate change in future development of Council infrastructure and assets.	On Track	25.00%	The Infrastructure Team have been investigating the impacts of climate change on stormwater infrastructure as part of a long-term project to address climate change.

4.2.2 Advocate for funding from State and Federal bodies to maintain and deliver new key infrastructure projects and roads.	On Track	25.00%	Work on monitoring and analysing issues related to Department of Transport (DoT) roads is underway and will continue throughout the year. Data collection has commenced, focusing on the number and nature of community requests concerning DoT-managed road conditions. This information will support the development of a mid-year presentation to DoT highlighting key concerns, trends, and required actions.
4.2.3 Advocate for, maintain and develop the walking and cycling networks, connecting communities to services, recreation, and tourism opportunities.	On Track	25.00%	This initiative has now been formally incorporated into the new Advocacy Strategy.
4.2.1 Advocate to State and Federal bodies to maintain and upgrade their existing infrastructure and roads.	On Track	25.00%	Work on monitoring and analyzing issues will continue throughout the year. Design is complete for Prosecco Trail; Wheeled Activity Strategy is nearing completion.
4.3.2 Review asset portfolio to identify opportunities for rationalisation.	On Track	10.00%	This initiative has now been formally incorporated into the new Advocacy Strategy.
4.3.2 Review asset portfolio to identify opportunities for rationalisation.	On Track	0.00%	Regular contact with relevant government bodies. Draft Advocacy Priorities document being developed.
4.3.2 Review asset portfolio to identify opportunities for rationalisation.	On Track	0.00%	These works are programmed to start mid-year.



Rural City of Wangaratta - S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987 only)

By this Instrument of Appointment and Authorisation, the Wangaratta Rural City Council:

- a. under s 147(4) of the Planning and Environment Act 1987 – authorises the appointed officers to carry out the duties or functions and to exercise the powers of an authorised officer under the Planning and Environment Act 1987; and
- b. under s 313 of the Local Government Act 2020 authorises the appointed officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution; and
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Wangaratta Rural City Council on TBC.

## Appointed Officers

Clare Cowdery  
Manager Statutory Services

Holly Sawyer  
Planning Coordinator

Adam Crole  
Senior Planner

Shinya Matsumura  
Malithi Fernando  
Town Planners

Kate McLarty  
Assistant Planner



Wangaratta Rural City Council – S11B Instrument of Appointment and Authorisation under the Environment Protection Act 2017 (Vic).

By this instrument of appointment and authorisation, Wangaratta Rural City Council -

1. under s 242(2) of the Environment Protection Act 2017 ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021:
  - appoints the officer to be authorised officers for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021.
2. under s 242(2A) of the Environment Protection Act 2017 ('Act') and the Instrument of Delegations of the Environment Protection Authority under the Act dated 4 June 2021:
  - appoints the officers to be authorised officers for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Wangaratta Rural City Council on TBC.

## Appointed Officers

Emma Minchinton - Environmental Health Technical Officer/Team Leader Environmental Health

Dane Gade - Environmental Health Officer

Sean La Fontaine - Environmental Health Officer

Mary Galea- Environmental Health Officer

Ross Moore- Environmental Health Officer

Andrew Witheriff- Environmental Health Officer

Sophie Santoro- Environmental Health Technical Officer

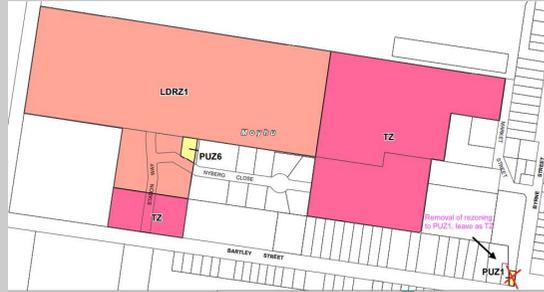
Terry Old- Environmental Health Officer

Tara Rahdar- Environmental Health Officer

Wangaratta Planning Scheme Amendment C95 – Moyhu Township Development Plan – Submitters Summary Table

Wangaratta C95 - Assessment of Submissions			
Submitter	Submission Details	Officer Review	Recommendation
<b>Authority Submissions</b>			
<b>A1 – Environmental Protection Agency (EPA)</b>	<p>Email acknowledged and states that - EPA has reviewed prior to the amendment being exhibited as per relevant Ministerial Directions.</p> <p>Submission noted EPA will not be reviewing the exhibited amendment documents or making a submission, but made the following comments:</p> <p>MD19 requires planning authority to document how EPA's views have been addressed in both the following:</p> <ul style="list-style-type: none"> <li>- In the explanatory Report – Part A, Clause 4(2)</li> <li>- A written explanation to the Minister – Part B, Clause 3(2)</li> </ul>	<p>Thank Submitter for email.</p> <p>Update wording in (Green) of the explanatory report.</p> <p>See relevant extract of updated Explanatory Report below:</p> <p>Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?</p> <p>This amendment complies with the requirement of the Ministerial Direction – Form and Content of Planning Schemes section 7 (5) of the Planning and Environment Act 1987, by using the applicable style guide and using 'plain English' language.</p> <p><i>Ministerial Direction No. 1: Potentially Contaminated Land</i></p> <p>This amendment complies with Ministerial Direction 1 (Potentially Contaminated Land). The amendment has included a preliminary site investigation of current and historical uses across the Moyhu Township for the occurrences of Potentially Contaminated Land. Whilst investigations have identified some sites as contaminated or with the potential for contamination, this amendment does not propose changes to the zones at these sites, therefore is not the catalyst for allowing sensitive uses on sites identified as contaminated and potentially contaminated. These sites will be further investigated as part of a separate process.</p> <p>As this direction applies to potentially contaminated land, the planning authority is required to satisfy itself that the environmental conditions are suitable for uses and development specified in the (existing) zones, which in this case of the Moyhu TDP are the Township Zone (TZ), Low Density Residential Zone and the Public Use Zone 6 (PUZ). As these zones allow for uses that are defined as sensitive, the application of the Environmental Audit Overlay is considered the best way to identify land with potential contamination and manage any ongoing requirements prior to the commencement of any sensitive uses (in accordance with relevant literature guiding matters relating to potentially contaminated land). This amendment proposes to apply the EAO to 3 sites within the Moyhu Township Development Plan to comply with the requirements of this direction (and its subclauses). (It's noted that 3 and 5 Market Street were investigated for a PAO, however a sensitive use exists on the site at 5 Market Street and Council own 3 Market Street, so the application of the PAO was considered to have limited impact and not included in this amendment).</p> <p><i>Ministerial Direction No. 19: Amendments that may result in impacts on the environment, amenity and human health.</i></p> <p>Assessment has been undertaken and it's not considered that this amendment will directly cause detrimental impacts to environmental amenity and or human health due to pollution and waste. Input from the Environmental Protection Authority has been sought during the drafting of this amendment and will continue to be considered during the exhibition process. Input was sought from Agriculture Victoria about the operation of a neighbouring dairy. Ag Vic indicated it was not an intensive dairy operation. Council were advised (by the EPA) that the scale of operations did not warrant a buffer to manage amenity impacts (particularly as it related to odour) and the buffer doesn't apply as the scale of operation doesn't meet the threshold for a buffer in accordance with the EPA Publication – Separation Distance Guidelines.</p> <p>In addition to the Ministerial Directions, Planning Practice Note 46 Strategic Assessment Guidelines, is key in guiding the preparation of this amendment.</p>	<p>Note submission</p> <p>Minor changes required to exhibited amendment (Explanatory Report)</p> <p>Keep submitter informed of the amendment process.</p>

Wangaratta C95 - Assessment of Submissions					
Submitter	Submission Details	Officer Review	Recommendation		
		The planning practice notes provide guidance about the way planning tools work, and in what circumstance to apply them, Guidance has also been sought from Planning Practice and Advisory Notes relating to writing policy, applying particular specialist planning controls and planning processes.			
<b>A2 – North East Water</b>	<p>NEW requested a change to amendment.</p> <ol style="list-style-type: none"> <li>NEW request that 1 Byrne St proposed to be rezoned to Public Use Zone (PUZ1) be removed from the planning scheme amendment and that the land remain in the township zone (TZ).</li> <li>NEW is currently presently unable to service any new allotments without significant investment into upgrading the existing water and wastewater treatment plants. NEW can support development of 30 lots in areas already zoned for residential development.</li> <li>NEW recommends that the rezoning of land for the purposes of the 'strategic development area' to TZ and LDRZ1 to facilitate 130 additional lots be carefully considered in light of the advice that water and sewer servicing to these new allotments by NEW will not be possible in the short to longer term timeframe.</li> </ol>	<p>Thank submitter for submission.</p> <p>Officers invited NEW to discuss the changes requested in their submission and innovative ways Moyhu could be serviced in the future. This meeting was conducted via teams.</p> <ol style="list-style-type: none"> <li>It was agreed 1 Byrne St Moyhu would remain in TZ rather than being rezoned to PUZ1. NEW have indicated that the site is no longer 'active' and they would look to dispose of the site therefore requesting the land remain in the Township zone.</li> <li>NEW reiterated they currently are not in a position to service the additional lots that would be created from the rezoning, however are open to discussions with developers that may want to lead the provision of reticulated services to the additional lots.</li> <li>Officers recommended the addition of a strategy and wording in policy post discussion with NEW. Shown in Green in policy extract below. NEW were satisfied with these additions:</li> </ol> <p>Under Clause 02.03-1 Settlement Hierarchy</p> <table border="1"> <tr> <td> <p><b>Townships</b></p> <p>Residential and commercial uses Have reticulated sewerage Identified potential for growth (inclusive of incremental growth where reticulated services will require upgrades) Proximity to Wangaratta Regional City</p> </td> <td> <p>Glenrowan (reticulated sewer, reticulated water) Milawa (reticulated sewer, ground water co-op) Oxley (reticulated sewer, reticulated water) Moyhu (reticulated sewer and reticulated water,)</p> </td> </tr> </table> <p><b>Townships</b></p> <p>The Moyhu Township Development Plan (at Clause 11.01.1L-05) establishes a vision to guide the future incremental expansion of the township to support the local community and surrounding King Valley, including opportunities for growth, at a scale that is compatible with the existing character of the town including the retention and the protection of significant vegetation assets and the surrounding rural and significant landscape character of the King Valley environs.</p> <p><b>Clause 11.01-1L-05 Moyhu Township</b></p> <p><b>General Strategies</b></p> <ul style="list-style-type: none"> <li>Support development that respects and enhances the existing scale and rural character of the township.</li> <li>Design any development that expands the township to provide active frontages along any interface with farming zoned land.</li> <li>Support development that increases amenity, improves connection to the surrounding natural landscapes and supports health and wellbeing.</li> </ul>	<p><b>Townships</b></p> <p>Residential and commercial uses Have reticulated sewerage Identified potential for growth (inclusive of incremental growth where reticulated services will require upgrades) Proximity to Wangaratta Regional City</p>	<p>Glenrowan (reticulated sewer, reticulated water) Milawa (reticulated sewer, ground water co-op) Oxley (reticulated sewer, reticulated water) Moyhu (reticulated sewer and reticulated water,)</p>	<p>Note submission Change requested</p> <p>Make change as requested.</p> <p>Keep submitter informed of amendment process.</p>
<p><b>Townships</b></p> <p>Residential and commercial uses Have reticulated sewerage Identified potential for growth (inclusive of incremental growth where reticulated services will require upgrades) Proximity to Wangaratta Regional City</p>	<p>Glenrowan (reticulated sewer, reticulated water) Milawa (reticulated sewer, ground water co-op) Oxley (reticulated sewer, reticulated water) Moyhu (reticulated sewer and reticulated water,)</p>				

Wangaratta C95 - Assessment of Submissions			
Submitter	Submission Details	Officer Review	Recommendation
		<p>- <a href="#">Support innovative and developer lead approaches to facilitating development infrastructure to support the incremental growth of Moyhu.</a></p> <p>Update to explanatory report and zoning map in relation to 1 Byrne St Moyhu.</p> <p><b>Zoning Maps:</b></p> <ul style="list-style-type: none"> <li>Amend Planning Map 45 to rezone land identified in the Moyhu Township Development Plan as the Strategic Development Area from Farming Zone (FZ) and Low Density Residential Zone (LDRZ) to Township Zone (TZ) and LDRZ.</li> <li>Amend Planning Map 45 to rezone 7 Nyberg Close from Farming Zone (FZ) to Public Use Zone 6 (PUZ6 Local Government).</li> <li><del>Amend Planning Map 45 to rezone 1 Byrne Street from Township Zone (TZ) to Public Use Zone 1 (PUZ1 Service and Utility).</del></li> </ul> <p>The amendment proposes to rezone 7 Nyberg Close from Farming Zone (FZ) to Public Use Zone (PUZ6 Local Government). This is required as the subject site is currently used as a drainage basin for the Nyberg Close subdivision. Neither Farming or Low Density Residential Zoning are appropriate for the current use. The land is owned by Council therefore rezoning the subject site to Public Use Zone (PUZ6) is most appropriate. <del>The amendment also proposes to rezone 1 Byrne Street from Township Zone (TZ) to Public Use Zone (PUZ1 Service &amp; Utility). This change better reflects ownership and operation of the site. The land contains a telephone exchange and water tower. The site is owned by a utility provider (i.e. North East Water and Telstra).</del></p> <p>Zoning Map to be updated to remove rezoning.</p> 	
A3 – APA Group	APA had no objection to the amendment, there are no AGN assets in the vicinity.	<p>Thanks submitter for submission.</p> <p>No further action required.</p>	<p>Note submission</p> <p>No change required or recommended to exhibited amendment</p>

Wangaratta C95 - Assessment of Submissions			
Submitter	Submission Details	Officer Review	Recommendation
			Keep submitter informed of amendment process
<b>A4 – Goulburn-Murray Water</b>	<p>GMW has no objection to the Planning Scheme Amendment C95.</p> <p>Moyhu is located in a special water supply catchment. Lots will be connected to reticulated water and sewerage unless otherwise agreed with the responsible authority.</p>	<p>Thanks submitter for submission.</p> <p>No further action required.</p>	<p>Note submission</p> <p>No change required or recommended to exhibited amendment</p> <p>Keep submitter informed of amendment process</p>
<b>A5 – Department of Transport/TV</b>	<p>DoT recommended changes to amendment.</p> <p><b>Recommended changes</b></p> <p>Further consultation will need to occur in relation to proposed HO317 and HO321 to confirm impacts to the arterial road network prior to inclusion in the planning scheme.</p> <p>Language revised in Clause 11.01-1L-05 to ensure reflects current funding or planned delivery of shared path:</p> <p>In Movement and Access, language should be revised to include the word 'investigate', as follows:  <i>Investigate and</i> support the creation, upgrading and completion as relevant, connectivity links between the township, the King River, Moyhu Primary School and Moyhu Recreation Reserve.                      In Moyhu Structure Plan, 'Proposed Shared Pathway' and 'Upgrade/Complete Existing Shared Pathway' should be updated to '<i>Potential</i> Shared Pathway' and '<i>Potential</i> Shared Path Upgrade/Completion'.</p> <p>DoT also made other comments about the amendment, these comments were discussed during the meeting and points can be found in the officer review column.</p>	<p>Thank submitter for submission.</p> <p>Teams meeting was held with Council officers and DoT.</p> <p><b>Key points from discussion</b></p> <ol style="list-style-type: none"> <li><i>A consolidated town layout and focus on improving active transport is supported. Noted (no discussion) and no action required.</i></li> <li><i>Under section 119 of the Road Management Act 2004, the Head, Transport for Victoria, is responsible for facilitating safe and efficient access to and from the arterial road network.</i> <ol style="list-style-type: none"> <li><i>Council should consider mechanisms that ensure that investment in key road/transport infrastructure is borne fully by the developers. A traffic impact assessment should be undertaken to determine the impact of the proposed development on transport infrastructure.</i></li> </ol> </li> </ol> <p><b>TV:</b> advised this comment relates to ensuring appropriate intersection upgrades resulting from future development and is to safeguard against funding deficits if the matter is not considered up front.</p> <p><b>RCOW:</b> advised that this step is appropriate however would be actioned at permit stage (should the amendment be approved).</p> <p><b>TV:</b> advised that a channelised right hand turn may be required based on the expected lot/density increase. TIV would like to see the cost to be borne by the developer (who is the catalyst for such an upgrade).</p> <p><b>RCOW:</b> advised that this can be considered as part of detailed design at permit stage (should the amendment be approved). Its expected that this would be addressed by a traffic impact assessment.</p> <p><b>TV:</b> advised that they have been recent circumstances where due to the staging of subdivision (where there have been a small number of lots per stage) the need to refer to TIV has been bypassed. Where the full development triggers an intersection upgrade, developers may try to avoid this for arterial intersections by staging the development to apply for planning permits below the lot threshold that triggers referral to DTP, ultimately resulting in an unsafe intersection that should have been addressed by the developers.</p> <p><b>RCOW:</b> it would be expected that due to the nature of ownership (single land owner) and the need to consider servicing any future development that the subdivision would of the whole site would be undertaken, and then staged. This would give TIV the opportunity to comment on any proposed development. It vital to understand the issues of the relevant authorities to ensure any matters raised can be addressed up front as part of a permit application.</p>	<p>Note submission</p> <p>Changes recommended</p> <p>Make changes as recommended.</p> <p>Keep submitter informed of amendment process</p>

Wangaratta C95 - Assessment of Submissions			
Submitter	Submission Details	Officer Review	Recommendation
		<p>b) <i>The proposed subdivision to separate the Lions Park Reserve on Moyhu-Meadow Creek Road from the road reserve will need to ensure that the current and future land requirements of the intersection with Wangaratta-Whitfield Road are protected.</i></p> <p>Noted</p> <p>c) <i>The Department of Transport and Planning's planning policy aims to minimise connections to the arterial road network. Individual lots fronting an arterial road should be avoided. Lots should ideally be accessed by a minor road, to maintain safety and efficiency on the arterial network.</i></p> <p>Noted and considering adding a strategy at Clause 11.01-1L-05 under movement and access heading.</p> <p>d) <i>Further consultation with the Head, TIV will need to occur in relation to the proposed investigation of the extension of Market Street northwards to create a secondary connection to the Wangaratta-Whitfield Road.</i></p> <p>Noted</p> <p>3. <i>Consideration should be given to movement and place classifications and the role of roads including in any future subdivision to provide improved connection across the town for active transport and to determine appropriate road cross sections.</i></p> <p>a) <i>Conflicts between movement and place need to be avoided. Active frontages should include a buffer zone to arterial roads. Active transport corridors may not be compatible with arterial roads.</i></p> <p>b) <i>Consideration should be given to relocating the primary school closer to the township to better enable active transport while minimising conflict with arterial traffic.</i></p> <p>Noted and consideration can be given at the permit stage (should the amendment be approved).</p> <p><b>TIV:</b> noted given the 30-year horizon of the Moyhu TDP that it's a possibility that the school could be moved closer to town and the active transport networks could be more focused within the township.</p> <p><b>RCOW:</b> noted that this could be a possibility. However, this is beyond the scope of the amendment and therefore not being considered at time. The Dept of Education would be the assessing authority of any school (physical) movements.</p> <p><b>Recommended Changes:</b></p> <p>1. <i>Further consultation with the Head, TIV will need to occur in relation to proposed HO317 and HO321 to confirm impacts to the arterial road network prior to inclusion in a Planning Scheme.</i></p> <p>- <b>TIV:</b> advised there were no works scheduled (for Wangaratta-Whitfield Road aka Byrne Street) at this time.</p> <p>- <b>RCOW</b> advised that there are a series of safeguards that will allow the protection of heritage places HO317 (as it applies to the Old Bank, 18 Byrne Street) and HO321 (as it applies to the Spirit of the Salts, Moyhu Trolley and Station Signage, along the Reserve, Bartley Street), whilst allowing for any potential works to occur to the road network.</p>	

Wangaratta C95 - Assessment of Submissions											
Submitter	Submission Details	Officer Review	Recommendation								
		<p>The relevant exemptions are found in Clause 62.02 Buildings and Works not requiring a permit.</p> <p>It is noted however that under the provisions of the Heritage Overlay at Clause 43.01 a permit is required when, <i>Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.</i> For example, if works were so extensive that they impacted the verandah of the Old Bank and this would change the appearance then a permit would be required and it would be assessed on its individual merit (should the amendment be approved). If the verandah was impacted, its assumed the scope of the works would be very extensive and this would be one of many factors that need to be considered prior to the works proceeding.</p> <p>2. <i>The language of proposed Local Policy at Clause 11.01-1L-05 should be revised to ensure it reflects current funding or planned delivery of shared path:</i>  <i>In Movement and Access, language should be revised to include the word 'investigate', as follows:</i></p> <p>a) <i>Investigate and support the creation, upgrading and completion as relevant, connectivity links between the township, the King River, Moyhu Primary School and Moyhu Recreation Reserve.</i></p> <p>b) <i>In Moyhu Structure Plan, 'Proposed Shared Pathway' and 'Upgrade/Complete Existing Shared Pathway' should be updated to 'Potential Shared Pathway' and 'Potential Shared Path Upgrade/Completion'.</i></p> <p><b>TFV</b> advised:                      That in recent experience, the addition of potential and investigate mitigates against expectations that there is an existing alignment that cant be altered or that there is an expectation that having a policy guarantees that works will occur.                      That safety for active movement networks is a concern, particularly in relation to the track that connects the township to the school (approx. 1.6 km south of the township) and the matter of school children using a shared path next to an arterial road.</p> <p>- The whole cross section of the arterial road reserve needs to be considered with a shared path proposal, including the different functions and future needs, such as trees, drainage, powerlines and pavement. The shared path being relocated in Whitfield, away from the road pavement and between the trees and property boundary was a better safety outcome. TFV would need to review cross sections to ensure proposal doesn't preclude potential future upgrades.</p> <p><b>RCOW:</b> advised that background underpinning this policy originates in an adopted document of Council – the Walking and Cycling Strategy, which aligns with state policy (at Clauses 18.02-1S and 18.02-2S relating to walking and cycling) and has costed the upgrades and prioritised as a high priority for Council's action. Officers can investigate this wording to ensure it demonstrates the flexibility that TFV are seeking but also complies with the Ministerial Direction for the Form and Content of Planning Schemes and other relevant drafting considerations.</p> <p><b>Action/proposed changes summary:</b></p> <p><b>Comments:</b></p> <table border="1"> <thead> <tr> <th>Reference</th> <th>Proposed Change</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>No change required</td> </tr> <tr> <td>2 a, b, d</td> <td>No change required</td> </tr> <tr> <td>2 c</td> <td>Add strategy at Clause 11,01-1L-05 under movement and access heading to 'avoid individual lots fronting arterial roads'</td> </tr> </tbody> </table>	Reference	Proposed Change	1	No change required	2 a, b, d	No change required	2 c	Add strategy at Clause 11,01-1L-05 under movement and access heading to 'avoid individual lots fronting arterial roads'	
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Wangaratta C95 - Assessment of Submissions									
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Wangaratta C95 - Assessment of Submissions			
Submitter	Submission Details	Officer Review	Recommendation
		<p><b>Moyhu TDP Strategic Development Area</b></p> <p><b>Legend</b></p> <p><b>Zones</b></p> <ul style="list-style-type: none"> <li>LDZ</li> <li>TZ</li> </ul> <p><b>Walking and Cycling network</b></p> <ul style="list-style-type: none"> <li>Existing Footpath</li> <li>Proposed Shared Pathway</li> <li>Proposed Shared Pathway</li> <li>Proposed Shared Pathway</li> </ul> <p><b>Road Network</b></p> <ul style="list-style-type: none"> <li>Perimeter Road incorporating Defensible Space &amp; Pedestrian and Cycling links</li> <li>Perimeter Road Options</li> <li>Potential Future Market Street Extension</li> <li>Indicative Internal Connection</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>Strategic Development Area</li> <li>Recreation Reserve / Open Space</li> <li>Sporting Facility / Open Space</li> <li>Floodway Overlay</li> <li>Land Subject to Inundation</li> <li>Waterway</li> </ul> <p>DoT/TFV later indicated:</p> <ul style="list-style-type: none"> <li>- They are satisfied with the discussion regarding proposed HO317 and HO321, and that no change is required.</li> <li>- Supports the proposed planning scheme amendment being reworded using 'investigate' and 'potential' to ensure that flexibility is built in.</li> </ul>	
<b>Community Submissions</b>			

*Planning and Environment Act 1987*

## **Wangaratta Planning Scheme**

### **Amendment C95**

## **Explanatory Report**

### **Overview**

This amendment proposes to introduce a long-term development framework to guide future land use, development and built form within Moyhu, by implementing the *Moyhu Township Development Plan* (Rural City of Wangaratta, 2024).

It proposes to do this by:

- Updating local policy in the Municipal Planning Strategy and introducing a new settlement plan to guide development.
- Rezoning approx. 26.5 ha of land (within the strategic development area) to a combination of Township Zone and Low Density Residential Zone to provide a sustainable supply of land for housing in the township over the next 30 years.
- Applying the Vegetation Protection Overlay and Heritage Overlay, to better recognise and protect important areas of vegetation and built heritage.
- Applying the Design and Development Overlay (Schedule 10) to provide further guidance on built form outcomes that reflect the townships character and mitigate impacts from climate change and environmental hazards.
- Applying the Environmental Audit Overlay to recognise and manage areas that are contaminated and potentially contaminated.

### **Where you may inspect this amendment**

The Amendment can be inspected free of charge at

- Rural City of Wangaratta website at [www.wangaratta.vic.gov.au](http://www.wangaratta.vic.gov.au)
- During office hours at the following places:
  - Wangaratta Government Centre, Corner of Ford and Ovens Streets, Wangaratta
- Department of Transport and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection), or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

### **Submissions**

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Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by 22 December, 2025

A submission must be sent:

- By Mail  
Att: Strategic Planning Department  
PO BOX 238  
Wangaratta VIC 3676
  
- Via Email:  
Att: Strategic Planning Department  
[strategicplanning@wangaratta.vic.gov.au](mailto:strategicplanning@wangaratta.vic.gov.au)

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: 23 March 2026
- Panel hearing: 27 April 2026

### **Details of the amendment**

#### **Who is the planning authority?**

This amendment has been prepared by the Rural City of Wangaratta which is the planning authority for this amendment.

The amendment has been made at the request the Rural City of Wangaratta.

#### **Land affected by the amendment**

The amendment applies to all land within the Moyhu Township as shown in Figure 1 below (land within the black boundary line).



Figure 1 – Moyhu Township

The land affected is generally, land currently zoned Township Zone, Low Density Residential Zone and Public land close to the core of Moyhu, with the addition of a strategic development area which generally affects land described as CP155072 Vol 9556 Fol 205; LotA PS843072 Vol 12377 Fol 935, Market Street, Moyhu

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

**What the amendment does**

The amendment introduces a development framework for the Moyhu Township implementing the short term recommendations of the *Moyhu Township Development Plan (TDP), 2024*, focusing on environmentally sustainable design outcomes, provision of housing (a considered and sustainable increase across a 30 year horizon), and maintaining township character by amending local policy, rezoning land, applying overlays and making administrative changes to the Wangaratta Planning Scheme.

Specifically, the amendment makes the following changes:

**Zoning Maps:**

- Amend Planning Map 45 to rezone land identified in the Moyhu Township Development Plan as the Strategic Development Area from Farming Zone (FZ) and Low Density Residential Zone (LDRZ) to Township Zone (TZ) and LDRZ.
- Amend Planning Map 45 to rezone 7 Nyberg Close from Farming Zone (FZ)

to Public Use Zone 6 (PUZ6 Local Government).

~~Amend Planning Map 45 to rezone 1 Byrne Street from Township Zone (TZ) to Public Use Zone 1 (PUZ1 Service and Utility).~~

#### **Overlay Maps:**

- Amend Planning Map 45VPO to apply the Vegetation Protection Overlay (VPO) to the Moyhu Township Vegetation Protection Area.
- Amend Planning Map 45HO to apply the Heritage Overlay schedules 312 – 322 on various properties within Moyhu.
- Insert Planning Map 45DDO to apply the Design and Development Overlay Schedule 10 to the Moyhu Township.
- Insert Planning Scheme Map 45EAO to apply the Environmental Audit Overlay to 33-35 Bartley Street and 9 and 22 Byrne Street.

#### **Planning Scheme Ordinances:**

- Amending Local Policy at Clause 02.03-1 Settlement to recognise the Moyhu TDP in the Settlement hierarchy.
- Insert new Local Policy at Clause 11.01-1L-05 Moyhu Township to introduce policy objectives and strategies to achieve planning outcomes sought by the Moyhu TDP.
- Insert new Schedule 3 to Clause 42.02 Vegetation Protection Overlay to protect scattered and patches of native and other significant vegetation in the area identified by VPO maps.
- Amends the Schedule to Clause 43.01 Heritage Overlay to protect built form and heritage values for 11 additional places within Moyhu.
- Inserts Schedule 10 to Clause 43.02 Design and Development Overlay to apply to the Moyhu Township to guide built form, environmental and fire safety outcomes in areas identified to facilitate residential outcomes.
- Make changes to operation provisions to accommodate the above changes.

## **Strategic assessment of the amendment**

### **Why is the amendment required?**

The amendment is required to give effect to land use and planning related recommendations of the Moyhu TDP. The amendment is supported by the Moyhu Township Development Plan, Background Report and its appendices. The Wangaratta Planning Scheme at the Schedule to Clause 74.02 Further Strategic Work identifies the preparation of a structure plan for Moyhu to identify opportunities for growth and further strategic justification for this amendment.

Completion of the Moyhu Township Development Plan supports recommendations from the following strategic land use planning studies:

- Wangaratta Population and Housing Strategy, 2013, which specifically recommends the development of a plan to investigate the extent to which land could be made available to accommodate projected growth
- Wangaratta Low Density and Rural Living Strategy, 2021 (partially adopted rural component), which necessitates the investigation into low density development to ensure sufficient supply is provided. This strategy specifically makes recommendations for the supply of Low Density Residential Zoned land in Moyhu.
- The Moyhu Township Development Plan, 2024 which recommends infill and rezoning to accommodate projected population growth of the Moyhu Township over a 30 year period.
- The Affordable Housing Strategy, 2024 which identifies the lack of affordable housing is a barrier to recruiting workers in key sectors including agriculture and viticulture, forestry and hospitality.

The implementation of the recommendations from this strategy provides a modest portion of land supply to accommodate 6000 new lots, which is the target for the Rural City of Wangaratta as identified in the 'Plan for Victoria' Further by completing the structure planning process for Moyhu Council will have completed structure plans for all of its townships identified by 02.03-1 Settlement.

It's further noted that the Moyhu Township Development Plan has not been prioritised over other settlements of comparable size. As a township it is located within commuter distance to the Regional City of Wangaratta and is a location that has access to existing development infrastructure. Its development reduces impacts on surrounding agriculture and is located in an area free of environmental risks (like bushfire risk with severely limits expansion of settlements). The completion of the Moyhu Township Development follows the same approach that Council has taken with all townships identified in Clause 02.03-1 Settlement. By implementing its recommendations is a small but significant part in achieving state government housing targets.

The amendment is required to orderly and sustainably address population growth and provision of housing and land use changes in Moyhu over the next 30 years, in the present and long-term interest of all Victorians and in accordance with the objectives of the Hume Regional Growth Plan. The amendment is required to provide options for diverse housing, in a serviced location, which avoids environmental risks and support the protection of the natural environment, surrounding agricultural operations, commemorates post settlement heritage (based on the technical information relating to vegetation, heritage, and bushfire, contained in the Moyhu TDP and its appendices).

Moyhu's population has grown at a rate of 3.8% over the last 10 years (in

accordance with ABS data, 2021) and is strategically located at the northern gateway to the King Valley. Moyhu is the largest population centre within the King Valley. In Councils Population and Housing Strategy, 2013 and the Wangaratta Planning Scheme settlement hierarchy, Moyhu is identified as a Township, and townships are recognised as being in demand for residential and low density residential opportunities as they are serviced, located within commuter distance to Wangaratta (regional city) and sit within a picturesque agricultural setting.

The township development plan has examined population growth, land supply, natural features, environmental risks and potential impacts on agricultural activities. Community and authority input has helped shaped the directions in the Moyhu TDP. After balancing the various competing land use matters it recommends rezoning identified in the strategic development area. The development horizon has been set at 30 years, to ensure the consistent delivery of land and overcome the unique challenges of land supply and delivery in a regional setting whilst efficiently using resources. This provides a supply and demand analysis for the justification of the amendment.

A longer implementation period enables a strategic approach to identifying suitable land supply and compliance with obligations to supply residential land as directed by State planning policy and particularly in line with Planning Practice Note 37.

Moyhu TDP recommends rezoning land in accordance with the strategic development area to provide steady considered supply of land (at the rate of approx. 3-4 lots per year) to meet the needs of the community over the lifespan of the plan. Provision of housing opportunity is consistent with the aims of the Plan for Victoria, which aims to deliver different types of homes at a range of prices, particularly in areas where you want to live. This amendment will supply approx. 120-130 new housing lots over the 30 year development horizon, contributing to Wangaratta designated target of 6000 additional homes.

The proposed rezoning of Strategic Development Area will result in a single parcel of farming land being in two zones on a temporary basis. This outcome is required to support diversity of housing options and provide development opportunity that aligns with population projections, whilst respecting the surround rural character and providing smaller lots adjoining the existing township, graduating to larger lots interfacing the Farming Zone. It will be rectified via subdivision as development potential is realised and is not expected to cause any unreasonable consequence given the clear direction contained in the Moyhu Township Development Plan and policy translations.

The proposed rezoning aligns with the existing suite of residential zones and allows for appropriate density and built form outcomes that respect and protect the character and functionality of the surrounding rural area. This additional residential capacity is relative to the services and facilities that Moyhu Township can offer the community. The proposed use of two zones ensures compatibility with the surrounding farming zone and township layout to enable functionality in the short

term. Extensive consultation with community has led to the adoption of the Moyhu Township Development Plan by Council and therefore has resulted in the zoning layout set out in the Plan.

By identifying opportunities for housing within the Moyhu Township, development can make efficient use of the existing infrastructure and services (reticulated water, electricity, and sewerage). The agricultural land surrounding the area can be protected from residential development pressure, and the land use conflicts that arise when residential type development occurs in farming zoned land. Further this amendment will allow agricultural land to be used productively for broad scale farming and agricultural activity by providing some land for lower density and lifestyle type development.

The planning scheme is considered the most appropriate means of achieving the desired land use and planning outcomes. By introducing local policy, Council is articulating the vision and accompanying objectives for settlement in the Moyhu Township. Zone changes adjoining the existing township will provide land and the ability to facilitate housing development associated with a modest steady population growth Moyhu is currently experiencing and is predicted to experience into the future. Further the zone changes provide the opportunity to consolidate the township and introduce measures that provide are considered to reduce the threat of bushfire risk. It's acknowledged the proposed rezoning will result in a single parcel of land being rezoned with more than one zone, however the resulting development is anticipated to facilitate housing (and contribute to the Plan for Victorias housing targets). Any concerns relating to the land being in more than one zone in the long term can be addressed by including a legal agreement (in the form of a s173 agreement between Council and the land owners), to ensure its subdivision upon completion of the rezoning to reflect the extent of zone applied. A draft s173 Agreement is exhibited with this amendment.

The application of overlays will protect natural and built environments, by identifying and celebrating vegetation and heritage features which contribute to the character of the town. Overlays also play a pivotal role in identifying risks and ensuring the appropriate remediation and mitigation actions are taken to protect the community and environment from harmful impacts.

Specifically, the application of overlays applies appropriate controls for managing and mitigating specific risks associated with contaminated or potentially contaminated land (Environment Audit Overlay), the provision of infrastructure, sustainable design outcomes, character and bushfire risk (Design and Development Overlay) vegetation and habitat (Environmental Significance Overlay) and to protect tangible heritage values (Heritage Overlay).

The amendment proposes to rezone 7 Nyberg Close from Farming Zone (FZ) to Public Use Zone (PUZ6 Local Government). This is required as the subject site is currently used as a drainage basin for the Nyberg Close subdivision. Neither Farming or Low Density Residential Zoning are appropriate for the current use. The

land is owned by Council therefore rezoning the subject site to Public Use Zone (PUZ6) is most appropriate. ~~The amendment also proposes to rezone 1 Byrne Street from Township Zone (TZ) to Public Use Zone (PUZ1 Service & Utility). This change better reflects ownership and operation of the site. The land contains a telephone exchange and water tower. The site is owned by a utility provider (i.e. North East Water and Telstra).~~

The amendment does not repeat provisions already in the Wangaratta Planning Scheme and does not attempt to achieve an outcome that could be better dealt with outside the Wangaratta Planning Scheme. There are recommendations of this report that are implemented through other avenues (for example, capital works funding could be used to partly fund recreational projects, like the rail trail). The amendment is considered to have a net community benefit for Moyhu and the wider municipality.

### **How does the amendment implement the objectives of planning in Victoria?**

The amendment proposes to implement the objectives of planning in Victoria outlined in sections 4 (1) of the Planning and Environment Act 1987 by providing for the fair, orderly economic and sustainable use and development of land.

- a) *Provide for the fair, orderly, economic and sustainable use, and development of land*
- b) *Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- c) *Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- d) *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) *Facilitate development in accordance with the objectives*
- f) *Balance the present and future interests of all Victorians.*

The amendment grows the township gradually to address a modest and steady population increase, ensures support for the local economy with a modest footprint to protect the surrounding environment, protect agricultural land includes policy measures to celebrate the natural features within the township. The character of the township is retained and connectivity to recreational facilities will be improved. The buildings with special features are identified and protected using appropriate measures (i.e. Overlays).

The proposed amendment is supported by a large body of strategic work (the structure planning process) and will update local policy, rezone land, and introduce selected overlay controls to clearly articulate the vision of the Strategy, and support the policy framework to balance the interests of present and future Victorians.

The use of the Township Zone reflects the rural nature surrounding the Moyhu Township. Further the use of the Township Zone is considered appropriate for the Commercial Precinct (sub precinct B of the Moyhu Township Development Plan), as the purpose of the zone is:

- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that is responsive to the neighbourhood character of the area.

The alternative (the Commercial Zone) is better suited to activity centres, as it provides for a variety of commercial activity with minimal restrictions. The Township Zone allows for commercial development at a scale that respects the existing township and its anticipated growth.

### **How does the amendment address any environmental, social and economic effects?**

#### Environmental Effects:

This amendment has considered environmental factors. The location and direction of proposed future settlement has reflected on the impacts of bushfire risk and flooding by siting the direction of growth away from higher risk areas with the intention of protecting life and property and protecting the surrounding natural landscape features which play an important role in providing habitat and protecting biodiversity.

Specific vegetation protection controls will be applied to areas identified for change via proposed rezoning, to support development that retains and minimises impacts on significant vegetation and celebrates natural features. Further the design of subdivision and siting of development will be managed via an overlay to ensure such features promote optimal passive solar orientation for dwellings and environmentally sustainable design principles with the intent of reducing resource consumption and assisting with the mitigation of climate change impacts for the life of the development.

The application of the Environmental Audit Overlay will identify sites that have potential for contamination and ensure any future development addresses risks appropriately prior to change occurring.

Promotion of active transportation with cycling and pedestrian paths in and around the township will promote less reliance on short vehicle trips.

#### Social Effects:

The proposed amendment is expected to result in positive social benefits for the municipality.

During the development Moyhu Township Development Plan and its background

reports, community input has been sought and has shaped in part the final recommendations.

The application of the Heritage Overlay will protect sites across the Moyhu Township with significant post settlement heritage and built form values and provides a connection with how the Township has developed.

There are small pockets of Areas of Cultural Heritage Sensitivity on the outskirts of the township, however the amendment does not propose changes in impacted areas. Cultural heritage regulations must be followed regardless of this amendment and engagement with and commentary from the Traditional Owners will be sought through the exhibition process.

Future uses for underutilised sites including Councils former Depot at 3 Market Street (once any potential contamination matters have been addressed) will promote development of community uses including social enterprises, affordable housing, community batteries, and EV charging stations.

#### Economic Effects:

The proposed amendment is expected to result in positive economic effects for the community and surrounding areas.

Steadily growing the population provides benefits for existing commercial uses, by extending their community customer base.

Co-locating commercial uses in the Moyhu Township Sub Precinct – Commercial Centre will provide certainty for investment and provide a destination arrival point, given the prominent location on the main arterial road and services for the community, visitors and tourists.

It will further help minimise any potential land use conflicts with sensitive interfaces.

Overall, the amendment is expected to have a net community benefit for the Moyhu Township.

### **Does the amendment address climate change?**

The amendment considers the impacts of climate change by:

#### Minimising Greenhouse Gas Emissions

Access to public transport is provided, (however akin to an area outside the metropolitan area it's acknowledged the service is not frequent). The Moyhu Township Development Plan and policy proposed at Clause 11.01-1L-05 identifies a network of pedestrian and cycle networks and upgrades to encourage active transport identifying improvements should focus on the networks linking the town to the primary school; the town and the King River; and the town and the recreation reserve. Further this policy identifies the potential location for a community battery (for storing solar generated electricity) and a potential location for an EV charging infrastructure in Precinct D: Former Moyhu Depot.

#### Consideration of Climate Change Impacts

The impacts of climate change on natural hazards have been considered by avoiding locating development in areas that will be impacted by flooding, considering and addressing the impacts of bushfire and increasing resilience of the existing township to bushfire via consolidation of the township and mitigation measures. The inclusion of Environmentally Sustainable Design and Landscaping and Vegetation requirements proposed in Schedule 10 to Clause 43.02 Design and Development Overlay identifies measures achieve protection from and exposure to risk by natural hazards (and include measures like choosing bushfire resistant species to achieve canopy trees, and the inclusion of a perimeter road to provide a physical barrier between proposed development and bushfire risk factors).

Initial advice has been sought from the applicable emergency management and natural resource management authorities in the development of the Moyhu Township Development Plan, as required by Ministerial Direction 11. Further advice from relevant authorities will be sought during the formal exhibition process.

#### **Does the amendment address relevant bushfire risk?**

The amendment meets bushfire policy in Clause 13.02 of the Planning Scheme because bushfire risk has been considered in the development of this amendment and the Moyhu Township Development Plan. A Bushfire Hazard Identification Assessment was undertaken for the Moyhu Township. This was completed based on information contained in the Low Density and Rural Residential Strategy, 2021 along with site specific analysis. The approach is considered to be a robust methodology that meets the requirements of bushfire policy and principles contained at Clause 13.02-1S and 13.02-1L of the Wangaratta Planning Scheme.

#### Methodology:

In general the following three step process was followed to identify and direct future settlement to low risk locations:

**Step 1:** A landscape scale bushfire (municipal and township wide) assessment (up to 15kms wide). High risk areas not suitable for rezoning identified.

**Step 2:** A localised bushfire assessment (up to 1 km from each low and moderate risk towns). Bushfire risk aspects are key to identifying lower risk growth directions.

**Step 3:** Development of a suite of design principles and bushfire protection measures for any area selected for future rezoning / redevelopment.

The Country Fire Authority (CFA) were actively consulted during the development of the Strategy, and their submission to the Draft Strategy provided overall support with some further matters for Council to consider.

These matters have been addressed using the appropriate planning tools (overlay

provisions and local policy) that are considered in conjunction with the rezoning of the Moyhu strategic development area which is primarily residential in nature (proposed rezoning containing Low Density Residential Zoned and Township Zoned land). Bushfire considerations are clear, transparent and acknowledged upfront to be considered in any future development outcomes.

Landscape and local considerations:

Whilst located away from dense and rugged forest terrain that impacts other parts of the King Valley, Moyhu is surrounded by grasslands and an isolated Eucalypt plantation (however, its noted that this plantation has been harvested).

At the landscape level, currently Moyhu is considered to be of moderate bushfire risk due to its linear configuration exposing the township to risk along all sides. Consolidating the Moyhu Township west of the Wangaratta-Whitfield Road assists in reducing the exposure of the existing township to bushfire risk.

Alternate locations for development:

Consideration of the growth of the town in both a northerly and southerly direction were undertaken. From a bushfire safety perspective both options were a possibility, however directing growth in a northerly direction provided bushfire and urban design advantages (better protection from bushfire risk and better connectivity throughout the township, through appropriate subdivision i.e. design and density and use of a perimeter road). Assessment of the southern option was not able to support these outcomes to the same extent.

Availability of safe areas:

Currently, there is no designated safe place in close proximity to the Moyhu Township. The Moyhu Recreation Reserve may offer some protection from bushfire impacts, however doesn't meet the requirements for a neighbourhood safe place. Proposed rezoning and subsequent subdivision provides (at densities of 0.2 -0.25 which reduces risks from the potential accumulation of unmanaged vegetation) the opportunity to create a designated safe place in an area assessed as BAL-LOW.

Site based exposure:

There is a mixture of low threat vegetation and grasslands therefore a defensible space of 19 metres is required and can be provided for using a perimeter road at the interface. (A standard IDM road reserve for Low Density Residential is 20m in width). The nature of the township is generally flat with a slope of 0.2% towards the King River flats to the east and south east (noting this slope is outside the Moyhu Strategic Development Area). Based on slope and the vegetation and its proximity to the Moyhu Strategic Development Area it is capable of achieving a BAL rating of 12.5 in accordance with requirements AS3959:2018 Construction of buildings in bushfire prone areas.

Authority Input:

The views of the CFA have been sought in the development of the Moyhu Township Development Plan and the Low Density and Rural Residential Strategy, (where underpinning information was sourced from). Recommendations including clear and direct commentary be included in the strategy, and this was completed prior to the adoption of the Moyhu Township Development Plan. Further input will be invited during the exhibition process.

This Strategic Bushfire Assessment has demonstrated that the planned rezoning of the Strategic Development Area (SDA) meets the objectives and standards of Clause 13.02-1S. Suitable planning controls should be drafted and integrated with any rezoning of the area, these controls are to be designed to incorporate the recommendations and pre-set conditions for any future development in particular subdivision within the SDA. Some pre-conditions sit outside of the planning scheme system (including the establishment of a neighbourhood safe place, this process should commence and co-inside with any rezoning of the SDA).

### **Does the amendment comply with the requirements of any other Minister’s Direction applicable to the amendment?**

This amendment complies with the requirement of the Ministerial Direction – Form and Content of Planning Schemes section 7 (5) of the Planning and Environment Act 1987, by using the applicable style guide and using ‘plain English’ language.

#### *Ministerial Direction No. 1: Potentially Contaminated Land*

This amendment complies with Ministerial Direction 1 (Potentially Contaminated Land). The amendment has included a preliminary site investigation of current and historical uses across the Moyhu Township for the occurrences of Potentially Contaminated Land. Whilst investigations have identified some sites as contaminated or with the potential for contamination, this amendment does not propose changes to the zones at these sites, therefore is not the catalyst for allowing sensitive uses on sites identified as contaminated and potentially contaminated. These sites will be further investigated as part of a separate process.

As this direction applies to potentially contaminated land, the planning authority is required to satisfy itself that the environmental conditions are suitable for uses and development specified in the (existing) zones, which in this case of the Moyhu TDP are the Township Zone (TZ), Low Density Residential Zone and the Public Use Zone 6 (PUZ). As these zones allow for uses that are defined as sensitive, the application of the Environmental Audit Overlay is considered the best way to identify land with potential contamination and manage any ongoing requirements prior to the commencement of any sensitive uses (in accordance with relevant literature guiding matters relating to potentially contaminated land). This amendment proposes to apply the EAO to 3 sites within the Moyhu Township Development Plan to comply with the requirements of this direction (and its subclauses). (It’s noted that 3 and 5 Market Street were investigated for a PAO, however a sensitive use exists on the site at 5 Market Street and Council own 3 Market Street, so the application of the

PAO was considered to have limited impact and not included in this amendment).

*Ministerial Direction No. 11: Strategic Assessment of Amendments*

The amendment complies with Ministerial Direction No. 11: (Strategic Assessment of Amendments) under section 12 of the PE Act. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. This explanatory report provides a comprehensive strategic evaluation of the amendment and the outcomes it produces.

*Ministerial Direction No. 15: The Planning Scheme Amendment Process*

This amendment will abide by the timelines specified in Ministerial Direction 15 (The Planning Scheme Amendment Process) for the authorisation, exhibition, and panel (if required) stages of the amendment.

*Ministerial Direction No. 19: Amendments that may result in impacts on the environment, amenity and human health.*

Assessment has been undertaken and it's not considered that this amendment will directly cause detrimental impacts to environmental amenity and or human health due to pollution and waste. Input from the Environmental Protection Authority has been sought during the drafting of this amendment and will continue to be considered during the exhibition process. Input was sought from Agriculture Victoria about the operation of a neighbouring dairy, Ag Vic indicated it was not an intensive dairy operation. However Council were advised (by the EPA) that the scale of operations did not warrant a buffer to manage amenity impacts (particularly as it related to odour) and the buffer doesn't apply as the scale of operation doesn't meet the threshold for a buffer in accordance with the EPA Publication – Separation Distance Guidelines.

In addition to the Ministerial Directions, Planning Practice Note 46 Strategic Assessment Guidelines, is key in guiding the preparation of this amendment.

The planning practice notes provide guidance about the way planning tools work, and in what circumstance to apply them. Guidance has also been sought from Planning Practice and Advisory Notes relating to writing policy, applying particular specialist planning controls and planning processes.

*Ministerial Direction 22 Climate Change Consideration*

To achieve the Victorian State Government's emission reductions targets of 75-80% by 2035 and net zero emissions by 2045 planning scheme amendments are required to consider the likely extent to which greenhouse gas emissions are reduced in precinct scale responses.

In this case Amendment C95 proposes to provide housing within an existing township (in addition to providing housing in a greenfield development area extending from an existing Township) which currently services the surrounding

agricultural communities.

*Planning Practice Note 30 (Potentially Contamination land)*

This practice note has been considered in the preparation of the amendment, which in the case of rezoning of land in Moyhu seeks to rezone land that is currently and historically used for agricultural purposes. Council is not aware of any stock dipping sites that would therefore make the former and current use considered to be a 'high risk activity' under this practice note. There are three sites in the Moyhu Township which are considered to be contaminated, an EAO will be applied to these sites.

*Planning Practice Note 37 (Rural Residential Development)*

The Moyhu TDP and the changes proposed within this amendment are supported by the intent and advice within this Note.

The Moyhu TDP includes a housing analysis, including the current levels of low density and township zoned land to support the market into the future. Based on this analysis the Strategy seeks to support the provision of Low Density and Rural Living in four key markets, including projected supply levels required over a 30 year period. This amendment seeks to implement the key recommendations of the TDP. The proposed rezoning of land is directed to both within and adjoin the existing settlement pattern of the town, the advantage of allowing connection into the existing reticulated service networks of the town and further support the existing community facilities through an increase in population. Directing rural residential development to existing settlements is consistent with the practice note and actively avoids the creation of isolated rural residential or lifestyle estates within key agricultural land and the potential land use conflicts as well as environmental concerns associated with this type of land use.

The proposed planning tools associated with the areas to be rezoned ensure that future subdivision actively designs to integrates bushfire protection mechanisms, landscape presentation and amenity design considerations, the protection and celebration of significant trees and also the separation of residential uses from adjoining farming operations through permit roads as required.

**How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment is consistent with and supports the Planning Policy Framework. It has regard to and assists with achieving the following objectives:

*Clause 11 Settlement*

The amendment supports direction contained in Settlement policy at Clause 11.01 and 11.01-R Settlement - Hume Region and Clause 11.02-1S Managing Growth. Managing growth by directing it into existing settlements like Moyhu, ensures sufficient land supply is available to meet population forecasts and support the ongoing sustainability of the township.

It directs future development away from areas impacted by risk from natural hazards,

particularly bushfire, flood risks and productive agricultural land, to ensure urban development can be supported, climate change impacts can be adequately considered and greenhouse gas emissions reduced by using efficient urban layouts and existing and renewable energy infrastructure.

*Clause 12 Environmental and Landscape Values*

12.01S and 12.01-1L Protection of biodiversity relates to native vegetation management and seeks to protect and enhance biodiversity; this is supported by strategies including the siting and design of subdivision and development to protect and enhance existing vegetation, avoid its clearance and protecting biodiversity values and remnant vegetation on roadsides. It is supported by the application of the Vegetation Protection Overlay, Schedule 3 to the Strategic Development Area within the Moyhu Township.

*Clause 13 Environmental Risks and Amenity*

Clause 13.01-1S Natural hazards and climate change has the objective to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning. The Moyhu TDP can achieve this by directing population growth and development to low risk locations. Clause 13.02-1S and 13.02-L Bushfire planning aims to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. This is done by identifying bushfire hazard and undertaking appropriate risk assessment including and applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard. The consolidation of the township to the north provides further opportunity to reduce risks.

*Clause 14 Natural Resource Management*

14.01-1S Protection of agricultural land and 14.01- 1L Dwellings and subdivision in rural areas intends to preserve productive farmland. This policy seeks to protect productive farmland that is of strategic significance in the local or regional context and limit new housing development in rural areas by: directing housing growth into existing settlements; and discouraging development of isolated small lots in rural zones from use for dwellings or other incompatible uses. The local policy ensures that any development in higher agricultural productivity and versatility areas is directly linked to agricultural use and retains the productive agricultural use of the land and surrounding area.

The direction of growth into the Moyhu Township provides housing opportunity in close proximity of the King Valley. Providing housing in the existing settlement requires the rezoning of a very small portion of existing agricultural land, however it will provide housing for a 15 – 30 year horizon to support agricultural industries and the workforce and mitigate against pressure to develop within productive agricultural land.

*Clause 15 Built Environment and Heritage*

Clause 15.01-2L-03 Energy and resource efficiency re-enforces the importance of using passive sustainable design principles, passive solar design and specifically in subdivisions ensures designs are environmental sustainability, safety, accessibility and amenity in mind. The Strategic Development Area provides opportunity to fulfill this objective, and this policy is supported by specific design objectives and application requirements communicated in the Design and Development Overlay,

Schedule 10. Consideration of additional planning resources like the Sustainable Subdivision Framework (created by CASBE) provides guidance on how to achieve such objectives.

Clause 15.03-1S addresses Heritage Conservation and 15.031L Heritage places and precincts by ensuring the conservation of places of heritage significance and is broadly achieved by retaining original heritage features and elements that contribute to the understanding of Moyhu's past, supporting adaptive reuse, whilst ensuring appropriate scale and mass for any extensions and new buildings. By re-examining places that were first identified to have heritage significance in Councils Heritage Study, 2004, this amendment seeks to ensure the places which still display exemplary characteristics and features are celebrated and protected.

Clause 15.03-2S seeks to ensure protection and conservation of places of Aboriginal Cultural Heritage by identifying, assessing and documenting places of Aboriginal cultural significance. Any development of land within areas of significance requires the preparation of a Cultural Heritage Management Plan (CHMP). Both consultation and approval by the Taungurung Clans Aboriginal Corporation, who are the Registered Aboriginal Party for the area is required for a CHMP. In this circumstance the amendment itself doesn't trigger the need to complete a CHMP, as the changes contained within it are not considered high impact activities. Any development is required to be cognisant of Cultural Heritage regulations.

#### *Clause 16 Housing*

Clause 16.01-1S Housing supply has the objective of facilitating well-located, integrated and diverse housing that meets community needs, which is achieved through a range of strategies, aimed at providing housing for all people for all ages, abilities and socio economic status' which is diverse (densities and form), well located to services, health care, transport and infrastructure and protects the surrounding agricultural land and land with special landscape considerations. At the local level Housing supply at Clause 16.01-1L identifies parameters that encourage residential development into existing townships with reticulated services. It's noted that Moyhu is identified as a Township with reticulated water and sewerage and its development supports these objectives.

#### *Clause 17 Economic Development*

17.04 Tourism seeks to facilitate decisions that resolve land use conflicts to promote economic growth across all sectors. This amendment attempts to reduce such conflict and promote economic growth by clustering and recognising a commercial precinct within the Moyhu TDP.

#### *Clause 18 Transport*

Whilst the Moyhu TDP itself cannot transform transport systems, it has a critical role in achieving the objectives it can achieve the objective of Clause 18.01-1S Land use and transport integration by planning for improvements to walking and cycling networks, access to public transport; and designing neighbourhoods to increase the share of trips using sustainable transport, particularly at the local level.

This is consistent with the strategies and objectives of Clause 18.02-1S Walking, and Clause 18.02-2S Cycling.

The amendment promotes active sustainable transport and will support accessibility to the local bus stop (the only public transport in the area).

### *Clause 19 Infrastructure*

The Moyhu TDP facilitates the directions of Clause 19 Infrastructure as the Moyhu TDP's recognises social needs by continuing to support land use and development for linking and supporting a range of existing accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

The Moyhu TDP considers the development of energy supply infrastructure and facilitation of renewable energy discussed in Clause 19.01-1S Energy Supply and Clause 19.01-2S and 19.01-2L Renewable Energy by identifying opportunity to facilitate renewable energy generation and storage (for example, a community battery) to meet onsite energy needs and facilitate renewable energy development and local energy production in appropriate areas.

In relation to emergency services the Moyhu TDP continues to recognise the importance of the CFA and its command facility in its predominant central location, and local police resources located nearby described in Clause 19.02-5S Emergency Services.

Clause 19.02-6S and 19.02-6L-01 Open Space identifies the importance of open space that meets community need. This includes ensuring land is set aside and developed in residential areas for local recreational use, including the creation of pedestrian and bicycle links to commercial and community facilities and provides the opportunity to improve on existing open space networks in townships.

Clause 19.02-6L -02 Public Open Space Contributions provides the Moyhu TDP with an opportunity to improve open space for the community by seeking contributions to create open space networks in accordance with the township development plan.

Clause 19.03-3S and 19.03-3L Integrated water management provides direction around integrated water management and seeks to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through integrated water management approach.

### **Is the amendment consistent with the delivery of the relevant housing target set out in the Planning Policy Framework?**

The amendment is consistent with the housing targets (of 6000 new houses in the Rural City of Wangaratta by 2051). By rezoning land in an existing township with access to services, and located outside the regional city, it provides opportunity for housing to support the surrounding agriculture, viticulture and tourism activities located in close proximity of these industries. The proposed mixture of Township Zone and Low Density Residential Zone land provides opportunity for diversity in housing outcomes whilst providing a modest contributions (proportional to the development infrastructure) to the housing targets whilst respecting the rural characteristics of the township and providing people with more choice about where to live and work within a connected community.

### **How does the amendment support or implement the Municipal Planning Strategy?**

This amendment supports the Municipal Planning Strategy, by creating strategic vision for Moyhu.

Clause 02.03-1 updates settlement policy to outline a vision to support the opportunities for structured growth for the township and wider King Valley. An outline of the Moyhu TDP celebrates of the built form, landscape, rural character environmental assets and features and directs future growth by amending local policy related to settlement in the Moyhu township accordingly.

### **Does the amendment make proper use of the Victoria Planning Provisions?**

This amendment makes proper use of the Victorian Planning Provisions by updating and amendment the Planning Policy Framework to implement objectives and strategies to achieve the strategic direction of the Moyhu TDP.

The introduction of new Local policy is proposed to guide the strategic direction of the future growth of the Moyhu Township. Rezoning will reflect best land use and facilitate housing growth within the township. The introduction of a suite of overlays enhances character whilst allowing for the evolution of the town.

The amendment proposes to rezone land to the Township Zone and the Low Density Residential Zone which is consistent with Planning Practice Note 91 Using the Residential Zones. The characteristics of the residential development being sought within the Moyhu Township are consistent with the role an application of the following residential zones:

- *Fringe of townships with/without reticulated services, to be maintained without the need for agricultural techniques or equipment (Low Density Residential Zoned areas)*
- *Small towns (in this case the Moyhu township) with no specific structure of residential, commercial and industrial land uses (Township Zone). Whilst its appropriate due to the scale and size of the township to use the township zone, its noted there is clear structure within the Moyhu township identified within its precincts.*

~~The amendment proposes to rezone 1 Byrne Street from Township Zone (TZ) to Public Use Zone (PUZ1 Service & Utility). This change better reflects ownership of the site. The site is owned by a utility provider.~~

The amendment proposes to rezone 7 Nyberg Close from Farming Zone (FZ) to Public Use Zone (PUZ6 Local Government). The subject site is currently used as a drainage basin for the Nyberg Close subdivision. Neither Farming or Low Density Residential Zoning are appropriate for the current use. The land is owned by Council therefore rezoning the subject site to Public Use Zone (PUZ6) is most appropriate.

A Design and Development Overlay (DDO) applied to the strategic development area directs the consideration measures to ensure environmentally sustainable

design, active transport, landscaping and bushfire risk mitigation.

A Vegetation Protection Overlay (VPO) applied to the strategic development area (as relevant) directs consideration and measures to protect native and indigenous vegetation, and particularly large, scattered trees that provide habitat and food for native species, contribute to the regions biodiversity and landscape character, provide shade, and play an ongoing and vital role in carbon and pollutant sequestration and managing storm water quality.

The Heritage Overlay (HO) is proposed to be applied to 11 individual locations with Moyhu, that are considered to be of local heritage significance. The application of this overlay is supported by individual statements of significance which have been prepared in accordance with the directions outlined in *Planning Practice Note 1: Applying the Heritage Overlay*.

The majority of the heritage sites listed were first identified for their heritage qualities at a local significance level by the Rural City of Wangaratta, Heritage Study, 2004. This report is a background document to the Wangaratta Planning Scheme and outlines a detailed thematic history (which due to the nature of heritage being a celebration of the past, has not changed). As part of the development of the Moyhu Township Development Plan, a review of this (heritage) study was undertaken to identify heritage places within the Moyhu Township boundary, given its incremental implementation. (The Spirit of the Salts and Railway Signage was the exception and identified later, during heritage site investigations).

To ensure these places still exhibit heritage values and meet the threshold for heritage significance, a further assessment was undertaken, which includes a detailed history of settlement and development of Moyhu and district (and documents some of the known violent history between First Nations peoples European Settlers, settlement booms, industrial and commercial growth and responses to government policy and legislation). Whilst not all places were considered to still meet the criteria for inclusion in the Heritage Overlay, 11 places across the Moyhu Township, demonstrate genuine and authentic heritage qualities contributing to the post settlement story of the Moyhu. Specifically addressing the following criteria:

- Criterion A which acknowledges the *importance to the course or pattern of our culture or natural history (historical significance)* which is applicable to all 11 properties. All properties relate to aspects of the course of development of Moyhu, being:
  - o Proposed HO312 (House), HO313 (Former Doctors House), HO314 (Soldiers Memorial Hall) and HO315 (House) – located on Bartley Street provide examples of the residential development and intensification associated with growing agricultural industries resulting from government policy associated with Closer Settlement Acts and

Soldier Settlement Acts introduced at the time preceding World War 1.

- Proposed HO316 and 317 (Moyhu Hotel and Former Bank) demonstrates the general character of commercial development of the town at the turn of the century and in support of the growth experienced as part of the Closer Settlement time (1900-1914)
  - Proposed HO318 and 319 (All Saints Anglican Church and Moyhu Masonic Lodge demonstrate post war settlement patterns and community resilience (rebuilding) after the 1952 bushfire events.
  - Proposed HO320 (Former Police Lock up) demonstrates the police presence in the town during the late nineteenth and early twentieth century and the facilities representative of small regional towns.
  - Proposed HO321 (Spirit of Salts Railway Trolley and Moyhu Railway Sign) celebrates the former Wangaratta-Whitfield railway line.
  - Proposed HO322 (Nissen Hut and Refreshment Pavilion) demonstrate recreation uses in the post war settlement times and particularly the institution of the Moyhu Gymnastics Club, which has been operating for over 70 years.
- Criterion B which acknowledges *possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity)* which is applicable to 4 properties. Specifically proposed HO314 for the cloth backdrop inside the Soldiers Memorial Hall, HO316 the former mortuary as a rare surviving building of its type in the Rural City of Wangaratta, as is the Casterton model police lockup (HO320) and the railway trolley from the original railway service to the King Valley (HO322).
  - Criterion C which acknowledges *potential to yield information that will contribute to understanding our cultural or natural history (research potential)*. It is noted that this doesn't apply to any new additions to the heritage overlay as part of the Moyhu TDP.
  - Criterion D which acknowledges the importance *in demonstrating the principle characteristics of a class of cultural or natural places or environments*

(*representativeness*) which is applicable to 6 properties. Proposed HO313, HO315, HO316, HO317, HO320 and HO322 demonstrates representative building fabrics and architectural detail typical of building types for their respective eras.

- Criterion E which acknowledges the importance *in exhibiting particular aesthetic characteristics (aesthetic significance)* which is applicable to 4 properties. Proposed HO312 as an intact house with an asymmetrical triple fronted facade, HO314 with utilitarian expression, HO318 with simple post-modernist precepts and HO319 symmetrical low key façade, demonstrate various architectural representation of balance, colour, movement, pattern, scale, shape and visual weight.
- Criterion F which acknowledges *importance of a high degree of creative or technical achievement at a particular period (technical significance)* which is applicable to 2 properties. Proposed HO314 demonstrates mechanical technology in construction in the Depression era. Proposed HO320 demonstrates a technically significant structural design and materials used in construction during the late nineteenth and early twentieth century.
- Criterion G: which acknowledges a *strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance)* which is applicable to 4 properties. Proposed HO313 tells the story of community and local service clubs to provide a place for community wellbeing (providing a residence for a local doctor). HO318 represents the long-standing presence of the Anglican Church in the Moyhu community. HO319 represents a place where a variety of community organisations gathered, particularly in the mid-twentieth century. The Rural City of Wangaratta Heritage Overlay Permit Exemptions Incorporated Plan will apply to HO319 and provide exemptions for the King Valley Men’s Shed as it is located on the same land parcel as the Masonic Hall however is acknowledged as a later additional structure not having heritage significance. HO322 which has been continually used by the Moyhu Gymnastics Club for over 70 years.
- Criterion H: which acknowledges a *special association with the life or works of a person, or group of persons, of importance in our history (associative significance)* which doesn’t apply to any new additions to the heritage overlay as part of the Moyhu TDP.

The proposed addition of these 11 properties for protection using local heritage provisions, celebrates the way in Moyhu has evolved as a township.

The Environmental Audit Overlay (EAO) is applied to 3 individual locations within Moyhu, that have been identified as having potential for contamination due to their past uses. Whilst the amendment does not propose any changes to the existing zones, or developments that are considered to be of a sensitive nature, its noted that the existing planning provisions allow for the consideration of these uses. An audit is considered difficult and inappropriate as the land is already in a zone that can allow sensitive uses (noting that the sites are not currently being used for sensitive uses). The application of the EAO is therefore considered to be the most appropriate course of action to ensure any potential contamination is appropriately recognised and managed prior to potential sensitive development occurring (in the case of sites that are not subject to rezoning, a planning permit is the trigger to consider potential contamination if changes in use or development are appropriate) and considered to be in accordance with *Ministerial Direction 1, Planning Practice Note 30* and their requirements.

The amendment has selected and developed appropriate planning tools to translate the vision and objectives of the Moyhu TDP into the Wangaratta Planning Scheme, by updating existing local policies relating to townships and introducing new local policy specific to Moyhu and precincts, within the township. Further it will guide the strategic direction, scale of development and character of the different areas within the Moyhu Township.

### **How does the amendment address the views of any relevant agency?**

Prior to the authorisation and exhibition of this amendment, advice was sought from a range of potentially impacted authorities through the consultation that occurred during the development of the Moyhu TDP. Responses have been received from agencies including the CFA and EPA as previously mentioned and North East Water, (relating to reticulated water and sewerage services, the requirements for future upgrades and capacity matters), Vic Roads and Transport for Victoria (relating to actions around road connections, upgrades and drainage improvements and active transport networks). The advice informed the recommendations in the Moyhu TDP. The recommendations are translated into local policy objectives and strategies.

During the exhibition of the amendment, the views of all authorities will be sought again, as it relates to the proposed rezoning and policy changes.

### **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The purpose of the *Transport Integration Act 2010* is to create a new framework for

the provision of an integrated and sustainable transport system in Victoria. The vision statement recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible state.

The objectives of the *Transport Integration Act 2010* relate to social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, efficiency, coordination and reliability, safety, and health and wellbeing. This amendment is consistent with these objectives by providing a movement network promoting health, wellbeing and opportunity for passive recreation within and in the immediate surrounds of the Moyhu Township. Given the township outcomes intended by this amendment (the addition of approx. 130 lots over 30 years at a lower density scale, the impact of any future development regarding traffic on the surrounding road network will be minimal.

**How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrong)* Act 2017 in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?**

This amendment does not impact land which may affect Yarra River land. No part of the Rural City of Wangaratta is adjacent to the Yarra River or within 500m of a bank of the Yarra River.

**Resource and administrative costs**

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

The administrative costs of this amendment will be proportional to the overall net community benefit. Whilst there will be additional demand generated for permits, the need for specialist professional advice, for example a heritage advisory service or an environmental audit and the amendment will provide certainty around built form outcomes, directions for considered residential growth and opportunity for diverse housing outcomes across the municipality.

The amendment is not expected to provide unreasonable resource implications on Council. The use of revised zoning controls, overlays, supportive local policy and strategic direction within the strategy will provide clear direction to applicants in the preparation of planning applications to meet Council's expectations.

**Attachment 1 – Mapping reference table**

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Moyhu	Moyhu Strategic Development Area	Wangaratta C95wang 001ddoMap45 Exhibition	Market Street, Nyberg Close and Station Way		Apply DDO10	
Moyhu	Moyhu Township	Wangaratta C95wang 002eaoMap45 Exhibition	9 and 22 Byrne Street; 33-35 Bartley Street		Apply EAO	
Moyhu	Moyhu Township	Wangaratta C95wang 003hoMap45 Exhibition	22 Bartley Street, Moyhu;		Apply HO312	
			23 Bartley Street, Moyhu		Apply HO313	
			24-26 Bartley Street, Moyhu		Apply HO314	
			29 Bartley Street, Moyhu		Apply HO315	
			16-18 Byrne Street, Moyhu		Apply HO316	
			18 Byrne Street, Moyhu		Apply HO317	
			2537 Wangaratta Whitfield Road, Moyhu		Apply HO318	
			2533 Wangaratta Whitfield Road, Moyhu		Apply HO319	
			Lions Park – Moyhu Meadow Creek		Apply HO320	

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
			Road, Moyhu			
			Road Reserve adjacent to 1 Bartley Street, Moyhu		Apply HO321	
Moyhu	Moyhu Township	Wangaratta C95wang 004hoMap45 Exhibition	Moyhu Recreation Reserve, 2379 Glenrowan Moyhu Road, Moyhu		Apply HO322	
Moyhu	Moyhu Strategic Development Area	Wangaratta C95wang 005znMap45 Exhibition			Rezone FZ and LDRZ to TZ, LDRZ and PUZ	
Moyhu	Moyhu Strategic Development Area (as appropriate)	Wangaratta C95wang 006vpoMap45 Exhibition			Apply VPO3	

WANGARATTA PLANNING SCHEME

**02.03 STRATEGIC DIRECTIONS**

06/06/2022  
C82wang

**02.03-1 Settlement**

17/11/2023  
G79wang

**Proposed C95wang** The settlement hierarchy in the municipality consists of a regional city, townships, rural townships and rural settlements as identified in the following table and shown on the Wangaratta Strategic Framework Plan at Clause 02.04.

**Table 1 - Settlement hierarchy**

Settlement Status	Name of settlement (and services)
<b>Regional City</b> Identified as a Regional City in the Hume Regional Growth Plan Regional services and facilities Transport links	Wangaratta (reticulated sewer system, reticulated water)
<b>Townships</b> Residential and commercial uses Have reticulated sewerage Identified potential for growth (inclusive of incremental growth where reticulated services will require upgrades) Proximity to Wangaratta Regional City	Glenrowan (reticulated sewer, reticulated water) Milawa (reticulated sewer, ground water co-op) Oxley (reticulated sewer, reticulated water) Moyhu (reticulated sewer and reticulated water)
<b>Rural Townships</b> Residential and commercial uses Limited development infrastructure Incremental growth	Boorhaman, Cheshunt, Eldorado, Everton, Peechelba, Tarrawingee, Whorouly (natural water supply) Springhurst, Whitfield (reticulated water)
<b>Rural Settlement</b> No residentially zoned land	Archerton, Bobinawarra, Boorhaman East, Boorhaman North, Boralma, Boweya, Bowmans Forest, Bowser, Brookfield, Byawatha, Carboor, Cheshunt South, Docker, Dockers Plains, Edi, Edi Upper, Everton Upper, Greta, Greta South, Greta West, Hansonville, King Valley, Killawarra, Lacey, Londrigan, Markwood, Meadow Creek, Murrungee, Peechelba East, Tolmie, Toombullup, Warby Ranges, Whitlands, Whorouly East, Whorouly South

**Regional City**

Wangaratta has been identified in the Hume Regional Growth Plan as a ‘Regional City’ with opportunities for significant residential growth. Over 90 per cent of growth in Wangaratta will occur in the Regional City, with most of it being directed to its identified North West and South Growth Areas. The balance of residential growth in the Wangaratta Regional City will occur through intensification of residential development in the Central Activities Area (CAA) and infill development.

**Residential Growth Areas**

The Wangaratta Residential Growth Areas respond to residential growth anticipated over the next twenty years, specific to greenfield development. The Wangaratta North West and Wangaratta South Growth Areas will be the primary growth areas for the Regional City.

The North West Growth Area covers an area of approximately 215 hectares and is expected to yield approximately 1670 lots accommodating 5000 residents. The South Growth Area covers 71.5 hectares yielding 615 lots accommodating 1800 residents.

## WANGARATTA PLANNING SCHEME

The vision of the Wangaratta North West and Wangaratta South Growth Area Structure Plans is to establish a sustainable, well-connected, uniformly planned and well-serviced neighbourhoods that establishes a positive sense of place.

### Urban Renewal Areas

The **South Wangaratta Urban Renewal Area** has many under-utilised sites and other sites in transition from industrial to mixed uses. The South Wangaratta Urban Renewal Area has been identified as an appropriate location for a mix of land uses including bulky goods sales, accommodation, civic precinct and recreation. It includes the redevelopment of four key sites.

### Industrial Areas

Wangaratta's industrial areas will be the focus of industrial and large-scale commercial development in the Rural City of Wangaratta. These industries will service the local economy along with interstate export markets, capitalising on the City's strategic location. The industrial areas will play a major role in the local economy by stimulating local business development, entrepreneurship, and generating local employment. By driving innovation, new technologies and sustainable solutions the Wangaratta industrial areas will contribute to the sustainability of the local community and environment.

The **South Wangaratta Industrial Area** has the potential for long term industrial expansion that will provide an important economic and employment resource. There are many dwellings in the industrial zones, in close proximity to long established industries that require substantial distances reinforcing the need to ensure that suitable land is available elsewhere in Wangaratta for these businesses if they chose to relocate. There is a risk that industrial uses could be affected by the encroachment of residential uses over the long term in the south of the precinct. The strategic potential of the land to the south east should be protected.

The **North Wangaratta Industrial Area** has slowly occurring development and is likely to require up-front investment in services to achieve the economic potential and performance of industrial land in the North Wangaratta area. North Wangaratta has the flexibility to respond to a range of future industrial uses, sizes and location based requirements, including opportunities for value adding industries.

### Townships

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

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

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

The **Moyhu** Township Development Plan (at Clause 11.01-1L-05) establishes a vision to guide the future incremental expansion of the township to support the local community and surrounding King Valley, including opportunities for growth, at a scale that is compatible with the existing character of the town including the retention and the protection of significant vegetation assets and the surrounding rural and significant landscape character of the King Valley environs.

**WANGARATTA PLANNING SCHEME**

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

**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 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).

**Rural Settlements**

All other hamlets are identified as being ‘Rural Settlements’ with no residentially zoned land.

Council seeks to manage the development of its settlements by:

- Accommodating most of the projected residential growth in the municipality in the North-Western Growth Area and the Southern Growth Area of the Wangaratta Regional City.
- Conserving land for the long-term residential growth of the North-Western Growth Area to meet future residential needs, as identified in the Wangaratta Regional City plan at Clause 02.04.
- Supporting low density residential development in Established Townships and Rural Townships (in the 0.4 to 2 hectare size range) depending on whether reticulated sewerage is available.
- Allowing for a small amount of residential development to occur incrementally in rural areas and settlements.
- Supporting and protecting industrial land as an economic and employment resource.
- Improving infrastructure provision in ‘Townships’ and ‘Rural Townships’ so as to provide further opportunity for residential growth and economic growth.
- Avoiding residential development that is not associated with an agricultural use in ‘Rural Settlements’.
- Maintaining the rural character of Glenrowan, Oxley and Milawa.
- Protecting the amenity and ‘farm gate’ character of Oxley and Milawa.

**Activity centres**

The Wangaratta Central Activities Area (CAA) is the principal activity centre and is significant for the economic performance of the municipality. It offers a range of retail, commercial and office functions serving a large regional catchment extending into southern New South Wales. Other centres in the hierarchy are identified in Table 2.

**Table 2: Activity Centre Hierarchy**

Designation	Activity Centre
Principal Activity Centre	Wangaratta Central Activities Area
Neighbourhood Activity Centre	None identified
Future Neighbourhood Activity Centre	North West Residential Growth Area (Lindner Road - Worland Road) South Residential Growth Area

**WANGARATTA PLANNING SCHEME**

Designation	Activity Centre
	(Greta Road – Joyce Way)
Local Activity Centre Local Activity Centres are defined by commercial zoning	Murdoch Road Burke Street Vincent Road Muntz Street Appin Street (north) Appin Street (south) Edwards Street
Bulky Goods Retail Centre	Parfitt Road
Future Bulky Goods Retail Centre	Tone Road – Newman Street
Specialty Activity Centre	Wangaratta Health Precinct

Council seeks to develop its activity centres by:

- Reinforcing the role of the CAA as the Principal Activity Centre to serve the needs of the local community and regional population.
- Supporting the redevelopment of key sites in the CAA.
- Directing more intensive housing forms (medium to high density) to the CAA.
- Directing office expansion and medium to large retail stores to the CAA and its periphery.
- Activating laneways and under-utilised sites within the CAA.
- Reinforcing the role of the Health Precinct as the principal area for health care facilities to service the community of Wangaratta and the broader Hume Region.

**02.03-2**

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**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:

## WANGARATTA PLANNING SCHEME

- 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.

### 02.03-3

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C82wang

#### Environmental risks and amenity

##### Environmental risks

The following environmental risks are issues in the municipality:

- Bushfires, particularly in areas on the outskirts of rural townships and rural settlements as a consequence of a highly vegetated natural environment.
- Flooding, particularly from the major floodplain systems of the Ovens River and King River.
- Salinity, acid soils and erosion.

Council seeks to address environmental risks by:

- Minimising risk to life and property from bushfire and flooding through siting, design and management of use and development.
- Protecting environmental and agricultural values from degradation by erosion.
- Encourage development that manages environmental risks.

##### Wine industry and licensed premises

There are a range of land uses that may have off-site amenity impacts including licensed premises and cellar door sales.

While the wine industry is an important part of tourism and agriculture, the operation of cellar door sales and surrounding land uses should be compatible.

Many licensed premises in urban areas are situated in the vicinity of residential areas. Conflict can arise between licensed premises and residents if on-site and off-site amenity effects are not managed.

Council seeks to address potential amenity impacts by:

- Ensuring wineries and their cellar door sales facilities are compatible with the rural character of the area.
- Mitigating impacts on residential properties from adverse noise, traffic and parking associated with night-time activities of licensed premises.

### 02.03-4

06/06/2022  
C82wang

#### Natural resource management

##### Agriculture

The agricultural sector is a significant economic industry and social resource in the municipality. Parts of the Ovens River and King River valleys are rated as being of ‘very high’ agricultural versatility and the centre and northern sections of the municipality are rated as ‘high’ versatility.

Subdivision and housing in rural areas, including short-term tourist accommodation that is not associated with agricultural activities can potentially undermine the viability of the rural sector through loss of productive agricultural land, use of infrastructure and water that could be used for agricultural production, land values exceeding agricultural value and amenity impacts. Rural subdivision and housing have the potential to create demand for community and physical infrastructure that may be more efficiently provided in dedicated rural living areas.

### WANGARATTA PLANNING SCHEME

Rural uses in rural areas operate on a ‘right to farm’ principle, allowing existing agricultural land uses to legally operate and continue irrespective of adjoining or nearby uses. Potential amenity impacts need to be minimised between agricultural uses and rural lifestyle uses, particularly in higher agricultural productivity and versatility areas.

The appearance of rural buildings is also important given the high visual quality of landscapes in the municipality.

Council seeks to protect the viability of agriculture by:

- Maintaining the productivity and versatility of agricultural land, particularly in higher agricultural ‘versatility’ areas.
- Protecting the primacy of rural land for agricultural purposes.
- Minimising potential amenity impacts between agricultural uses and rural lifestyle uses.
- Ensuring that dwellings and subdivision meet the principle of ‘right to farm’ in rural areas, where existing agricultural and rural uses in the area have a right to legally continue.
- Ensuring that dwellings and subdivision do not adversely impact on the agricultural activities carried out on the land and the general area.
- Directing rural lifestyle development to existing Rural Living and Low Density Residential Zones.

#### Water

Groundwater is an important environmental and economic resource that can be compromised through overuse, effluent disposal systems and other urban and agricultural drainage and effluent. Rural development and rural living proposals are usually supplied with some form of rural water supply. There can be a large cumulative effect on the overall catchment yield from rural and rural living developments.

Significant parts of the municipality are in a Declared Special Water Supply Catchment Area as indicated on the Strategic framework plan at Clause 02.04.

Council seeks to protect the viability of waterways and water catchments by:

- Protecting the water quality of waterways and water storages, particularly when used for human consumption.
- Avoiding industrial uses in Declared Special Water Supply Catchment Areas.
- Avoiding compromising water quality through inappropriate works or the location of buildings and effluent disposal systems.

**02.03-5**  
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#### Built form and heritage

The natural and built heritage of the municipality has scientific, aesthetic, architectural, cultural, historical and social significance. Heritage places include buildings, sites, trees and aboriginal cultural sites.

The township of Glenrowan captures the legend of Australia’s most well-known bushranger, Ned Kelly. The Kelly Siege Site at Glenrowan is on the National Heritage Register. Eldorado has sites of national heritage significance from the gold rush era.

Council has committed to support climate adaptation and community values by embedding principles around energy, water, waste, transport, pollution, materials, local economy, land use and ecology, heritage, the built environment and community and facilities into the new residential areas and infill sites within the municipality.

Gateway approaches into the municipality’s settlements are important for their contribution to character, amenity and economic potential.

## WANGARATTA PLANNING SCHEME

While signs have an important function in urban and rural environments, their location, design and appearance can pose a number of challenges in these diverse environments.

Council seeks to:

- Encourage the restoration and reconstruction of heritage places in the Heritage Overlay.
- Encourage built form that is proportionate in scale and respects places of identified heritage value.
- Support climate adaptation and environmentally sustainable design and development in the municipality.
- Support the application of ‘water sensitive urban design’ principles and ‘water reuse’ as essential components of sustainable urban development.
- Protect gateway approaches into Wangaratta Regional City, townships and rural townships to maintain their contribution to character, sustainability, amenity, tourism and economic potential.
- Support building design and materials that maintain the visual amenity of each township.
- Protect the visual amenity of localities and transport corridors by avoiding visual disorder and clutter.
- Support signs that make a positive contribution to the streetscape.

### 02.03-6

06/06/2022  
C82wang

## Housing

### Diversity

The majority of existing housing in the municipality is detached, with approximately 80 per cent of the projected growth also expected to be detached dwellings. There is a shortage of housing stock that caters for lower income groups including students, the elderly and people experiencing social disadvantage. Affordable housing close to the Wangaratta Central Activities Area and future Neighbourhood Activity Centres will provide access to employment and services.

### 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.

**WANGARATTA PLANNING SCHEME****02.03-7**06/06/2022  
C82wang**Economic development****Agriculture**

Agriculture is a major economic industry and employment generator in the municipality. In addition to the traditional animal grazing industries of cattle and sheep, other agricultural industries, such as viticulture in Milawa, Oxley and King Valley and stone fruits in the Warby Ranges are increasingly important.

**Industry**

Wangaratta is a regional commercial, service and manufacturing centre with strengths in metal fabrication and engineering, trade and technical services, textiles and timber processing.

South Wangaratta has many small to medium size industries that take advantage of good transport links. Land zoned industrial and public use in North Wangaratta has the flexibility to respond to a range of future industrial uses, including value adding industries.

North Wangaratta is ideally located to accommodate industries which require large land holdings, involve high water usage and/or separation distances.

**Timber**

Locational advantages for timber production in the municipality and region are enhanced by existing local timber processing, an available labour force and excellent access to major road and rail transport infrastructure.

**Tourism**

Tourism is a significant economic strength of the municipality, with wineries, gourmet food, access to the snow fields, the Ned Kelly region and major tourist routes providing a significant tourism destination. The Wangaratta CAA is also of tourism significance, particularly the Ford Street arts and cultural precinct and the Ovens River / Faithfull Street precinct.

Council seeks to promote economic development by:

- Supporting the agricultural sector as essential to the economic and social performance of the municipality and the region.
- Maintaining and encouraging viable agricultural industries.
- Protecting agricultural land from encroachment from residential development.
- Strengthening Wangaratta as a regional commercial, service and manufacturing centre.
- Supporting North Wangaratta for a range of large and medium scale industrial uses.
- Protecting the extent of Industrial 1 Zone land for industrial purposes.
- Avoiding potential land use conflicts particularly between existing industrial land and nearby residentially zoned land.
- Supporting timber production and processing as locational and economic strengths of the area and region.
- Supporting functional, attractive and sustainable industrial land use and development.
- Exploring opportunities to grow tourism destinations and support services in Wangaratta, townships and rural areas.
- Strengthening Wangaratta's role as a significant cycling destination for tourists.
- Supporting sustainable tourism development throughout the municipality.
- Establishing the municipality as the primary centre for the wine industry in north-eastern Victoria.

## WANGARATTA PLANNING SCHEME

### 02.03-8

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C82wang

#### Transport

Key local industry sectors, including agriculture, forestry, quarrying and tourism depend on a network of local roads for continued growth. This network is under great stress by the increasing demands for access.

The municipality has important recreational cycling infrastructure including extensive shared path networks within and beyond the urban area, and the ‘Murray to Mountains Rail Trail’ connecting Wangaratta to Beechworth and Bright. However, cycling plays only a minor role in conveying people to and from work.

Wangaratta Airport is a large regional airport. Potential development includes a pilot training school and an international logistics centre for freight transport. Council owns approximately 35 hectares of vacant land adjacent to the airport that can be used for future development.

Council seeks to plan and deliver transport improvements in Wangaratta by:

- Aligning future road capacity to emerging demand.
- Facilitating improvements in pedestrian and bicycle movements through the municipality.
- Improving access for heavy vehicles to and from the Hume Freeway and other external freight sources and destinations.
- Integrating the planning of freeways with controls on land use and development in the areas through which they pass.
- Developing the Wangaratta airport with runway and terminal upgrades subject to flooding issues being resolved.
- Enhancing and promoting the key local and arterial road networks used by industry.
- Encouraging the active planning and construction of key north-west bypass route to remove freight from travelling through the city centre.

### 02.03-9

17/11/2023  
C79wangPt1

#### Infrastructure

##### Community infrastructure

##### Health facilities

The Wangaratta Health Precinct is the heart of healthcare for Wangaratta and the broader Hume Region, the precinct is also a significant employment centre. The Precinct prioritises the importance of community wellbeing and forms an attractive and welcoming place. The *Wangaratta Health Precinct Structure Plan (SJB Urban, July 2019)* seeks to promote the co-location of health and allied health services alongside the creation of a safe and pedestrian friendly network of landscaped streets and spaces that connect people with place, services and each other.

There is also a trend for medical centres and other consulting professionals to locate in residential areas. Such uses can create amenity conflicts with residential uses, put pressure on the residential dwelling supply and cause car parking difficulties.

##### Education facilities

Wangaratta is a regional education centre with tertiary facilities. There are opportunities for tertiary education growth in nursing, community services and aged care, equine and veterinary science, agriculture and horticulture, building and construction, sport, recreation and trade.

##### 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,

## WANGARATTA PLANNING SCHEME

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.

Council seeks to:

- Facilitate and support the continued development of the Health Precinct as the principal location for Health and allied health services in Wangaratta.
- 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.

### Development infrastructure

Many of the road and drainage systems are over sixty years old and were built at a lower specification than required, placing significant constraints on intensifying development in established areas. South Wangaratta is particularly low lying and poorly drained.

Developing reticulated water and sewerage infrastructure is a major determinant for residential and economic growth. The City of Wangaratta is currently experiencing significant capacity issues in particular the ability to service the currently zoned North West and South residential growth areas. This issue also directly extends to the townships of Oxley and Milawa.

The wastewater treatment plants at North Wangaratta, Glenrowan and Moyhu and a trade waste treatment facility at South Wangaratta support urban, township, commercial and industrial growth across the municipality. Significant upgrades to water and sewerage reticulation networks and treatment processes are required to service present and future growth in both Wangaratta and adjoining townships.

The lack of reticulated sewer and water supply systems in rural townships restricts development opportunities and can adversely affect the quality of groundwater.

The continuing expansion of the North Wangaratta landfill site will remain a significant capital works priority unless regional collaboration in waste management is established. Landfill sites are subject to increasingly stringent environmental controls.

The Wollert to Wodonga Pipeline and Northern Interconnect Pipeline are major state infrastructure assets containing high pressure gas transmission pipelines licensed under the *Pipelines Act 2005*.

Council seeks to plan and deliver development infrastructure improvements by:

- Capitalising on existing infrastructure when providing for housing growth.
- Aligning subdivision and development to the capability of land to accommodate drainage and effluent.
- Ensuring residential, rural residential and other land uses are conditional on the provision of drainage systems that are adequate to meet the needs of users.
- Limiting development near high pressure pipelines to avoid risks to human life.
- Avoiding any adverse impact on the functional operation of high pressure pipelines by any development in their vicinity.

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**11.01**      **VICTORIA**  
31/07/2018  
VC148

**WANGARATTA PLANNING SCHEME****11.01-1S**02/09/2025  
VC283**Settlement****Objective**

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

**Strategies**

Plan for the delivery of 2.24 million homes across Victoria by 2051.

Develop sustainable communities through a settlement framework that:

- Offers a range of housing choices.
- Provides convenient access to jobs, services, infrastructure and community facilities.
- Takes into account regional and municipal contexts and frameworks.

Focus investment and growth in:

- Melbourne Central City.
- Metropolitan Activity Centres and Suburban Rail Loop Precincts in Metropolitan Melbourne.
- Priority Precincts (including the Suburban Rail Loop East Precincts).
- Major regional cities of Ballarat, Bendigo and Geelong.
- Regional cities of Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Manage the expansion of settlements by:

- Creating and reinforcing settlement boundaries. Where no settlement boundary is identified, limit the expansion of a settlement to the extent of existing urban zoned land.
- Promoting and capitalising on opportunities for urban renewal and infill redevelopment.
- Limiting urban sprawl and directing growth into existing settlements.
- Ensuring land that may be required for future urban expansion is not compromised.

Provide for growth in population and development of facilities and services across a regional or sub-regional network in accordance with housing targets.

Plan for development and investment opportunities that make best use of existing and planned transport infrastructure.

Coordinate transport, communications and economic linkages between settlements through the identification of servicing priorities.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements, suburbs and towns that:

- Are great places with a strong identity and sense of place.
- Are inclusive, prosperous, liveable and sustainable.
- Comprise a form and density that supports healthy, active and sustainable transport.
- Are based around compact existing or planned activity centres to maximise accessibility to facilities and services.
- Concentrate retail, office-based employment, community facilities and services in central locations.

Facilitate environmentally resilient settlements by:

- Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.

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- Minimising exposure to natural hazards.
- Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.
- Supporting metropolitan and regional climate change adaption and mitigation measures.
- Supporting cooling and greening measures for urban areas.

**Policy guidelines**

Consider as relevant:

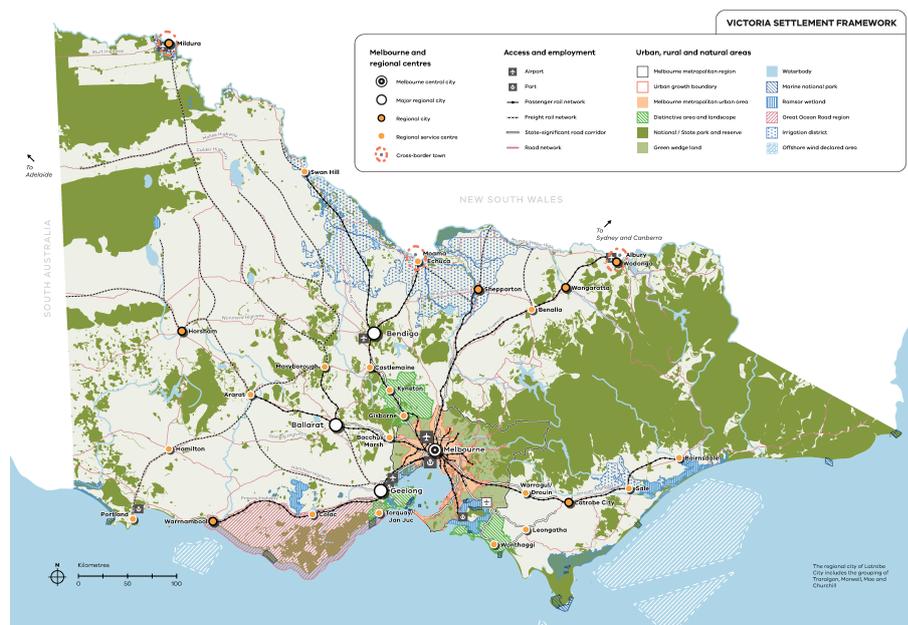
- Any settlement boundary identified in a document incorporated into this planning scheme.

**Policy documents**

Consider as relevant:

- *Plan for Victoria* (Department of Transport and Planning, 2025)
- *Victoria's housing Statement - The Decade Ahead 2024-2034* (Department of Premier and Cabinet, 2023)

**Victoria Settlement Framework Plan**



**WANGARATTA PLANNING SCHEME****11.01-1R**02/09/2025  
VC283**Settlement - Regional Victoria****Strategies**

Focus regional investment and growth in:

- Major regional cities of Ballarat, Bendigo, Geelong.
- Regional cities of Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the Regional service centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Torquay/Jan Juc, Warragul/Drouin and Wonthaggi.

Deliver networks of high-quality integrated regional settlements by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs.
- Improving transport network connections in and between Major regional cities, Regional cities and Melbourne.
- Maintaining distinctive breaks and open rural landscapes between settlements.
- Planning for increased seasonal demand on services and infrastructure in towns with significant visitor accommodation and high holiday home ownership or periodic influxes of workers.

**WANGARATTA PLANNING SCHEME**

**11.01-1R**

02/09/2025  
VC283

**Settlement - Hume**

**Strategies**

Facilitate growth and development specifically in the Regional cities of Shepparton, Wangaratta, Wodonga and Regional service centre of Benalla.

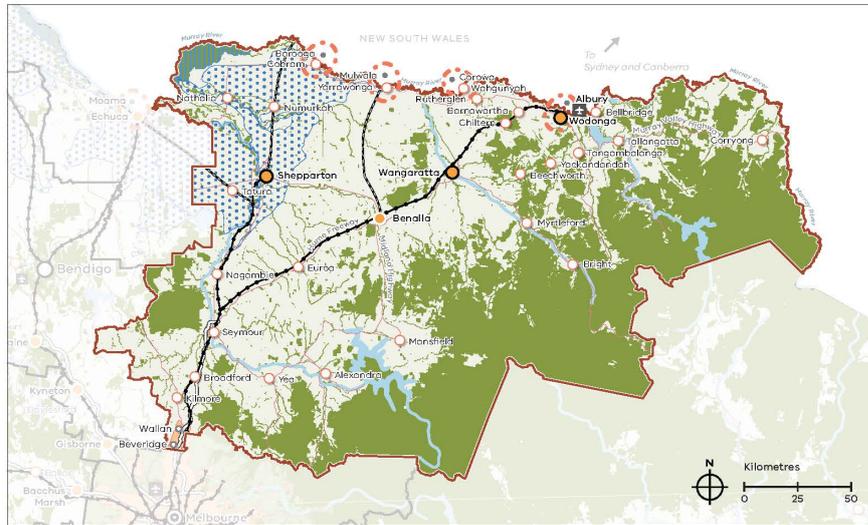
Facilitate and strengthen the economic role of Seymour, while supporting population growth and significant change.

Support growth in Broadford, Kilmore and Seymour without impacting on the economic and environmental roles that surrounding non-urban areas serve.

Support growth and development in district towns across the region.

**WANGARATTA PLANNING SCHEME**

**Hume Settlement Framework**



**Hume Settlement Framework**

Regional cities and towns	Access and employment	Urban, rural and natural areas
Regional city	Passenger rail network	Hume region
Regional service centre	Freight rail network	National / State park and reserve
District town	State-significant road corridor	Waterbody
Cross-border town	Road network	Irrigation district
Towns within Melbourne's Urban Growth Boundary	Airport	Ramsar wetland
		Melbourne Urban Growth Boundary

**WANGARATTA PLANNING SCHEME****11.01-1L-01 Glenrowan Township**05/12/2025  
C83wang**Policy application**

This policy applies to all land identified in the Glenrowan Township plan.

**Objective**

To preserve the landscape character and develop a sense of place unique to Glenrowan.

**Landscape strategies**

Support development that enhances the landscape character of Glenrowan.

Support the use of selected native vegetation species in landscaping works to preserve ‘bushland’ character.

Require the use of low threat vegetation in areas recognised as having high bushfire risk.

**General strategies**

Require any new installations of services to be located underground.

**Precinct A – Gladstone Street**

Promote Precinct A as the commercial hub of Glenrowan.

Facilitate opportunities to consolidate further retail and commercial tenancies, within Gladstone Street, in particular between Kate Street and Ned Street.

Direct residential development outside this precinct, unless it does not compromise its commercial nature, such as multi-unit development with limited street frontage.

Support subdivision of double-fronted lots fronting Gladstone and Hill Streets to enable commercial development to Gladstone Street and residential development to Hill Street.

Support development that respects existing scale and heritage character.

Encourage development on Gladstone Street to be built to the front boundary with active edges.

Locate car parking at the rear of developments.

**Precinct B – Community Hub**

Direct future development of public and community facilities to Precinct B.

Support upgrades to public and community facilities within this precinct.

Support use and development that conserves native vegetation and avoids adverse impact on the natural bushland character.

**Precinct C – Core heritage**

Maintain the ‘Siege Precinct’ as the focus of the town and protect its immediate context.

Facilitate tourism uses and commercial development related to the ‘Siege Site’ and bushranger experience.

**Precinct D – Residential**

Direct residential development to Precinct D.

Facilitate the subdivision of large double-fronted lots.

**Precinct E – Fire Risk Area**

Avoid subdivision and new development in areas of high fire risk.

**WANGARATTA PLANNING SCHEME****Precinct F – Beaconsfield Parade**

Maintain the streetscape character of Beaconsfield Parade.

Support community and residential development that enhances the amenity of the public realm.

**Precinct G – Western Glenrowan**

Discourage further subdivision.

Limit development due to servicing and drainage constraints.

**Precinct H(a) – Northern Foothills - East**

Encourage rural residential development with a connected street network and quality design that protects and enhances the rural character of Precinct H (a).

Support smaller lots along the Old Hume Highway transitioning to larger lots closer to the foot hills.

Protect existing servicing assets, easements and infrastructure, such as the high pressure gas pipeline and major North East Water Dam water supply.

Design a pedestrian and cycling pathway (linear public open space) to Mount Glenrowan that connects with the existing networks.

Maintain the existing bushland character.

**Precinct H(b) Northern Foothills – West**

Protect the continued use of the precinct for agricultural uses.

Avoid subdivision of this precinct that results in any increase in settlement.

**Precinct I – Sporting precinct strategies**

Re-enforce the role of Precinct I as a formal recreation area, a gateway site and community meeting point.

Support the consolidation of recreation and sporting facilities.

**Precinct J – Residential - South of Gladstone**

Support subdivision of double-fronted, undeveloped lots in Precinct J, south of Gladstone Street.

**Precinct K**

Ensure agriculture remains the key land use.

Create a pedestrian and cycling network that links the township to Fosters Lake.

**Policy guideline**

Consider as relevant:

- Limiting development fronting Gladstone Street to not more than two storeys.

**Policy documents**

Consider as relevant:

- *Glenrowan Township Development Plan* (Mesh Planning, Revised, 2016)
- *Strategic Bushfire Assessment for the Low Density and Rural Residential Strategy* (Nexus Planning, 2020)
- *Low Density and Rural Residential Strategy* (Urban Enterprise and Rural City of Wangaratta, 2021)

WANGARATTA PLANNING SCHEME

Glenrowan Township Plan



**WANGARATTA PLANNING SCHEME****11.01-1L-02 Milawa Township**05/12/2025  
C83wang**Policy application**

This policy applies to all land identified in the Milawa Township plan.

**Objective**

To support development that enhances the rural character of Milawa.

**General strategies**

Upgrade pedestrian and cycle links.

Facilitate connectivity in subdivisions.

Require land to be adequately drained prior to rezoning or approval resulting in intensification of development.

Direct future expansion of the township in an easterly direction to connect with the Milawa Recreation Reserve.

**Town Centre strategies – Precinct A**

Create a township core along the Snow Road spine.

Strengthen the gateway site at the corner of Snow Road and Milawa-Bobinwarrah Road by activating street frontages.

Avoid direct access from Snow Road for new development.

Avoid car parking fronting Snow Road.

**Low-density strategies – Precinct B, C, D, E(b) & F**

Protect and reinforce the low density residential character of Precincts D and F.

Support connected low-density development.

Support infill development in Precinct B.

Facilitate development that enhances connectivity within the precinct and beyond, particularly north-south and east-west connections.

Avoid development that prevents future east/west connections beyond the township boundary.

Improve connections between Milawa-Bobinwarrah Road (Factory Lane) and John Mcaleese Park.

As development occurs in Precinct F and C, support smaller lots fronting Milawa-Bobinwarrah Road (Factory Lane).

Support the establishment of a low density residential precinct in Precinct E(b) with internal north-south and east-west connectivity.

**Mixed use strategies – Precinct E(a)**

Maintain the residential character of small lots activating Milawa-Bobinwarrah Road (Factory Lane).

Reinforce the role of the Cheese Factory complex as an anchor location of the precinct.

**Farming strategies – Precinct G**

Retain the agricultural land use within the Precinct.

Design development (including subdivision) to not prejudice or adversely impact the operation of existing businesses (such as agricultural farm gates) along the Snow Road.

**WANGARATTA PLANNING SCHEME****Long Term Growth Area - Precinct H**

Protect the primacy of agricultural uses in Precinct H until it is required for rezoning to enable township expansion towards and linking to the Milawa Recreation Reserve.

Design future subdivisions to limit direct access to the Snow Road and Oxley Flats Road.

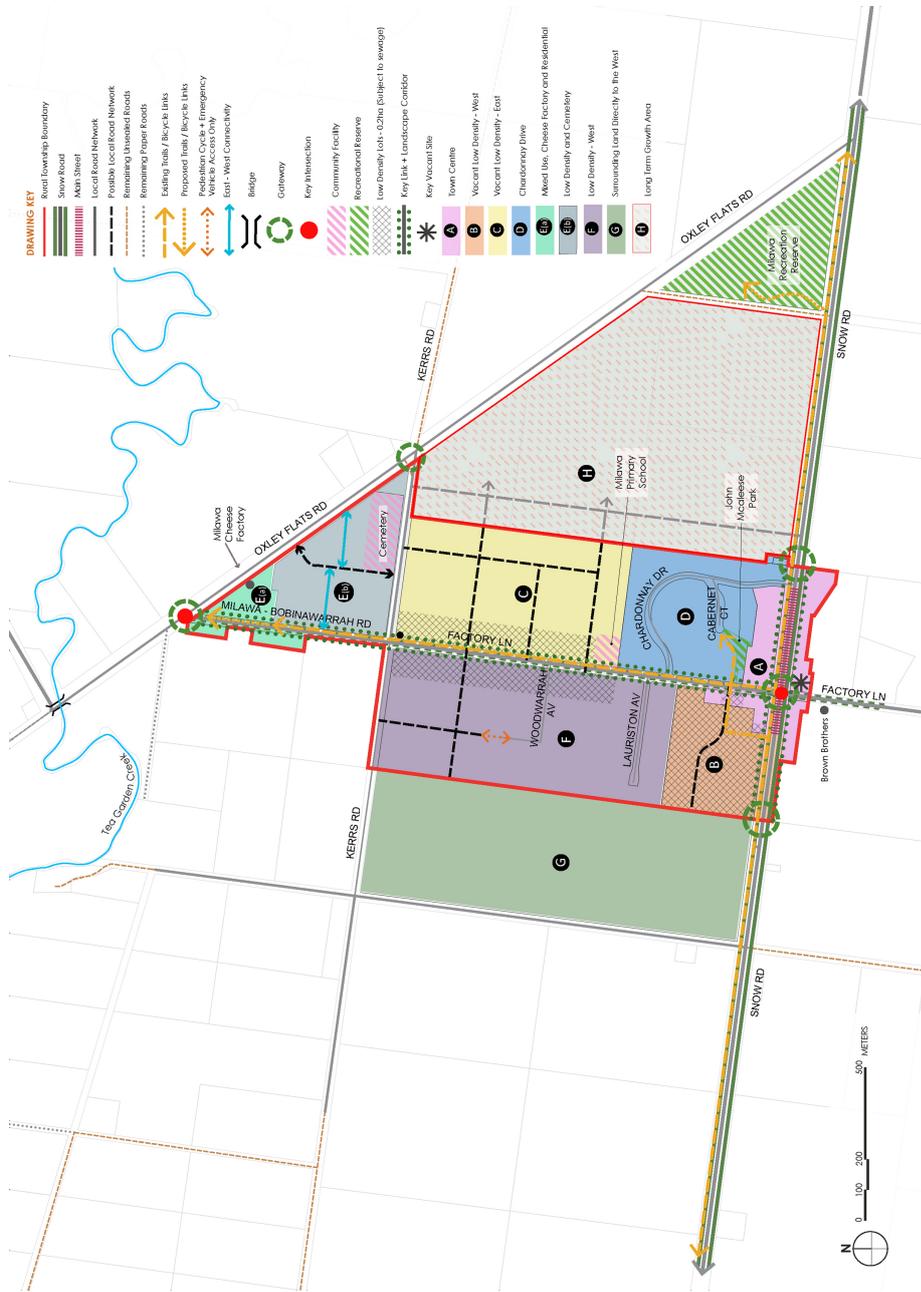
**Policy guidelines**

Consider as relevant:

- *Milawa Township Development Plan* (Mesh Planning, 2015)
- *Low Density and Rural Residential Strategy* (Urban Enterprise and Rural City of Wangaratta, 2021)

WANGARATTA PLANNING SCHEME

Milawa Township Plan



**WANGARATTA PLANNING SCHEME****11.01-1L-03 Oxley Township**05/12/2025  
C83wang**Policy application**

This policy applies to all land identified in the Oxley Township Plan and Low Density and Rural Residential Strategy.

**Objectives**

To support development that enhances the rural character of Oxley.

To enhance the amenity and accessibility to the King River.

**General strategies**

Support development that complements the scale and character of the township.

Design development to address the King River, including through the provision of active frontages.

Support farm gate businesses and small scale tourist attractions that are complementary to agriculture and farming.

Improve access, links and cycling connections to the King River and existing sporting facilities, particularly from Snow Road.

Create an open space reserve along the King River reserve with a shared path on public land.

Support the creation a shared path along Oxley Meadow Creek Road south of Snow Road to the Oxley Recreation Reserve.

**Town Centre strategies – Precinct A**

Support Snow Road as the core business and tourism node in the township.

Facilitate re-subdivision and intensification of development of large double-fronted and undeveloped sites.

Create pedestrian links from the Snow Road to the King River.

**Low-density development strategies – Precinct B-E**

Support low density development at a variety of lot sizes that respond to servicing access.

Support site layout and design that allows for future intensification in Precinct B and C.

Support subdivision design with activated front edge treatments along Horseshoe Creek and public land interfaces in Precinct B.

Require sewer connection in Precinct C prior to any subdivision of land.

Prioritise development of lots closest to Macartney Street in Precinct C then progressively moving south.

Support larger lot sizes in Precincts D and E as a buffer between residential and adjoining farming uses.

As subdivision occurs in Precinct D, use open space contributions to acquire land adjacent existing public land (and located in flood plain areas) to increase existing open space, along the King River.

Support road layouts, subdivision and site layouts in Precinct E that do not preclude the potential for future road connections and residential development.

**Farming Zone strategies – Precinct F(a) - North of the Snow Road**

Maintain the existing agricultural activities and zoning north of the Snow Road in Precinct F(a).

**WANGARATTA PLANNING SCHEME****Low Density Development Strategies - Precinct F(b) - South of the Snow Road**

Support low density subdivision of Precinct F, South of Snow Road with a variety of lot sizes commencing at 0.2 hectares in the west and transitioning to 1 hectare lots in the East in line with the applicable schedules.

Require the creation of a minimum 30 metre wide landscaped presentation strip between the Snow Road and residential lots to support the arrival experience to the township.

Provide a safe pedestrian crossing on Snow Road between the Precinct and the pedestrian cycle link on the northern side of Snow Road.

Require sewer connection in Precinct F prior to any subdivision of land.

Prioritise development of lots closest to Macartney Street in Precinct C then progressively moving south.

Support the protection of native vegetation within the precinct and design road layouts to ensure retention as a priority.

Require an internal perimeter road around the development of the precinct to support protection from bushfire and provide an amenity buffer to adjoining farmland and major road interfaces.

Design the alignment of the perimeter road around the precinct to retain and celebrate native vegetation as a priority.

Design any subdivision to ensure that all lots can achieve informed and appropriate setbacks from bushfire hazard interfaces to ensure future development can achieve a radiant heat level of no greater than 12.5KW/m<sup>2</sup>.

**Precinct G**

Encourage the establishment of rural business in Precinct G.

**Rural Living - West - Precinct H**

Maintain the existing Rural Living nature of the area and avoid any further subdivision of the area.

Support pedestrian and shared pathway connectivity between Precinct H and Snow Road.

Discourage residential buildings and group accommodation.

**Precinct I**

Maintain the existing agricultural use of the land.

**Policy guidelines**

Consider as relevant:

- Supporting 0.2 hectare minimum lot sizes in Precinct C.
- Requiring 0.4 hectare minimum lot sizes in Precinct D and E where reticulated sewer is available.

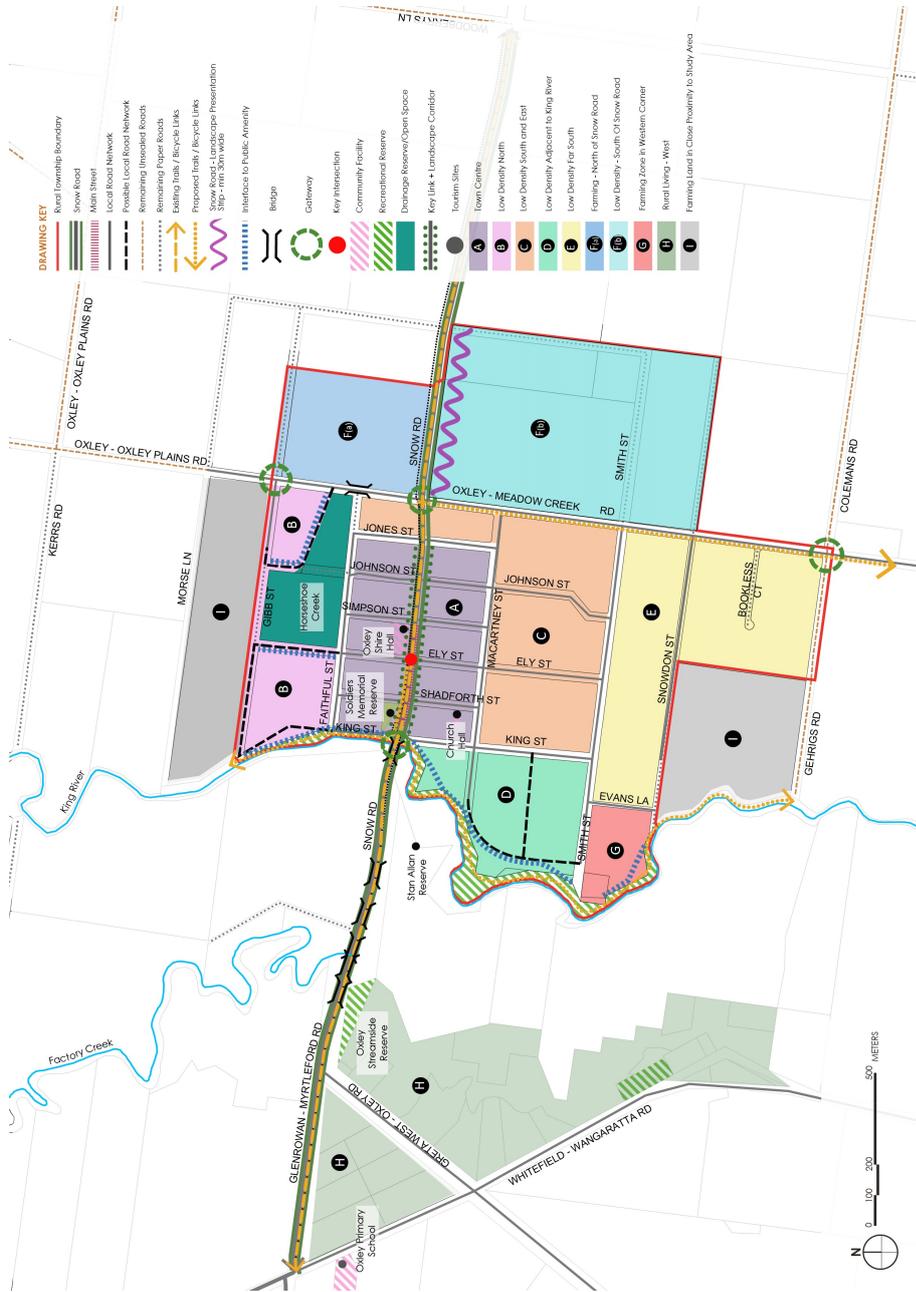
**Policy documents**

Consider as relevant:

- *Oxley Township Development Plan* (Mesh Planning, Revised 2016)
- *Low Density and Rural Residential Strategy* (Urban Enterprise and Rural City of Wangaratta, 2021)

WANGARATTA PLANNING SCHEME

Oxley Township Plan



## WANGARATTA PLANNING SCHEME

**11.01-1L-04 Snow Road between Oxley and Milawa**06/06/2022  
C82wang**Objective**

To maintain the close links between Milawa and Oxley.

**Strategies**

Strengthen the community infrastructure and facilities network between Oxley and Milawa.

Support the establishment of rural businesses such as farmgate sales between Oxley and Milawa.

Avoid linear extensions of residential development between Oxley and Milawa.

**11.01-1L-05 Moyhu Township**

Proposed C95wang

**Policy application**

This policy applies to all land identified within and immediately adjoining the Moyhu TDP Structure Plan.

**Objectives**

Reinforce Moyhu's role as the key urban settlement within close proximity to the King Valley.

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

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

**General Strategies**

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

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

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

Support innovative and developer lead approaches to facilitating development infrastructure to support the incremental growth of Moyhu.

**Built Form and Character****Objectives**

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

**Strategies**

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

Support infill development within the existing township form.

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

Respect and enhance the identified heritage assets within the township.

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

Provide diversity of housing in strategic locations across the township.

**WANGARATTA PLANNING SCHEME****Public Realm****Objective**

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

**Strategies**

Create attractive and safe streets that accommodate all users.

Improve accessibility to existing open spaces.

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

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

**Movement and Access****Objective**

Improve safety, amenity, productivity and accessibility of movement to and around the Township as outlined in the Moyhu TDP Structure Plan.

**Strategies**

Support the improved connectivity within the present and future township structure.

Investigate and support the creation, upgrading and completion as relevant, connectivity links between the township, the King River, Moyhu Primary School and Moyhu Recreation Reserve.

Provide high level of pedestrian and cycling amenity.

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

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

Avoid individual lots fronting arterial roads.

**Infrastructure****Strategies**

Require the installation of any new services to be underground.

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

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

Encourage development that supports innovation in the use of water.

**Precinct A: Township - Byrne Street****Objectives**

Promote the continued residential use of this precinct.

Reinforce the role of this precinct as a major tourist gateway and arrival experience.

**Strategies**

Support the continued enhancement of the arrival experience through this precinct.

## WANGARATTA PLANNING SCHEME

Support residential uses and compatible tourism uses.

Support further consolidation and residential infill, including double fronted lots to Market Street.

Investigate and support subdivision to separate the Lions Park Reserve from the road reserve and rezone Lions Park to Public Park and Recreation Zone.

### Precinct B: Commercial Centre

#### Objective

Reinforce the precinct as the preferred location for commercial activity within the township.

#### Strategies

Direct commercial uses to locate within this precinct to create a vibrant commercial and community focal point for the town.

Discourage the establishment of new residential uses within this precinct.

Ensure that appropriate investigations and remediation (if required) are undertaken into the potential for land contamination from past land uses on land at 9 and 22 Byrne Street, prior to the approval for any development or sensitive uses being established or extended.

Support improvements to the Carl Schultz Reserve to create a town square as a community focal point.

### Precinct C: Township - Bartley Street

#### Objective

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

#### Strategies

Direct new residential development including infill uses to establish within the precinct.

Support further development and subdivision of underutilised Township Zoned land.

Avoid further extension of the Township Zone south of Bartley Street for residential purposes.

Ensure that appropriate investigations and remediation (if required) are undertaken into the potential for land contamination from past land uses at 33-35 Bartley Street (former fossil fuel depot) prior to the approval of any development that involves the establishment of sensitive uses on the land.

### Precinct D: Former Moyhu Depot

#### Objective

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

#### Strategies

Prior to the approval of any use and development for the establishment or extension of sensitive uses, ensure that appropriate investigations and remediation (if required) are undertaken into the potential for contamination of 3 and 5 Market Street.

Subject to resolution of any potential contamination issues, support the re-development of the former Depot land (3 Market Street) for either one or a mix of the following:

- Community based or Social Enterprise based uses
- Affordable housing
- Community battery location

**WANGARATTA PLANNING SCHEME**

- EV charging station, subject to further investigation

- Overflow car parking

Ensure that any re-development is an appropriate use and capitalises on the sites central prominent location.

**Precinct E: Moyhu Recreation Reserve****Objective**

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

**Strategies**

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

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

**Precinct F: Farming Zone****Objective**

Support the continued agricultural use of the Farming Zone

**Strategies**

Require the agent of change to incorporate amenity interfaces within their land, through measures like perimeter roads and open space.

Support the long term investigation of the extension of Market Street northwards to create a secondary connection to the Wangaratta-Whitfield Road.

**Strategic Development Area****Objective**

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

**Strategies**

Design the development of this area to achieve:

- A diversity of housing typologies including medium density
- A re-connection of the two linear axis of the township to achieve a long term consolidated urban form
- Increased bushfire resilience for the town through subdivision design
- Opportunity to facilitate the development of currently land locked sites
- Opportunities for cross town connectivity for pedestrians and cyclists

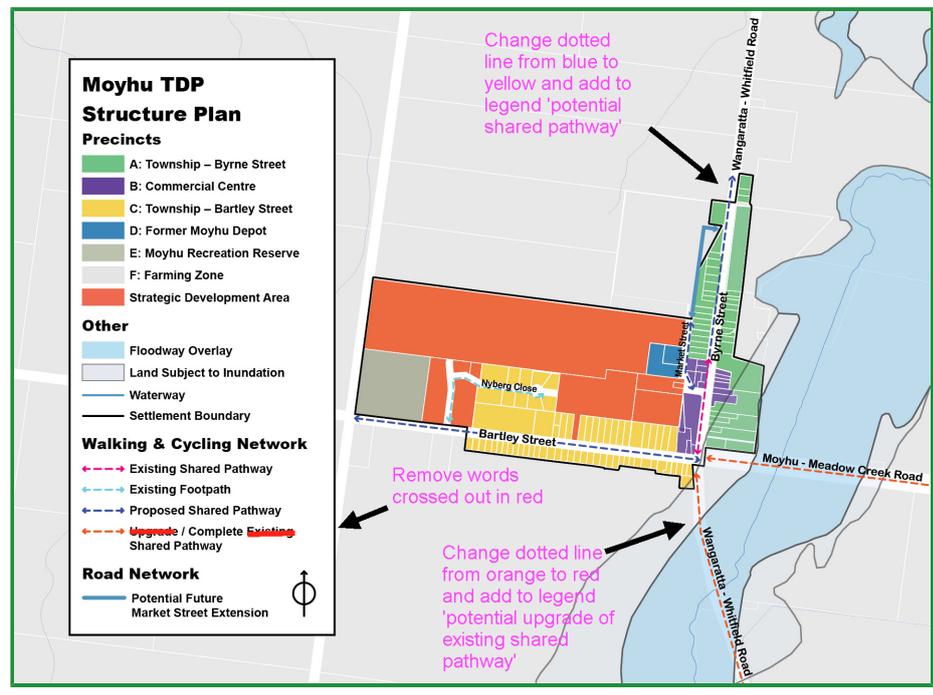
**Policy Guidelines**

Consider as relevant:

Moyhu Township Development Plan (*Rural City of Wangaratta, June 2024*)

WANGARATTA PLANNING SCHEME

Moyhu Structure Plan



## WANGARATTA PLANNING SCHEME

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Proposed C95wang

### **SCHEDULE 10 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO10**.

#### **MOYHU STRATEGIC DEVELOPMENT AREA (SDA)**

#### **1.0 Design objectives**

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Proposed C95wang

Ensure new urban development considers the existing township character and interface to the surrounding farmland.

Create urban development and open space areas that are people-orientated with layouts that promote safe and healthy environments.

Establish an active transport network within the town and to nearby educational and recreational facilities.

Ensure the residential development prioritises the retention of native and significant vegetation.

#### **2.0 Buildings and works**

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Proposed C95wang

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

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

#### **3.0 Subdivision**

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Proposed C95wang

A permit to subdivide land must meet the following requirements:

##### **Subdivision Design and Built Form Character**

Require subdivision to:

- Support the consolidation of urban form for Moyhu.
- Support the creation of a variety of lot sizes within the Township Zoned land.
- Create lots that are regular in shape unless required to protect vegetation and avoid natural features.
- Avoid the creation of battle axe lots.
- All lots have direct street frontage with the exception of those associated with an established medium housing density development.
- Design development to retain and protect existing significant trees (both exotic and native) to maintain its contribution to the character and amenity of the area.

##### **Environmentally Sustainable Design (ESD)**

Incorporate the principles of Environmentally Sustainable Design to minimise future energy consumption for heating and cooling:

- Optimise lot design and future building orientation to support passive design principles.
- Create building envelopes that maximise design to access winter warming sun, limit summer solar heat gain and access dominant cooling breezes.

##### **Landscaping and Vegetation - Public Realm**

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

**WANGARATTA PLANNING SCHEME**

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

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

Design road layouts to support the establishment of canopy trees, including through curb outstands.

**Movement and Access**

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

**Active Transport (Walking / Cycling)**

Create key active transport (pedestrian and cycling) routes that provide the following:

- Prioritise walking and cycling as the most direct and efficient form of transport for all users.
- Establish pedestrian / cycling routes with supporting canopy landscaping.
- Provide pedestrian and cycling links within the subdivision design including around the estate's perimeter road.

**Perimeter Road**

Provide an internal perimeter road around the development of the precinct.

Alignment options on the western side of the Recreation Reserve (outside of road reserve) are subject to investigation, landowner consent and future subdivision.

The perimeter road reserve must be designed to:

- Provide a pavement, largely maintenance free fuel breaks.
- Provide opportunities for active surveillance.
- Facilitate access and egress for fire suppression, emergency response and evacuation.
- Function and act as defensible space to ensure the SDA is not exposed to radiant heat of no greater than 12.5KW/m<sup>2</sup>.
- Incorporate walking and cycling infrastructure.
- Incorporate feature street tree planting.

Roads should be provided within the subdivision to provide at least two ways in and out.

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

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

**Infrastructure**

All lots to be connected to reticulated sewer and water unless otherwise agreed with the Responsible Authority.

**Bushfire Design Elements**

Create a bushfire ready interface between the settlement area and any bushfire hazard for all lots/dwellings and building envelopes that has exposure to radiant heat of no greater than 12.5KW/m<sup>2</sup>.

Incorporate static water supply (tank/s) within the subdivision or fire hydrants to support bushfire suppression activities.

Require emergency vehicle access to each lot.

The development must not result in any increase in bushfire risk to existing development.

**WANGARATTA PLANNING SCHEME**

Staged subdivision must be designed to:

- Implement a logical staging and maintenance plan to reduce the level of bushfire exposure of newly developed land from undeveloped stages.
- Include perimeter roads around any stage or alternative temporary bushfire protection.

**4.0**

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Proposed C95wang

**Signs**

None specified.

**5.0**

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Proposed C95wang

**Application requirements**

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

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

**6.0**

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Proposed C95wang

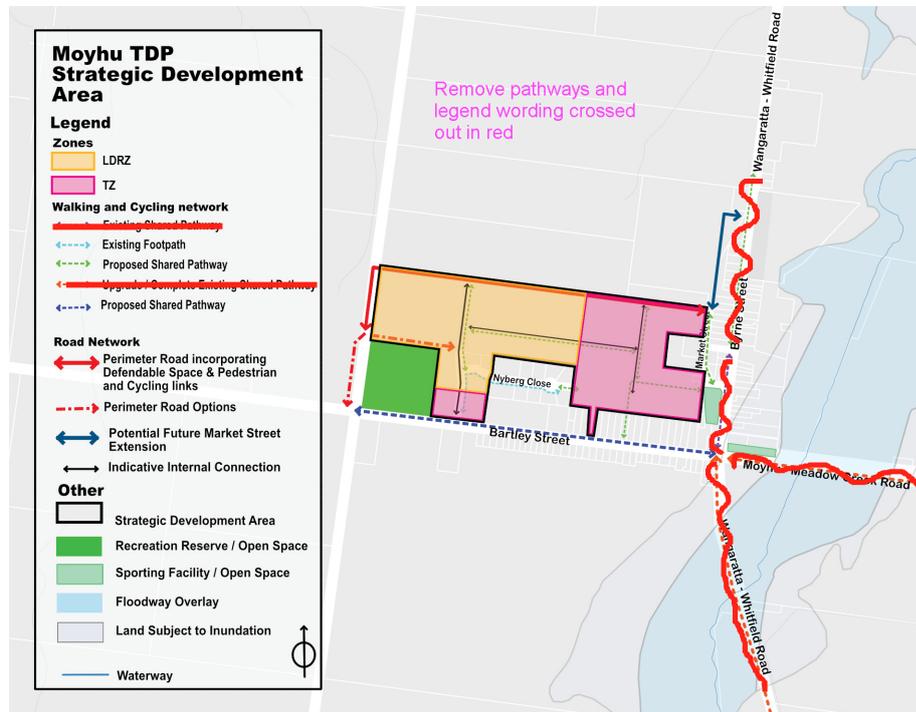
**Decision guidelines**

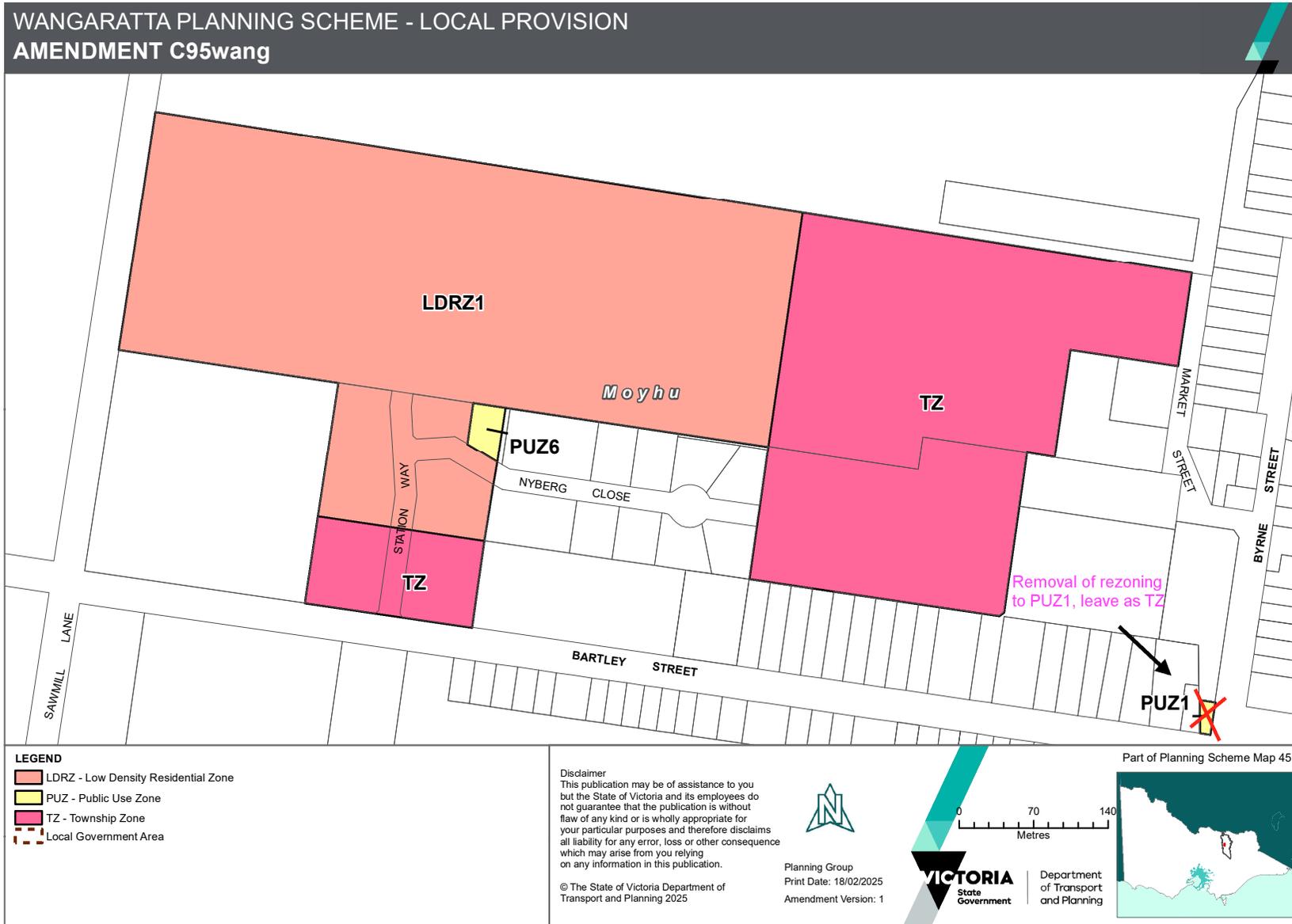
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal meets the design objectives and requirements of this schedule.
- Whether the proposal will result in low bushfire risk to the development and Moyhu Township.
- Whether the subdivision design and layout provides adequate road frontage.
- The ability of the subdivision to contribute to the overall character of the area.
- The ability of the subdivision to provide for optimal solar access and orientation to all lots.
- The impact of the subdivision on the character of the existing land use and development pattern.
- The ability of the subdivision design to provide the opportunity for the retention of existing native and significant vegetation, including the ability for complementary plantings.

WANGARATTA PLANNING SCHEME

Map 1 - Moyhu Strategic Development Area Plan





1.1.1.1 PLANNING PERMIT APPLICATION PInApp25/096 - Use and development of the land for warehousing, including shipping container storage and store AT 16 Depot Road BOWSER VIC 3678,

**Author:** PInApp25/096  
**Reviewed by:**

**Background**

**Applicant:** Oxley & Company  
**Owner:** G Murray  
**Subject Land:** CA 295A Par Carraragar Vol 3011 Fol 076  
16 Depot Road BOWSER VIC 3678  
**Zone/s:** Farming Zone  
**Overlay/s:** None

**Recommendation**

It is recommended that Council issue a Notice of Refusal for the use and development of the land for warehousing, including shipping container storage and store at 16 Depot Road Bowser.

**Site & Context**

The subject site is a rectangular parcel of land on the northern side of Depot Road Bowser. The land is located within the Farming Zone and is not affected by any overlays. The land covers an area of approximately 3100sqm, with a generally flat topography. The land is unfenced, except for the south-western boundary which abuts the previous Council Depot (now unused crown land).

The land is currently used as a contractor's depot (warehousing, shipping container storage and a store), which is the subject of this retrospective application. It is noted that there has been ongoing planning enforcement in relation to the use and development of the land, which has been subject to Enforcement Orders issued by the Victoria Civil and Administrative Tribunal for the subject site herein and the surrounding crown land.

The subject site is surrounded by crown land which is managed by Parks Victoria. The crown land has historically been used as a depot (to the southwest of the subject site) and a land fill (to the north-east of the subject site). Those land uses has since ceased and the land is not actively used or leased by Parks Victoria.

The surrounding area beyond the crown land is characterised by a mix of zoning within proximity of the subject land. Land to the north and east of the subject site is within common zoning (Farming Zone). Land to the south and south-east is within the Industrial 1 Zone and Public Use Zone 6 (Local Government –

Landfill). Land to the west of the subject site is within the Rural Living Zone. Land to the north and west is used for agricultural and rural lifestyle purposes, with land immediately south (except for the landfill) being used for accommodation (caravan park).

The site sits along a township entry from the northern interchange with the Hume Freeway. The site is located at the intersection of Bowser Road and Federation Way which provides access to townships to the north such as Corowa and Rutherglen.



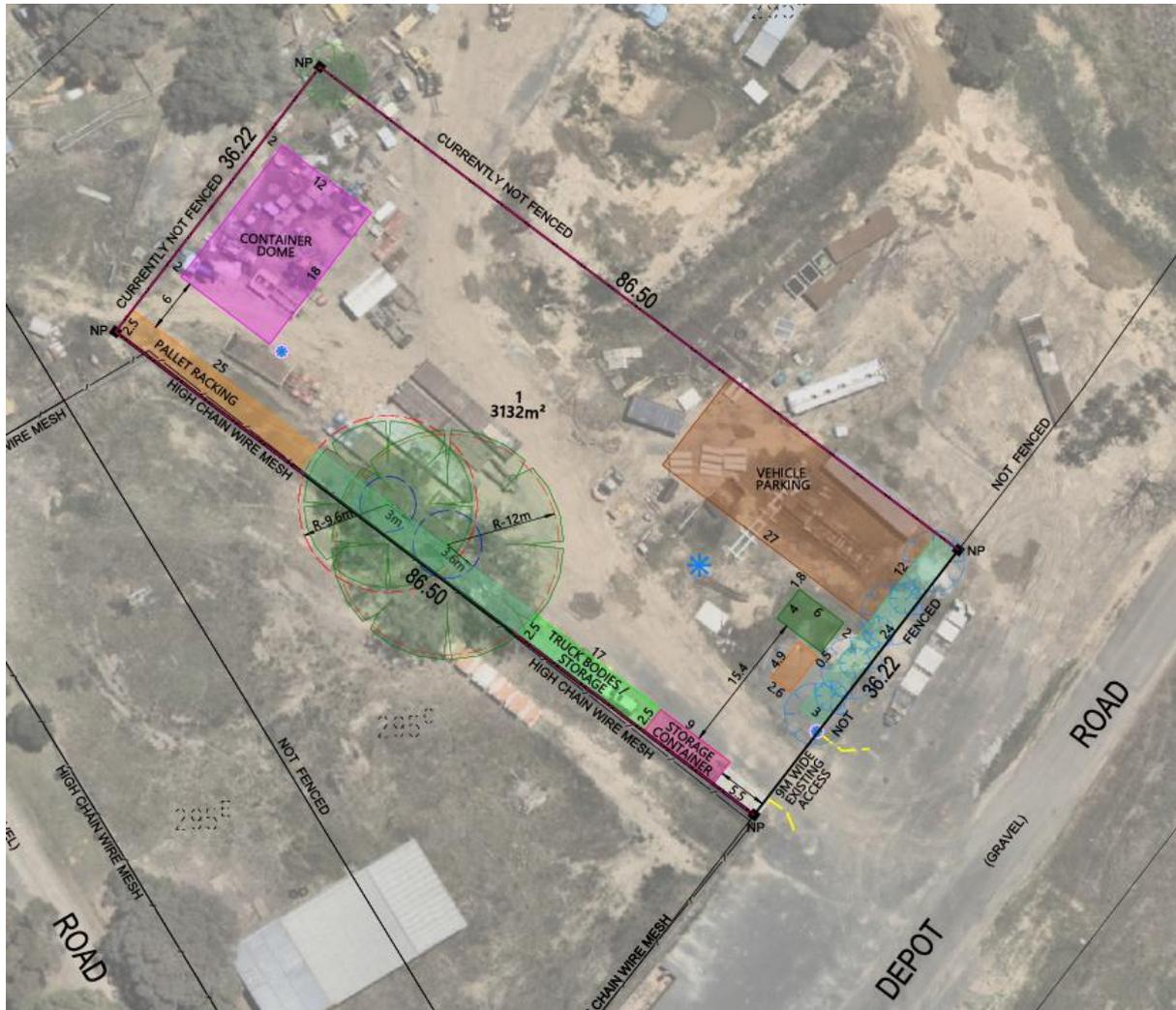
*Aerial image of subject site highlighted in red (Intramaps, 2025).*

### **Proposal**

The application seeks approval to legitimise the use and development of the land for warehousing, including shipping container storage and store. The details of the proposal are as follows:

- X1 employee
- Operating hours:
  - 7am – 7pm Monday to Friday
  - 9am – 3pm Saturday and Sunday.
- Storage of the following:
  - Container and truck body storage
  - Pallet storage
  - Store room (site office) not to contain any amenities or connection to services
  - Separate storage container and container dome for additional storage

- Vehicle parking associated with the owner/operator’s transport business.



*Proposed site plan over aerial image showing existing site conditions (noting that current conditions encroach beyond the property boundaries).*

**Planning Permit Trigger**

- Clause 35.07-1: Use of the land for warehousing (including shipping container storage and store)
- Clause 35.07-4: Buildings and works associated with a Section 2 Use

**Relevant Planning Provisions**

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

Policy:	Objective/Strategy:
Clause 02.03-7 (Economic development)	<p><i>Industry</i> North Wangaratta is ideally located to accommodate industries which require large land holdings, involve high water usage and/or separation distances.</p>
Clause 13.07-1S (Land use compatibility)	<p><i>To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.</i></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 locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other 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> <li>• Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.</li> </ul>
Clause 15.01-1L-02 (Wangaratta gateways)	<p><i>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.</i></p>

<p>Clause 15.01-6S (Design for rural areas)</p>	<p><i>To ensure development respects valued areas of rural character.</i></p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• Ensure that the siting, scale and appearance of development protects and enhances rural character.</li> <li>• Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.</li> <li>• Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.</li> </ul>
<p>Clause 17.03-2L (Industrial development siting)</p>	<p>Direct industrial uses, warehousing and trade supplies to locations in Wangaratta, townships and locations well connected to roads, power supply and necessary infrastructure.</p> <p>To support the location of small scale industry within rural townships, where they are compatible with the surrounding area.</p> <p>Direct small scale industries to locate in townships where they are compatible with the surrounding area and can demonstrate the ability to achieve the following:</p> <ul style="list-style-type: none"> <li>• Be serviced with good road access.</li> <li>• Adequately treat wastewater on site or connection to reticulated sewerage, if available.</li> <li>• Connection to a suitable water supply and other services.</li> <li>• Are visually compatible with the surrounding area.</li> </ul>

**Zone**

*Clause 35.07 – Farming Zone*

The purpose of the FZ is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

The decision guidelines of Clause 35.07-6 relevant to this application are as follows:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.
- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.

#### **Particular Provisions**

##### *Clause 52.06 – Car parking*

The purpose of this provision is as follows:

- 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.

Pursuant to Table 1 of Clause 52.06-5, 10% of the subject site must be set aside for the purposes of car parking. This has been shown on the proposed site plan.

##### *Clause 65.01 – Approval of an application or plan*

The following decision guidelines of this provision are relevant to this application:

- 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 proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or 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:

<b>Authority</b>	<b>Section</b>	<b>Response</b>
DEECA	External Section 52 Referral	Seeking comments as adjoining landowner. Responded saying that Parks Vic are the relevant land manager.
Parks Vic	External Section 52 Referral	No response.

### **Internal Departmental Advice**

<b>Department</b>	<b>Response</b>
Tech Services	Conditional consent subject to requirements for onsite stormwater management and detention, access upgrades and reinstatement of the road reserve.

### **Advertising**

The application was advertised to adjoining land owners and an advertisement was placed in the Wangaratta Chronicle. Five objections were received.

The issues raised in the representations are summarised below and discussed further later in this report.

<b>Issue</b>
Failure to comply with the enforcement orders issued by VCAT and doubts that the applicant would comply with the conditions of a planning permit.
Ability to keep proposal within the boundaries of the subject land given that current operations have encroached into the crown land and road reserve adjacent to the site.
The proposal would have detrimental amenity impacts on surrounding residences, as evidenced by impacts experienced by the current impacts from vehicle noise into the night, light spill, vibration, etc.

<b>Issue</b>
The proposal will have environmental impacts, as evidenced by soil dumping occurring on crown land.
Inconsistencies in application material based on use occurring on the land (i.e. application material states no use of heavy machinery on site but there is often excavators, loaders, etc, being used on site).
Concerns around traffic safety, particularly at the intersection of Federation Way.
The site is an eye sore and detrimentally impacts the rural character and environment of the area.

### **Planning Assessment**

It is noted that the submissions received to the application have raised concerns around non-compliance with enforcement orders issued against the subject site to cease operations and clear the land of goods and machinery. Any retrospective planning application must be assessed as though the activity were not present / had not commenced on the land. Therefore, no benefit or detriment can be given to the assessment of the proposal on the basis that the use and development has illegally commenced. This assessment has therefore been made on the assumption that the land is vacant (noting that there is the ability to visualise built form on the land and its impacts on sight lines by virtue of the site conditions).

### **Zoning considerations and land use compatibility**

The Farming Zone requires consideration to be made as to whether a proposal for a non-agricultural land use will affect the following:

1. Whether the use or development will support and enhance agricultural production.
2. Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
3. The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.

The proposal would result in the permanent loss of agricultural land. The proposal does not support or enhance agricultural production, noting that the site is also landlocked by crown land (not currently leased for agricultural purposes) although no assessment has been made on the subject site's capacity for any agricultural activities there are small scale intensive agricultural uses that could occur (e.g. intensive horticulture). The proposed use does not directly support any agricultural enterprises operating on other land. It is unclear whether there would be impacts on agricultural operations occurring on other land as the proposal would not introduce any sensitive land uses, although there have been recorded impacts on the health and amenity of neighbours residing on agricultural properties.

The Wangaratta Planning Scheme has specific local policies that encourage industrial uses that require good access to the road network to be located within the North Wangaratta industrial area. This is located fairly close to the subject land (accessed via Bourke Road to the south-west) and would likely be an appropriate location for such a proposal given that it would have adequate separation from sensitive land uses and not impact on the Farming Zone.

Further to the above considerations around whether the proposed use is appropriate within the Farming Zone, consideration must also be given to whether the proposal is appropriate within proximity to sensitive land uses existing within the immediate area and the land's proximity to the Rural Living Zone. Whilst the Rural Living Zone has lower amenity expectations than standard residential zones, the purpose of the RLZ is to provide for residential uses in a rural environment and protect and enhance landscape values of the area. The subject site is located approximately 100m from the RLZ, and whilst the objectives of that zone are not directly able to be applied to this application, consideration must be given to the residential capacity of that zone.

It is not considered that operational management conditions would be sufficient to appropriately mitigate the likely impacts from the proposal. Standard conditions such as light spill would be easily managed, but there would be likely conflicts with operating hours, noise and vibration impacts. Residents in the surrounding area have suggested later start times (post 8am) although the application seeks an earlier start time of 7am (brought forward from 5am in an earlier rendition of the application material). 7am is considered to be too early a start time based on the activities and sensitive land uses in the immediate area, given that even the Bowser Landfill does not commence operation until 9am, generally (8am on Mondays). Noise would continue to be an issue, particularly given the propensity for noise to travel across this landscape, and there is no ability to manage vibration emitted from the land resulting from the use.

Therefore, the proposal is not considered to be appropriate within the context of the site and surrounds. Amenity expectations of sensitive land uses adjacent to the Farming Zone are tempered by common agricultural activities, although the proposed activities herein are significantly different from what would normally occur on farming land.

#### **Visual amenity and township entry considerations**

The Farming Zone requires consideration of the impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment and major roads and the measures to be undertaken to minimise any adverse impacts. The subject site is highly visible from the surrounding road network and

neighbouring properties due to the flat topography of the site and surrounds, and the low level of roadside vegetation within this area. The application has shown indicative screening vegetation to be planted along the front boundary (fronting Depot Road) and partially along the south-western boundary. This is not considered to be sufficient to screen the proposal from Bowser Road, which forms a township entry to Wangaratta, or Federation Way. It is also not considered feasible to require increased planting along all boundaries as this may impact on the feasibility of using the subject land (i.e. turning circles, storage, etc) given the small nature of the site.

The Wangaratta Planning Scheme also includes specific local policies which seek to protect rural areas from inappropriate development. These policies seek to ensure development respects rural characteristics. The proposal is not considered to comply with these policies by virtue of its industrial nature. The proposal is not considered to be sympathetic to a township approach and would detrimentally impact on the rural landscape that exists on this side of Bowser Road.



*Subject site when viewed from Bowser Road (2025).*

### **Conclusion**

The proposal is not considered to represent an orderly planning outcome as it would detrimentally impact on the visual landscape character and amenity of sensitive land uses within the area. The proposal does not provide a sympathetic design response to a township entry and is not considered to be a compatible land use within the context of the site and surrounds. Therefore, the proposal should not be supported.

### **Recommendation:**

That Council issue a Notice of Refusal for the use and development of the land for warehousing, including shipping container storage and store at 16 Depot Road Bowser on the below grounds.

### **Communication**

That the applicant and objectors be advised of Council's decision.

**Proposed grounds of refusal:**

1. The proposal does not represent an orderly planning outcome pursuant to Clause 65.01 of the Wangaratta Planning Scheme.
2. The proposal is inconsistent with the objectives and decision guidelines of Clause 35.07 (Farming Zone) of the Wangaratta Planning Scheme.
3. The proposal represents an unsympathetic and inappropriate built form outcome in a rural area and township approach pursuant to Clause 15.01-6S (Design for rural areas) of the Wangaratta Planning Scheme.
4. The proposal would detrimentally impact the amenity of sensitive land uses and is inconsistent with Clause 13.07-1S (Land use compatibility) of the Wangaratta Planning Scheme.

# Planning Permit Application

Submitted on	10 July 2025, 4:11PM
Receipt number	156
Related form version	13

## Privacy Information:

I acknowledge the above Privacy Information Statement.

## Application Information:

The Proposal:	Use and Development of Land as Warehouse including Shipping Container Storage and Store
Estimated Cost of Development:	90,000
VicSmart:	No
Pre-Application Advice	No

If yes, please tell us the name of the planning officer you communicated with:

## Application Information:

The Land:	16 Depot Rd, Bowser VIC 3678, Australia <a href="#">Map</a> (-36.3160084, 146.3664026)
The Land:	Crown Allotment 295A Parish of Carraragarmungee.
Title Information:	Not Applicable (no such encumbrance applies)
Upload Title:	<a href="#">Appendix 1 Title Vol 3011 Fol 076.pdf</a>
Existing Conditions:	Vacant land used to store equipment, materials and trucks.

## Land Use

What is the land currently being used for?	Other land use
What is the proposed land use?	Industry and Warehouse

## Applicant Details:

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Applicant Title:

---

Applicant Name(s): Nidhi Satokar

---

Applicant Contact Name: Oxley and Company

---

Applicant Postal address: 45 Ovens St, Wangaratta VIC 3677, Australia [Map](#)  
(-36.3546482, 146.323253)

---

Applicant Email: [planning@oxleyco.com.au](mailto:planning@oxleyco.com.au)

---

Applicant Telephone: 0357216255

### Owner Details:

---

Owner Title:

---

Owner Name(s): Glenn Murray

---

Owner Postal address: 7 College St, Wangaratta VIC 3677, Australia [Map](#)  
(-36.33821349999999, 146.3073348)

### Supporting Documents

Please attach all required information for your application.  
This can include:

[Appendix 2 - Prpopsed Layout plan with Swept Path Plan .pdf](#)  
[S11150 Town Planning Report v1 .pdf](#)

### Declaration

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I declare that I am the applicant and that all of the information in this application is true and correct; and the owner ( if not myself) has been notified of the permit application. I agree



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958**

Page 1 of 1

VOLUME 03011 FOLIO 076

Security no : 124125798513P  
Produced 01/07/2025 10:28 AM

CROWN GRANT

**LAND DESCRIPTION**

Crown Allotment 295A Parish of Carraragarmungee.

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
GLENN MURRAY of 7 COLLEGE STREET WANGARATTA VIC 3677  
AM925441K 11/07/2016

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP867013R FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 16 DEPOT ROAD BOWSER VIC 3678

DOCUMENT END

Delivered by LANDATA®, timestamp 01/07/2025 10:28 Page 1 of 2

<b>TITLE PLAN</b>	<b>EDITION 1</b>	<b>TP 867013R</b>
<b>Location of Land</b> Parish : CARRARAGARMUNGEE Township: - Section: - Crown Allotment: 295A Crown Portion: -  Last Plan Reference : - Derived From : VOL. 3011 FOL. 076  Depth Limitation : 50 FEET BELOW THE SURFACE		<b>Notations</b> SUBJECT TO THE RESERVATIONS EXCEPTIONS, CONDITIONS AND POWERS IN CROWN GRANT VOL. 3011 FOL. 076 AND NOTED ON SHEET 2 OF THIS PLAN  ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN
<b>Description of Land/ Easement Information</b>		THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES  COMPILED: Date 28/11/07 VERIFIED: A. DALLAS <i>Assistant Registrar of Titles</i>
		<b>COLOUR CODE</b> Y = YELLOW
LENGTHS ARE IN LINKS	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 2 Sheets

TITLE PLAN	TP 867013R
<p style="text-align: center;"><b>LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT</b></p> <p style="text-align: center;"><i>All THAT PIECE OF LAND in the said State containing that road and four fences more or less being called that two hundred and thirty five A. in the Parish of Paranaquaminque County of Oregon.</i></p> <p>delimited with the measurements and abutals thereof in the map drawn in the margin of these presents and therein coloured yellow. Provided nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any spring or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held the land without limitation as to depth. Excepting nevertheless unto us our heirs and successors all gold and silver and auriferous and argentiferous earth and stone and all mines seams lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals and under and within the boundaries of the land hereby granted. AND also reserving to us our heirs and successors free liberty and authority for us our heirs and successors and our and their licensees agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argentiferous earth or stone copper tin antimony coal and other metals and minerals in the land lying in upon and under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver copper tin antimony coal and other metals and minerals and mineral ores and the working of all mines seams lodes and deposits containing gold silver copper tin antimony coal and other metals and mineral ores in upon or under the land hereby granted.</p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> 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<del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> 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<del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> 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<h2 style="margin: 0;">Transfer of Land</h2> <p style="margin: 0;">Section 45 Transfer of Land Act 1958</p>	<p style="margin: 0; font-size: small;">The information from this form is provided to you under statutory authority and is not to be used for any other purpose.</p> <div style="text-align: right;"> <p style="margin: 0; font-weight: bold; font-size: large;">AM925441K</p> <p style="margin: 0; font-size: x-small;">11/07/2016      \$210      45</p> </div>
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**1. Land/s**

*Land Title*  
Volume      3011      Folio      076

**8. Consideration**

\$50,000

**2. Estate and Interest**

FEE SIMPLE

**9. Signing**

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

**3. Transferor/s**

*Transferor*  
  
Given Name/s    JOHN THOMAS  
  
Family Name    CAIN

**4. Transferee/s**

*Transferee*  
  
Given Name/s    GLENN  
  
Family Name    MURRAY

<i>Transferor</i>
JOHN THOMAS CAIN
<small>Signature of Transferor</small>
<i>Transferor Witness</i>
<small>Signature of Witness</small>

**5. Manner of Holding**

SOLE PROPRIETOR

**6. Address/es of Transferee/s**

*Address of Transferee*  
  
Unit                      Street No                      7  
  
Street Name    COLLEGE  
  
Street Type    STREET  
  
Locality        WANGARATTA  
  
State            VIC                      Postcode    3677

<i>Transferee</i>
GLENN MURRAY
<small>Signature of Transferee</small>
<i>Transferee Witness</i>
<small>Signature of Witness</small>

**7. Directing Party**

None

Approval Number: 33711111R	<b>THE BACK OF THIS FORM MUST NOT BE USED</b>	Page 1 of 2 <small>LEAP Legal Software</small>
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**Transfer of Land**  
 Section 45 Transfer of Land Act 1958

The information from this form is provided under statutory authority.

**AM925441K**



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s.

**10. Date**

Date: (DD/MM/YYYY) 28/06/16

**11. Lodging Party** McSWINEY

Customer Code 12425

Reference

You may lodge this form in two ways:

**1. In person**

Land Registration Services  
Land Victoria  
Level 9, 570 Bourke Street  
Melbourne Vic 3000

**2. By mail (extra fee applies)**

Land Registration Services  
Land Victoria  
PO Box 500  
East Melbourne Vic 8002  
Or DX 250639 Melbourne

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958**

Page 1 of 1

VOLUME 03011 FOLIO 076

Security no : 124125798513P  
Produced 01/07/2025 10:28 AM

CROWN GRANT

**LAND DESCRIPTION**

Crown Allotment 295A Parish of Carraragarmungee.

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
GLENN MURRAY of 7 COLLEGE STREET WANGARATTA VIC 3677  
AM925441K 11/07/2016

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP867013R FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 16 DEPOT ROAD BOWSER VIC 3678

DOCUMENT END



## Imaged Document Cover Sheet

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Document Type	<b>Instrument</b>
Document Identification	<b>AM925441K</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>01/07/2025 10:28</b>

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<h1 style="margin: 0;">Transfer of Land</h1> <p style="margin: 0;">Section 45 Transfer of Land Act 1958</p>	<p style="font-size: small;">The information from this form is provided to you under statutory authority and is not to be used for any other purpose.</p> <div style="text-align: right;"> <p><b>AM925441K</b></p> <p>11/07/2016 \$210 45</p>  </div>
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**1. Land/s**

*Land Title*  
Volume 3011 Folio 076

**8. Consideration**

\$50,000

**2. Estate and Interest**

FEE SIMPLE

**9. Signing**

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

**3. Transferor/s**

*Transferor*  
Given Name/s JOHN THOMAS  
Family Name CAIN

**4. Transferee/s**

*Transferee*  
Given Name/s GLENN  
Family Name MURRAY

<i>Transferor</i>
JOHN THOMAS CAIN

<i>Signature of Transferor</i>
<i>Transferor Witness</i>

<i>Signature of Witness</i>

**5. Manner of Holding**

SOLE PROPRIETOR

**6. Address/es of Transferee/s**

*Address of Transferee*  
Unit Street No 7  
Street Name COLLEGE  
Street Type STREET  
Locality WANGARATTA  
State VIC Postcode 3677

<i>Transferee</i>
GLENN MURRAY

<i>Signature of Transferee</i>
<i>Transferee Witness</i>

<i>Signature of Witness</i>

**7. Directing Party**

None

Approval Number: 33711111R	<b>THE BACK OF THIS FORM MUST NOT BE USED</b>	Page 1 of 2 LEAP Legal Software
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**Transfer of Land**  
 Section 45 Transfer of Land Act 1958

The information from this form is provided under statutory authority.

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**10. Date**

Date: (DD/MM/YYYY) 28/06/16

**11. Lodging Party** McSWINEY

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Land Registration Services  
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East Melbourne Vic 8002  
Or DX 250639 Melbourne

*Duty Use Only*



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Document Type	<b>Plan</b>
Document Identification	<b>TP867013R</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>01/07/2025 10:28</b>

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<b>TITLE PLAN</b>	<b>EDITION 1</b>	<b>TP 867013R</b>
<b>Location of Land</b> Parish : CARRARAGARMUNGEE Township: - Section: - Crown Allotment: 295A Crown Portion: -  Last Plan Reference : - Derived From : VOL. 3011 FOL. 076  Depth Limitation : 50 FEET BELOW THE SURFACE		<b>Notations</b> SUBJECT TO THE RESERVATIONS EXCEPTIONS, CONDITIONS AND POWERS IN CROWN GRANT VOL. 3011 FOL. 076 AND NOTED ON SHEET 2 OF THIS PLAN  ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN
<b>Description of Land/ Easement Information</b>		THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES  COMPILED: Date 28/11/07 VERIFIED: A. DALLAS <i>Assistant Registrar of Titles</i>
		<b>COLOUR CODE</b> Y = YELLOW
LENGTHS ARE IN LINKS	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 2 Sheets

TITLE PLAN	TP 867013R
<p style="text-align: center;"><b>LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT</b></p> <p style="text-align: center;"><i>All THAT PIECE OF LAND in the said State containing that road and four fences more or less being called that two hundred and thirty five A. in the Parish of Paranaquimunge County of Oregon.</i></p> <p>delimited with the measurements and abutals thereof in the map drawn in the margin of these presents and therein coloured yellow. Provided nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any spring or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held the land without limitation as to depth. Excepting nevertheless unto us our heirs and successors all gold and silver and auriferous and argentiferous earth and stone and all mines seams lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals and under and within the boundaries of the land hereby granted. AND also reserving to us our heirs and successors free liberty and authority for us our heirs and successors and our and their licensees agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argentiferous earth or stone copper tin antimony coal and other metals and minerals in the land lying in upon and under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver copper tin antimony coal and other metals and minerals and mineral ores and the working of all mines seams lodes and deposits containing gold silver copper tin antimony coal and other metals and mineral ores in upon or under the land hereby granted.</p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> <del>also</del> <del>that</del> <del>the</del> <del>said</del> <del>land</del> <del>is</del> <del>and</del> <del>shall</del> <del>be</del> <del>subject</del> <del>to</del> <del>the</del> <del>right</del> <del>of</del> <del>any</del> <del>person</del> <del>being</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>licence</del> <del>to</del> <del>search</del> <del>for</del> <del>metals</del> <del>or</del> <del>minerals</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>to</del> <del>enter</del> <del>therein</del> <del>and</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>silver</del> <del>copper</del> <del>tin</del> <del>antimony</del> <del>coal</del> <del>and</del> <del>other</del> <del>metals</del> <del>and</del> <del>minerals</del> <del>ores</del> <del>and</del> <del>to</del> <del>erect</del> <del>and</del> <del>to</del> <del>occupy</del> <del>mining</del> <del>plant</del> <del>or</del> <del>machinery</del> <del>thereon</del> <del>in</del> <del>the</del> <del>same</del> <del>manner</del> <del>and</del> <del>under</del> <del>the</del> <del>same</del> <del>conditions</del> <del>and</del> <del>provisions</del> <del>as</del> <del>those</del> <del>on</del> <del>which</del> <del>the</del> <del>holder</del> <del>of</del> <del>a</del> <del>miner's</del> <del>right</del> <del>or</del> <del>of</del> <del>a</del> <del>mining</del> <del>or</del> <del>mineral</del> <del>lease</del> <del>had</del> <del>at</del> <del>the</del> <del>date</del> <del>of</del> <del>these</del> <del>presents</del> <del>the</del> <del>right</del> <del>to</del> <del>mine</del> <del>for</del> <del>gold</del> <del>and</del> <del>silver</del> <del>in</del> <del>and</del> <del>upon</del> <del>Crown</del> <del>lands</del> <del>PROVIDED</del> <del>THAT</del> <del>compensation</del> <del>shall</del> <del>be</del> <del>paid</del> <del>to</del> <del>the</del> <del>said</del> <del>GRANTEE</del></p> <p><del>And</del> <del>provided</del> 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- LEGEND**
- FZ ZONING
  - OVERLAY
  - SITE BOUNDARY - SEE NOTES
  - ACCESS
  - NOMINAL DCMB BOUNDARY
  - CONTAINER DOME
  - VEHICLE PARKING (324m<sup>2</sup>) (APPROX. 10.3% OF SITE AREA UNDER PARKING)
  - PALLET RACKING
  - TRUCK STORAGE
  - STORAGE CONTAINER
  - 3M WIDE LANDSCAPE STRIP
  - CAR PARKING SPACE (2.6M X 4.9M)
  - STORE
  - EXISTING TREE WITHIN SUBJECT (TO BE RETAINED)
  - TREE PROTECTION ZONE (12 TIMES DIAMETER OF EXISTING TREE AT 1.4M HEIGHT)
  - STRUCTURE ROOT ZONE
  - EXISTING LOCATION OF MOVABLE LIGHT (FOR STORAGE ONLY AND WILL BE USED ON WORK SITES)
  - PROPOSED LOCATION OF LAMP POST (FOR SECURITY PURPOSE)

**NOTATIONS**

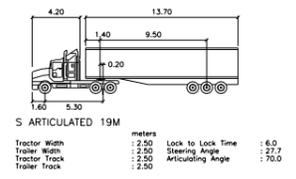
SEE TITLE FOR BOUNDARY AND EASEMENT DETAILS

DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY

UNDERLYING AERIAL PHOTOGRAPHY LOCATION IS APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY

THE PROPOSAL SHOWN IS SUBJECT TO COUNCIL & AUTHORITY APPROVAL (AS APPROPRIATE)

LOCATION OF TITLE BOUNDARIES IS APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY



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 DEVELOPMENT CONSULTANTS  
 45 OVENS STREET, WANGARATTA 3677  
 (03) 5721 6255 | oxleyco.com.au | admin@oxleyco.com.au

REFERENCE:	S11150	<b>LAYOUT PLAN - SWEEP PATH</b> 16 DEPOT ROAD, BOWSER
VERSION:	3	
DATE:	23/09/2025	

**SUBJECT LAND:**

TITLE DETAILS	VOL 3011 FOL 076
PLAN	TP 867013R
PARISH	CARRARAGARMUNGEE
TOWNSHIP	
SECTION	
CROWN ALLOTMENT	295A
AREA	3132m <sup>2</sup>

**SHEET 1 OF 1 SHEET**

**SCALE**

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LENGTHS ARE IN METRES

**SCALE SHEET SIZE**

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- LEGEND**
- FZ ZONING
  - OVERLAY
  - SITE BOUNDARY - SEE NOTES
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REFERENCE:	S11150	LAYOUT PLAN
VERSION:	3	16 DEPOT ROAD, BOWSER
DATE:	23/09/2025	

**SUBJECT LAND:**

TITLE DETAILS	VOL 3011 FOL 076
PLAN	TP 867013R
PARISH	CARRARAGARMUNGEE
TOWNSHIP	
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**SHEET 1 OF 1 SHEET**

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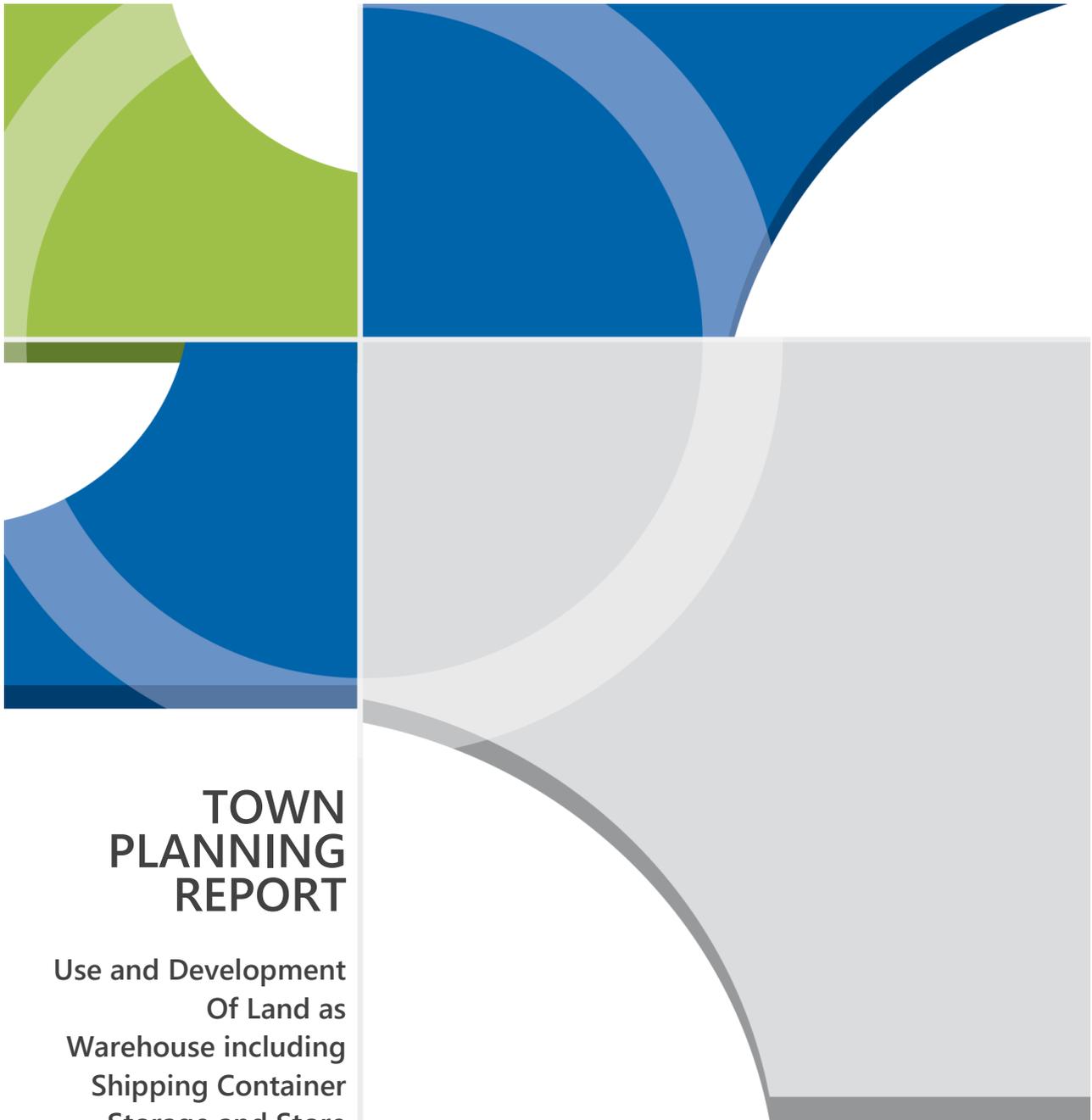
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# TOWN PLANNING REPORT

Use and Development  
Of Land as  
Warehouse including  
Shipping Container  
Storage and Store

VERSION 2

ADDRESS

16 Depot Road,  
BOWSER VIC 3678

DATE

25 September 2025



**OXLEY + CO**

SURVEYORS ENGINEERS PLANNERS  
DEVELOPMENT CONSULTANTS

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**Revision Table**

<b>Revision</b>	<b>Date</b>	<b>Details</b>	<b>Prepared By</b>
1	19/06/2025	Draft Report	NS
		Update Report	NS
	30/06/2025	Review Report	JB
	10/07/2025	Finalise Report	NS
2	26/07/2025	Update Report	NS
	24/09/2025	Update Report	NS
	25/09/2025	Review Report	JB

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**Town Planning Report**

S11150 | Use and Development of Land as Warehouse including Shipping Container Storage and Store  
 16 Depot Road Bowser 3678 | Oxley & Company | Version 2 | xx/09/2025 | Page 3

## 1.0 Introduction

This report has been prepared by Oxley and Company on behalf of the landowner to support an application for a permit to Use and Development of Land as Warehouse including Shipping Container Storage and Store on lot identified as CA 295A Parish of Carraragarmungee also addressed Depot Road Bowser.

This proposal outlines the use and development of 16 Depot Road Bowser (CA 295A Parish of Carraragarmungee) primarily as a Store for off-site equipment and materials. This also incorporates Shipping Container Storage, consistent with the broader Warehouse Use classification.

The proposed site development encompasses Warehouse and Storage Facilities to include:

1. Storage of shipping containers and Truck bodies: 17m x 2.5m
2. Pallet racking: 25m x 2.5m
3. Container dome (positioned over two existing containers): 18m x 12m
4. Vehicle parking area: 12m x 27m
5. Storage Container: 2.5m x 9m
6. Store Room (existing structure on site without water outlet and toilet facilities): 6m x 4m

The subject land is within a Farming Zone (FZ) and is not affected by any overlay under the Wangaratta Planning Scheme.

This report addresses the relevant provisions of the Wangaratta Planning Scheme, including the Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF).

This application is accompanied by:

- Copy of Title Vol 03011 Fol. 076
- Proposed Site Plan Ref. S11150 v3
- Swept Path Plan (19m truck) Ref. S11150 v3

### 1.1 Permit requirements under the Wangaratta Planning Scheme

A permit is required *for* buildings and works for a warehouse provision of the Wangaratta Planning Scheme triggers a planning permit:

- Pursuant to Clause 35.07-1 Farming Zone, a permit is required to use the land for Warehouse including Shipping Container Storage and Store.

It is noted that the primary purposes of the Farming Zone are:

- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

It is important to note that this lot (currently under enforcement order) has historically not been used for farming purposes having remnants of a dwelling and anecdotally used for the *Ovens Dairy Factory*. Further, the location of this land under the wider context is essentially

#### **Town Planning Report**

S11150 | Use and Development of Land as Warehouse including Shipping Container Storage and Store  
16 Depot Road Bowser 3678 | Oxley & Company | Version 2 | xx/09/2025 | Page 4

landlocked and therefore this land cannot be consolidated into larger farming land, to demonstrate that agricultural activities are could have been an option for this parcel of land.

This report and accompanying information are provided in accordance with the requirements of the *Planning and Environment Act 1987* and the planning scheme. The purpose of this report is to describe in detail the proposal against the relevant matters for consideration and demonstrate the proposal is worthy of approval by Council.

## 2.0 Site Analysis

### 2.1 Title Particulars

The Certificate of Titles relevant to this application shows that the land is in the ownership of the following:

Title Details	Ownership
Volume 03011 Folio 076	Sole Proprietor
Crown Allotment 295A	GLENN MURRAY of 7 COLLEGE STREET WANGARATTA VIC
Parish of Carraragarmungee	3677

**Table 1 Ownership and Title details**

There are no encumbering easements or covenants, or Section 173 agreement registered on title.

A copy of the Certificate of Title including Agreement is attached as Appendix 1.

### 2.2 Subject Land

The subject land is described as Crown Allotment 295A Parish of Carraragarmungee and addressed as 16 Depot Road Bowser. It is a rectangular lot fronting Depot Road to the southeast. This lot is 36.21m wide and 86.50m deep, encompassing a total site area of 3132sqm. The subject land is freehold land surrounded by Crown Land to the north east and Depot Road to the south east, rendering the site landlocked from contiguous farming land.

Further to the southeast between Depot Road and Bowser Road, runs the main Melbourne to Sydney railway line with Wangaratta Railway Station approximately 6km south west. To the immediate south is the Old CRB Depot, Old Bowser Hall with a registered stockpile site located to the eastern frontage of this parcel of land.

To the north west the land is the Old Tip Land and Wangaratta Pound site, under the management of Parks Victoria, with another separate crown land parcel management by Parks Victoria located to the north as demonstrated in Figure 1 below.

Currently the subject land is within a Farming Zone 1 under Wangaratta Planning Scheme and has been used to store equipment, materials and trucks for use off site in a range of contract work including excavation and transport services for local farming properties.

The site currently contains several stacked shipping containers along its boundary, multiple truck bodies and trailers, fork-lift, Backhoes, float, storage tanks and materials which has progressively spread to the Crown Land areas of the past 10 years. Sand stockpiles (off-site material) have also been deposited onto the Crown Land areas, some of which has been deposited by Council.

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There are predominantly no trees on the subject land except for a couple of native trees located centrally on the southern boundary. An informal 7m wide vehicular crossing to Depot Road is located to the southeast. Refer to site images from Figure 2 to 13 below.

The lot is relatively flat with no significant topography and no significant vegetation in situ with only a couple of native trees located on the south boundary. The locality is not serviced by reticulated water supply or sewer. As for electrical and telecommunication services, AusNet and Telstra lines flow along Depot Road. However, only reticulated electricity is connected.



Figure 1 Location of subject site Source: Nearmap (Aerial imagery December 2024)

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Figure 2 View of Depot Road Reserve looking south west



Figure 3 View of Depot Road looking east toward railway line

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Figure 4 View of existing materials within Crown Land to the north



Figure 5 View of existing materials and equipment within the Crown Land to the north east

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Figure 6 View of existing materials and equipment located north west within old tip (Crown Land) site



Figure 7 View of existing materials and equipment on site along west boundary of Crown Land to north

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Figure 8 View of existing materials and old stock yards located on Crown Land to north west



Figure 9 View of existing materials and equipment within Crown Land to north

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Figure 10 View of existing materials and equipment on site located along the south boundary

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Figure 11 View of existing materials and equipment on site located toward the west/rear boundary



Figure 12 View of existing materials and equipment on site located toward the north boundary

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Figure 13 View of existing materials and equipment on site located along the south boundary

### 2.3 Surrounding Land

The land surrounding land to the immediate north, south and west and further north of Federation Way is within a Farming Zone with Transport Resource Zone surrounding with the main Melbourne to Sydney railway line located to the immediate east and Federation Way and Bowser Road part of the Principal Road Network.

A dwelling is located approximately 80m to the west of the subject land on a small lot adjacent to the old railway line. This property also looks to contain some large earthmoving equipment.

Further to the west the land is within a Rural Living Zone – Schedule 2 and to the south west across Bowser Road is an area of Industrial 1 Zone and Public Use Zone – Local Government (PUZ6) which is the Bowser Landfill.

Adjacent to east lot boundary across Depot Road runs the V/Line railway track linking to the Wangaratta Railway Station which is 6km south of the lot. The Wangaratta City Centre is approx. 6km from the subject lot via Bowser Road/ Parfitt Road. The topography of the area is generally flat with no significant undulations.

The lot gains access to the Hume Freeway approximately 1Km to the north east via Federation Way and Bowser Road. For a visual reference, an aerial image of the subject site and surrounding land is provided in Figure 14.

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Figure 14 Site surrounding Source: Nearmap (Aerial imagery 2023)

### 3.0 The Proposal

#### 3.1 Proposed use and development

There has been a history of correspondence from Council dating back to 2023 regarding compliance issues with the use and development of the subject land and encroachments onto surrounding Crown Land. This resulted in a VCAT Practice Day Hearing on 08 November 2024. Accordingly, the clearing and tidying up of Crown Land, including the removal of dirt stock piles, has already commenced and the owner has sold some of the equipment/vehicles and materials and is progressively cleaning up and moving all the stock piles of dirt and equipment from the Crown Land.

Vide this application, the application seeks use and development of as Warehouse including Shipping Container Storage and Store.

This proposal outlines the use and development of 16 Depot Road Bowser (CA 295A Parish of Carraragarmungee) primarily as a Store for equipment and materials used off-site for contract work. This included farm related contracting for transport and some earthworks. The proposal also incorporates Shipping Container Storage, consistent with the broader Warehouse Use classification, with shipping containers to be used for storage of equipment and materials to assist with the tidying up of the site.

This is an ongoing business operation solely managed and operated by the owner of the subject land. The owner uses this land for storage of various materials, equipment, vehicles and containers and through this application, the proposal seeks approval for site development encompassing **Warehouse and Storage Facilities, including:** -

1. **Container and Truck Body Storage:** an area of 17m x 2.5m, along the southern lot boundary will be utilized to organize and store existing shipping containers, which are currently scattered on-site. This area will also accommodate truck bodies presently stacked along the same boundary.

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2. Pallet Storage: An area of 25m x 2.5m to the rear along the southern lot boundary is proposed for storing existing pallets.
3. New Container Dome: A new container dome, measuring 18m x 12m, is proposed along the rear boundary. This structure will be erected over two existing shipping containers, each approximately 12m x 2.5m, providing additional covered storage. (example image of the container domes are attached at Figure 21.)
4. Vehicle Parking: To accommodate the owner's large transport trailers, a dedicated parking area of approximately 12m x 27m is proposed along the north lot boundary and an additional car parking bay of 2.6m by 4.9m is provided near the entrance. The total proposed parking area is the 336.74sqm (approx. 10.75% of subject land area). The proposal satisfies the parking requirement of 10% of the site area as per clause 52.06-5.
5. Storage Container Area: A storage container of approximately 2.5m x 9m is proposed along the southern boundary, near the lot entrance.
6. Store Room: A 6m x 4m existing storeroom is proposed to be sited on site. this storeroom is an existing rectangular building measuring 6m long, 4m wide, and 3m high (including stumps). The exterior is an off-white, pale yellow non-reflective material. This storeroom is on stumps, not a slab, which makes it a moveable structure. This storeroom has no amenities like water or wastewater inlet / outlet connections, as they are not needed for a storage unit. The storage room images with dimensions are attached at Figure 17 to 20 below.

The proposal includes a single car parking space, if required by the owner for his business. But, as this is an ongoing business operation, this facility has been and will continue to be operated solely by the owner.

The proposal incorporates a 3m wide landscaping strip at the frontage to support vegetation. This feature will also serve as a buffer along Depot Road, providing a visual barrier from Bowser Road.

The proposed plan Ref S11150 v3 is in Figure 15 below and a copy is attached in A3 format as Appendix 3 to this report.

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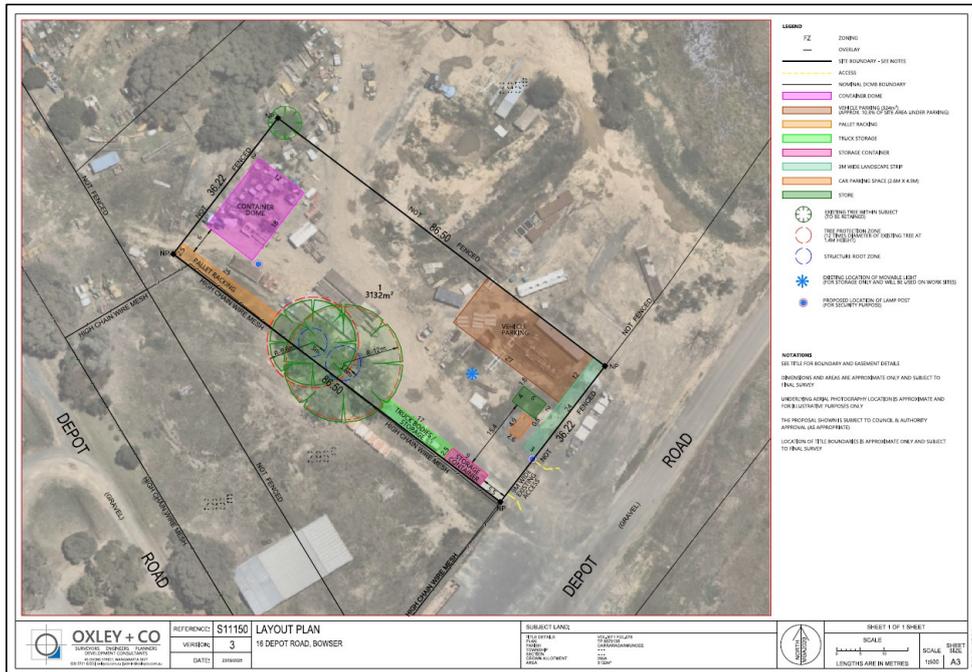


Figure 15 Proposed plan Ref S11150 v3

Further, this proposal facilitates turning circle for a 19m Truck, please see swept path diagram at Figure 16 below ref. S11150 Swept Path v3.

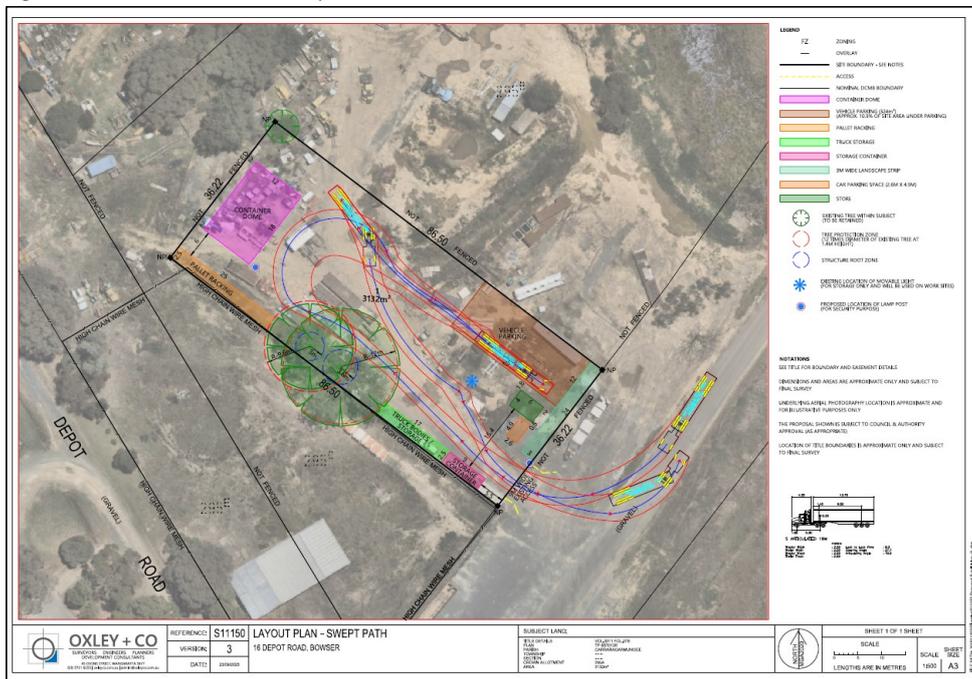


Figure 16 Proposed plan Ref S11150 v3 – Swept Path

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Figure 17 Store Room (6m wide and 3m height) – Front view (Southwest elevation)



Figure 18 Store Room (6m wide and 3m height) Rear view (Northeast elevation)

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Figure 19 Store Room (4m wide and 3m height) side view (Southeast elevation)



Figure 20 Store Room (4m wide and 3m height) side view (Northwest elevation)

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Figure 21 Example of container dome (this image is only for reference only)

The proposal will not have adverse impact on the prevailing surrounding area and street layout. The lot will retain access and existing storage containers, materials on the lot. Moreover, the proposal respects the existing layout and the surrounding area.

## 4.0 Planning Scheme Controls

### 4.1 Zone

The site is partially located in Farming Zone (FZ) under the Wangaratta Planning Scheme. Figure 22 below shows the zoning of the subject land and surrounds.

The relevant purposes of the FZ are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*

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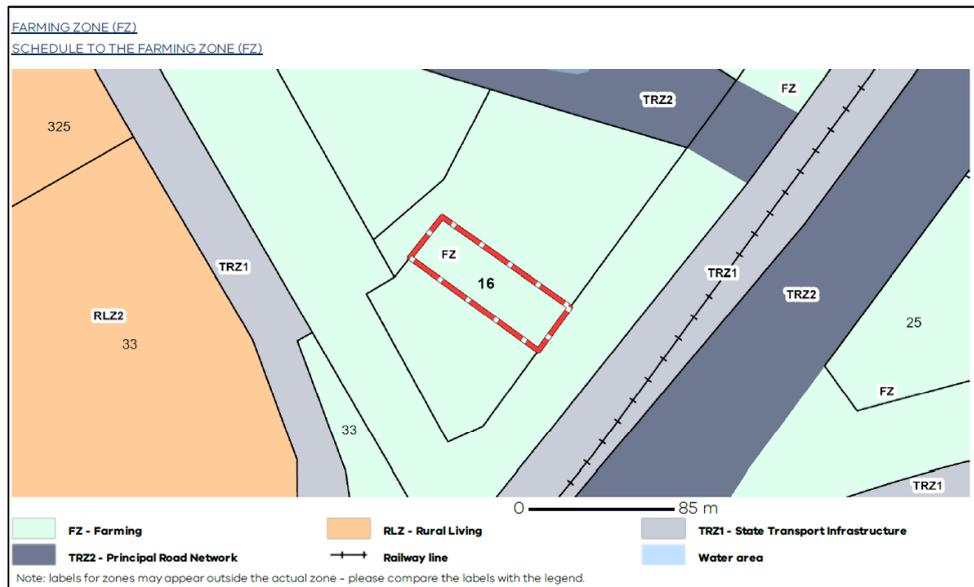


Figure 22 Zoning plan Source: VicPlan June 2025

A permit is required pursuant clause 35.07-1 and 35.07-4 of Farming Zone, use and development of land for a Warehouse is a Section 2 use. The application seeks approval to use the subject land for Warehouse to include Shipping containers Storage and Store.

It is submitted that the proposal is consistent with the relevant purposes of the FZ for the following reasons:

- It is important to note that this lot (currently under enforcement order) has always been historically used for the purpose of storage of equipment and materials for off-site use.
- Further, the location of this land under the wider context is essentially landlocked and therefore this land cannot be consolidated into larger farming land, to demonstrate that agricultural activities are could have been an option for this parcel of land.

In summary, we submit the proposal ensures that proposed non-agricultural uses, such as Warehouse and Store, do not adversely affect the use of land for agriculture and that the proposal is consistent with the surrounding context.

#### 4.2 Overlays

Pursuant to the Wangaratta Planning Scheme, although the subject lot is not affected by any overlay, but the adjacent Depot Road to the southeast is affected by the Vegetation Protection Overlay, as detailed in Figures 23 below.

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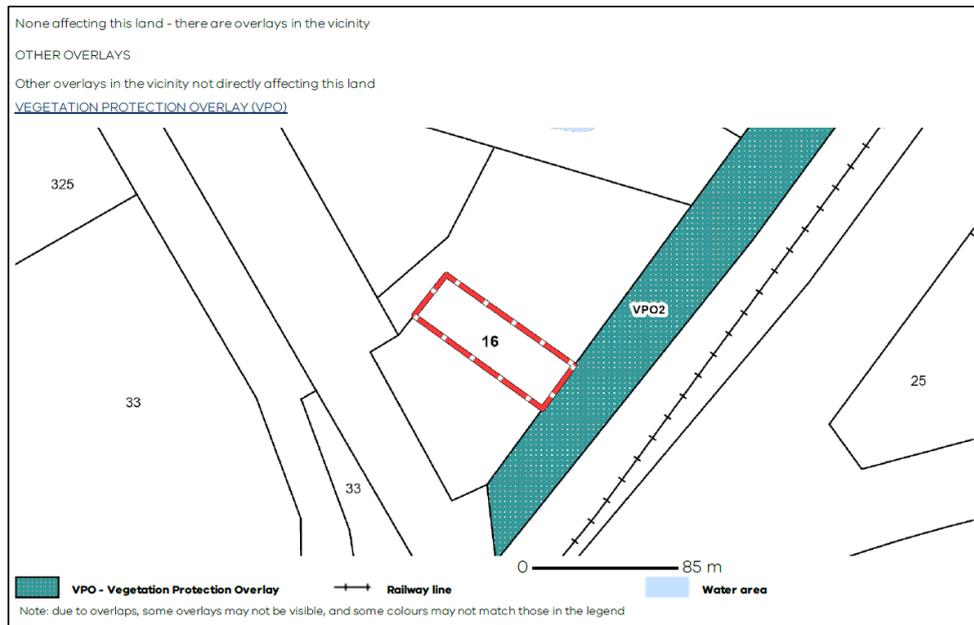


Figure 23 Vegetation Protection Overlay Source: VicPlan June 2025

The relevant purposes of the VPO are:

- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.

The subject lot accesses Depot Road via an existing vehicular entrance with no vegetation in situ. The proposal will not impact any trees within the Depot Road reserve, as there are no existing trees within the road reserve along the entire lot frontage.

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4.3 Clause 65 Decision Guidelines

The general decision guidelines for buildings and works are contained within Clause 65 of the Wangaratta Planning Scheme. Table 2 below lists the decision guidelines and provides a response of compliance.

Clause 65.01 Relevant issues	Response
<i>Any significant effects the environment, including the contamination of land, may have on the use or development.</i>	The proposal will be managed in accordance with current EPA guidelines to manage any waste discharge and ensure no environment impacts or land contamination.
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	Complies.
<i>The purpose of the zone, overlay or other provision.</i>	The proposal is considerate of the FZ for a permitted use which does not impact on existing or future agricultural use. The land is not affected under any overlay.
<i>Any matter required to be considered in the zone, overlay or other provision.</i>	
<i>The orderly planning of the area.</i>	The site is strategically located near a major transport route and is consistent with the surrounding context.
<i>The effect on the environment, human health and amenity of the area.</i>	The proposal will facilitate the protection of the surrounding Crown Land by clearing up these sites and moving all operations within the subject land, thereby having a positive environmental effect.
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</i>	Nil known.
<i>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</i>	There is minimal stormwater impacts given the site is primarily being used to store equipment and materials. The majority of the site is pervious gravel allowing for onsite absorption of stormwater.
<i>The extent and character of native vegetation and the likelihood of its destruction.</i>	The land is largely cleared with only a couple of trees along the southern lot boundary. None of the trees are impacted under the proposal.
<i>Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</i>	
<i>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.</i>	The subject land is not within a Bushfire or Flood Overlay and no know flood impacts relate to the land.
<i>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</i>	The site has dedicated existing areas for loading/unloading, and storage facilitates that will ensure safe traffic flow through the site.
<i>The impact the use or development will have on the current and future development and operation of the transport system.</i>	The proposal will not have adverse impact on the current and future development and operation of the transport system.

Table 5 Clause 65 Decision Guidelines and responses

5.0 Policy Assessment

5.1 Municipal Planning Strategy (MPS)

The strategic directions within the Clauses mentioned below are relevant to this application and are being supported as part of the proposed subdivision within the municipality of Wangaratta.

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**Clause 02.03-7 Economic development****Industry**

- *Wangaratta is a regional commercial, service and manufacturing centre with strengths in metal fabrication and engineering, trade and technical services, textiles and timber processing.*
- *South Wangaratta has many small to medium size industries that take advantage of good transport links. Land zoned industrial and public use in North Wangaratta has the flexibility to respond to a range of future industrial uses, including value adding industries.*
- *North Wangaratta is ideally located to accommodate industries which require large land holdings, involve high water usage and/or separation distances.*

**Pursuant to Clause 02.03-5 Built form and heritage****Relevant Strategies:**

- *Gateway approaches into the municipality's settlements are important for their contribution to character, amenity and economic potential. Council seeks to - Protect the visual amenity of localities and transport corridors by avoiding visual disorder and clutter.*

It is submitted that the proposal is consistent with the vision and strategies of the Municipal Planning Strategy (MPS). The proposed development of warehouse in a Farming Zone (FZ) leveraging an integral location and road network will contribute positively to the local economy and employment.

## 5.2 Planning Policy Framework (PPF)

The Planning Policy Framework (PPF) comprises general principles and objectives of planning in Victoria which planning authorities must take into account and give effect to.

The following PPF policies are considered relevant to the proposed development.

**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.*

**Clause 11.01-1S Settlement strategies**

- *Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*
- *Plan for development and investment opportunities along existing and planned transport infrastructure.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*

**Clause 11.01-1R Settlement – Hume strategy**

*Facilitate growth and development specifically in the regional cities of Shepparton, Wangaratta, Wodonga and Benalla.*

**Clause 13 Environmental Risks and Amenity**

*Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:*

- *Land use and development compatibility.*

**Clause 13.07-1S Land use compatibility****Objective**

*To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.*

**Strategies**

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*

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- *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 15.01-6S relates to Design for rural areas**

**Relevant Strategies:**

*Ensure that the siting, scale and appearance of development protects and enhances rural character.*

*Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.*

*Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.*

**Clause 15.01-2L-02 relates to Built form and heritage**

**Strategies:**

*Encourage improvement to the appearance of all commercial areas, particularly development along main roads and identified gateway sites.*

*Avoid buildings that are constructed of colorbond or metal cladding on land that fronts the following major roads:*

- *Vincent Road*
- *Newman Street*
- *Osboldstone Road*
- *Sanford Road*
- *Shanley Street*
- *Bowser Road*

**Clause 17.03 Industry**

**Objective**

*To ensure availability of land for industry.*

**Strategies**

- *Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.*
- *Identify land for industrial development in urban growth areas where:*
  - *Good access for employees, freight and road transport is available.*
  - *Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.*
- *Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.*
- *Preserve locally significant industrial land for industrial or employment generating uses, unless long-term demand for these uses can be demonstrably met elsewhere.*
- *Avoid approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.*

**Table 6 PPF policies**

The proposed development of warehouse in a Farming Zone (FZ) is consistent with the Planning Policy Framework and supports the state-wide policies that stipulate opportunities for economic growth and development in proximity to urban centres in Wangaratta.

While the site is visible from Bowser Road, it is 100m away. This buffer is unobstructed as there are no trees in the Transport Zone or along Depot Road.

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The immediate area was previously a tipping ground, which had a similar visual impact from Bowser Road. The current view of the site from Bowser Road is not of high impact as it is 100m away. Today, the view includes construction work material but majority is still disrupted by scattered trees. See figure 24 below.



Figure 24 View of site from Bowser Road

This proposal aims to reduce the current visual impact by organising the existing storage of materials and equipment, which will significantly improve the visual gateway to Wangaratta which is Bowser Road. Additionally, if a standard fence is built along the boundary facing Depot Road, it will further reduce the visibility of the stored materials and equipment from Bowser Road.

The proposal incorporates a **3-meter-wide landscaping strip** at the frontage to support vegetation. This feature will also serve as a buffer along Depot Road, providing a visual barrier from Bowser Road.

The view of the site from Federation Way gateway to Bowser settlement is obstructed with vegetation as shown in Figure 25 below:

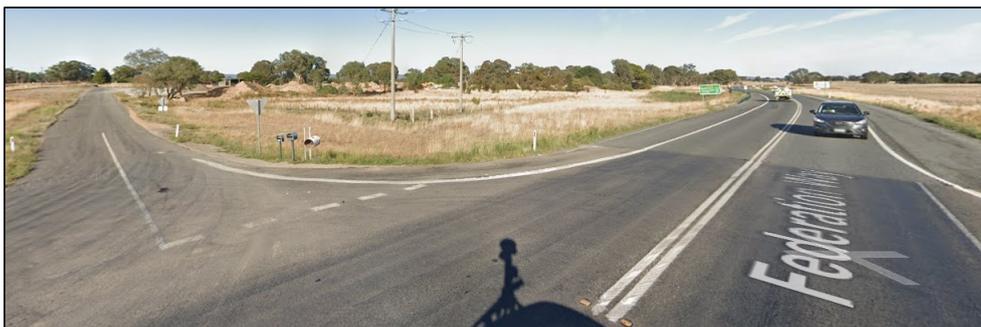


Figure 25 View of site from Federation Way

There is no heritage overlay on the subject land or the surrounding area and the and the proposed structures are predominantly storage containers which is not out of character with agricultural storage on many sites within a Farming Zone. This proposal is consistent with the policy objectives of clause 02.03-5, 15.01-1S and 15.01-1L-02.

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The subject land is located in an appropriate land use zone which the proposed development adequately responds to and respects with relation to the existing site and local context of both the immediate and surrounding area.

## 6.0 Conclusion

The proposal seeks approval to Use and Development of Land as Warehouse including Shipping Container Storage and Store on lot identified as CA 295A Parish of Carraragarmungee also addressed Depot Road Bowser. The proposal has been assessed against the relevant provisions of the Wangaratta Planning Scheme and is considered consistent with the following:

- Municipal Planning Strategy
- Planning Policy Framework
- Farming Zone
- Clause 65 Decision Guidelines

It is suggested that Council is able to approve this proposal with the issuance of a planning permit as it meets the requirements and local policies of the Wangaratta Planning Scheme.

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Appendix 1 – Copy of title Vol 03011 Fol 076

Appendix 2 – Proposed Site Plan Ref. S11150 v3 and Swept Path Plan  
S11150 V3 (1 sheet each)

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# OXLEY + CO

SURVEYORS ENGINEERS PLANNERS DEVELOPMENT CONSULTANTS

25 September 2025  
Reference S11150

Holly Sawyer  
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Dear Holly,

RE: **Request for Further Information re Planning Application PlnApp 24/121 – 16 Deport Road, Bowser**

I refer to the letter dated 07 August 2025 regarding the request for further information in relation to the above application and provide the following response.

**Request for Further Information:**

**1. An amended site plan to include:**

	<b><i>RFI requirement at sr. no. 1</i></b>	<b>Response</b>
a.	<b><i>Setbacks of all proposed buildings and dedicated areas from at least two title boundaries.</i></b>	The amended plan has added dimensions to all designated areas and buildings from at least two title boundaries.
b.	<b><i>The location of any external lighting (it is noted that there is a tall light currently on site that is directed toward Federation Way and it is unclear whether this is proposed to be retained or relocated/redirected).</i></b>	<p>There are two tall, mobile, battery-operated lights on trailers located on the property. However, they are predominantly used by local farmers for tasks in large paddocks during periods of low light, rather than on the subject land itself.</p> <p>To address security and operational lighting needs, a lamp post is proposed to be centrally located on the site, in front of the container dome. This lamp post can be positioned to ensure it is not directed to Federation Way. Given the need for lighting is within the site, it would more likely be used and directed toward the container dome to the north west, which does not direct to Federation Way to the north east.</p> <p>Another lamppost is proposed to be installed near the main entrance for security purposes, but this does not direct light toward Federation Way or Bowser Road.</p>

Reference S11150  
27 September 2025

RFI Response | 16 Depot Road Bowser

c.	<b><i>The location of the native vegetation on the subject land (retention and protection of native vegetation is encouraged where possible).</i></b>	The site features two large native trees with diameters at breast height of 1m and 0.8m, resulting in Tree Protection Zone (TPZ) radii of 12m and 9.6m, respectively. The proposed Site Layout V3 ensures the entire TPZ of both trees remains unaffected by the installation of the storage facilities, and turning movements will be well clear of the SRZ, thereby retaining and protecting both trees on the property.
d.	<b><i>The location of boundary fencing to ensure that no part of the proposal could feasibly encroach outside of the subject land.</i></b>	A Title Re-establishment survey has been completed by a licensed surveyor (copy attached at Appendix C), and the property boundaries have been marked and will be fenced to confirm that no part of the proposed development will extend beyond the subject land. Consequently, the new Site Layout Plan V3 has been accurately prepared using the data from this re-establishment plan.
e.	<b><i>Clarification of the notation regarding the ‘temporary’ site office (is this building proposed to be permanent?).</i></b>	The existing container building will be established as a permanent store, not a temporary office, as the owner's work is predominantly in the field. This structure will be used solely for the secure storage of important documents and other small, valuable equipment.
f.	<b><i>If amenities are required to be provided, the location of any amenities block and septic system/effluent field (please note that based on the size of the subject land, a Land Capability Assessment may be required for any proposed septic system, and earthworks on the land may require further consideration of potential site contamination due to the proximity to the old tip site).</i></b>	The proposal does not include amenities block or a site office. The subject land is designated solely for the storage of operational equipment. The owner's use of the site is limited to brief entry and exit for the purpose of picking up and storing equipment and documents, with no prolonged stays or desk work required.
g.	<b><i>Car parking area equal to at least 10% of the site area, as per Clause 52.06-5 (if 10% of the site area is not proposed to be provided as car parking, the application will need to be amended to include the reduction of car parking requirements).</i></b>	The proposal now includes a vehicle parking area of 27m by 12m and an additional car parking bay of 2.6m by 4.9m. The total proposed parking area is the 336.74sqm (approx. 10.75% of subject land area).  The proposal satisfies the parking requirement of 10% of the site area as per clause 52.06-5.

The plan has been amended with following, please see revised plan attached at Appendix A with reference **S11150 Site Plan V3**.

Reference S11150  
27 September 2025

RFI Response | 16 Depot Road Bowser

**2. Floor and elevation plans of all proposed buildings and fencing, including details of cut and fill, external materials and maximum building height.**

**Proposed Use and Building Details**

The current proposal no longer includes a temporary site office, which was part of the previous application (Town Planning Report Version 1). The existing container building will now be used as a permanent storage facility. As the owner's work is primarily conducted in the field, there is no need for an on-site office. This structure will be used exclusively for the secure storage of important documents and other valuable equipment.

The proposed storeroom is a rectangular building measuring 6m long, 4m wide, and 3m high (including stumps). Its exterior is an off-white, pale yellow, non-reflective material. Because the building is on stumps and not a concrete slab, it is a movable structure. The storeroom contains no amenities such as water or wastewater connections. For a detailed view, please refer to the attached images in Figures 1 through 4.

**Fencing and Boundaries**

No fence is currently proposed as part of this application. However, a licensed surveyor has completed a Title Re-establishment and pegged the site boundaries according to the title plan. The owner retains the right to decide type of fence they wish to install in the future.



Figure 1 Front view (Southwest elevation)

Reference S11150  
27 September 2025

RFI Response | 16 Depot Road Bowser

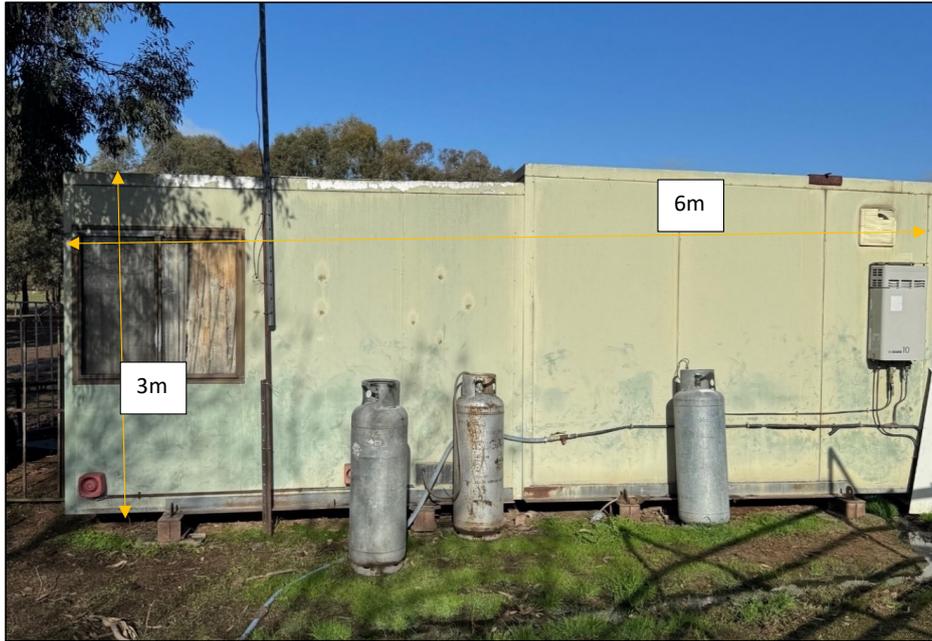


Figure 2 Rear view (Northeast elevation)



Figure 3 Side view (Southeast elevation)

Reference S11150  
27 September 2025

RFI Response | 16 Depot Road Bowser



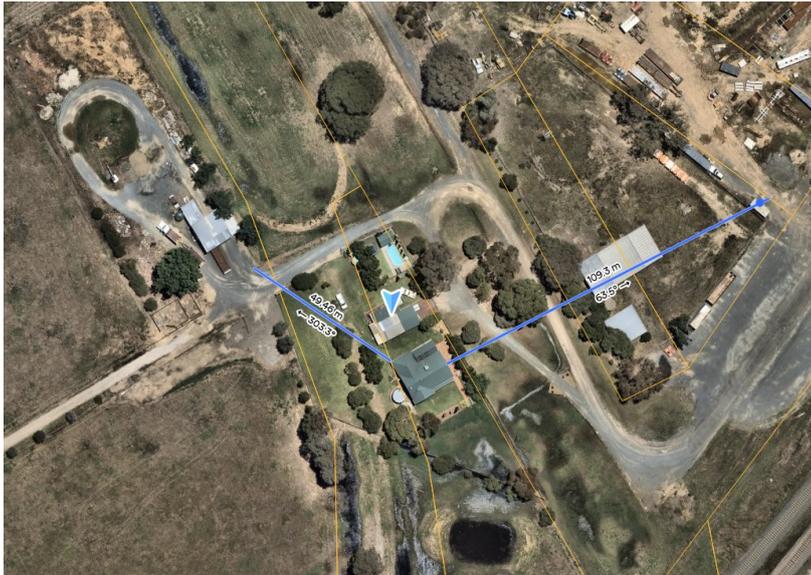
Figure 4 Side view (Northwest elevation)

**3. An amended planning report to include**

	<b>RFI requirement at sr. no. 3</b>	<b>Response</b>
<b>a</b>	<b>Details of operating hours and days (please note that any operating hours that are late into the night will not be supported due to ongoing complaints from surrounding sensitive land uses).</b>	The operating hours of the business are 5am to 9pm (all days).
<b>b</b>	<b>Confirmation that there is only one (1) employee proposed to be allowed on the subject land at any one time.</b>	There are no employees to this facility as the owner utilises the land for storage of various several material and equipment only. There are no employees proposed to be working on the subject land at any time. This storage facility will only be accessed and operated by the owner himself.
<b>c.</b>	<b>Confirmation that there are no building regulation or other legislative obligations that require the provision of on-site amenities.</b>	This land will be used solely for storing materials and equipment for ongoing operations. There are no plans for an office or toilet block, so an amenities block is not included in the proposal. In addition, no manufacturing or use with adverse amenity impacts will occur on site. This confirms that there are no building regulations or other legal obligations requiring on-site amenities or other approvals.
<b>d</b>	<b>How the proposed land use is appropriate based on the context of the site and surrounds, particularly:</b>	

Reference S11150  
27 September 2025

RFI Response | 16 Depot Road Bowser

<p><b>i. How the proposed use will not detrimentally impact on any adjoining and surrounding residences/sensitive land uses that might be impacted by noise or light pollution.</b></p>	<p>The subject property is a freehold, landlocked parcel surrounded by Crown Land to the northeast and Depot Road to the southeast. To the immediate south is the Old CRB Depot and Old Bowser Hall, with a registered stockpile site to the east. To the northwest, the land is bordered by the Old Tip Land and the Wangaratta Pound site, managed by Parks Victoria, with another separate Crown land parcel to the north, also managed by Parks Victoria.</p> <p>The subject land is also located just 40m west of the main Melbourne to Sydney Railway line, 100m from the main road into Wangaratta, 180m from the Council Landfill and 230m from Industrial zoned land to the south.</p> <p>The nearest sensitive use is a dwelling on a small lot located approximately 100m to the west within is located on a small Farming Zone area of land with the land bisected by the old Boorhaman railway line with the rest of the subject land within a Rural Living Zone located a minimum of 105m from the subject land. There is a large area of RLZ stretching to the west, which is a minimum of 70m from the adjacent industrial zone to the south.</p> <p>Aerial imagery and anecdotally, there looks to be a similar type of business operating from the RLZ portion of the land where the closest dwelling is located and this is less than 50m from the dwelling.</p>  <p>The proposed use will not adversely impact the surrounding area as it is submitted that the predominant uses within a 250m radius are for agricultural, which already permits the use of heavy machinery for agricultural practices, including pesticide spraying and for industrial type uses and landfill which also includes the use of heavy machinery and potential odour impacts.</p> <p>However, no such practices are proposed on-site, as the land will only be used for storing materials and equipment only. Since no other work is proposed on the site, any noise from equipment entering or exiting the site will be brief and no different to a farmer having trucks come and go to pick up stock or to plough paddocks. This will result in a much lower volume of noise compared to</p>
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Reference S11150  
27 September 2025

RFI Response | 16 Depot Road Bowser

	<p>intensive farming practices. Therefore, this use is in conformity of the planning scheme and will not adversely affect the immediate surrounding nor sensitive use located 100m from the site.</p> <p>Operations on the property are limited to 5 a.m. to 9 p.m., with brief durations for equipment transfer, exchange, entry, and exit. Only two lights are planned for the site:</p> <ul style="list-style-type: none"> <li>• One small light will be near the entrance from Depot Road for security.</li> <li>• The second small light will be centrally located to provide ambient light for normal operations.</li> </ul> <p>Refer to proposed site layout plan Ref. S111510 Version 3</p>
<p><b>ii. Whether additional landscaping buffers should be provided and whether the proposed built form sufficiently addresses amenity outcomes and the main town entry approach along Bowser Road (the condition of the subject land currently is not consistent with the policy objectives of Clauses 02.03-5, 15.01-6S and 15.01-1L-02).</b></p>	<p><b>Pursuant to Clause 02.03-5 Built form and heritage</b> <b>Strategies:</b> <i>Gateway approaches into the municipality’s settlements are important for their contribution to character, amenity and economic potential. Council seeks to - Protect the visual amenity of localities and transport corridors by avoiding visual disorder and clutter.</i></p> <p><b>Clause 15.01-6S relates to Design for rural areas</b> <b>Strategies:</b> <i>Ensure that the siting, scale and appearance of development protects and enhances rural character. Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located. Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.</i></p> <p><b>Clause 15.01-2L-02 relates to Built form and heritage</b> <b>Strategies:</b> <i>Encourage improvement to the appearance of all commercial areas, particularly development along main roads and identified gateway sites.</i></p> <p><i>Avoid buildings that are constructed of colorbond or metal cladding on land that fronts the following major roads:</i></p> <ul style="list-style-type: none"> <li>• Vincent Road</li> <li>• Newman Street</li> <li>• Osboldstone Road</li> <li>• Sanford Road</li> <li>• Shanley Street</li> <li>• Bowser Road</li> </ul> <p>While the site is visible from Bowser Road, it is 100m away. This buffer is unobstructed as there are no trees in the Transport Zone or along Depot Road.</p> <p>The immediate area was previously a tipping ground, which had a similar visual impact from Bowser Road. The current view of the site from Bowser Road is not of high impact as it is 100m away. Today, the view includes construction work material, but majority is still disrupted by scattered trees. See figure 5 below.</p>

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RFI Response | 16 Depot Road Bowser

	 <p><b>Figure 5 View of site from Bowser Road</b></p> <p>This proposal aims to reduce the current visual impact by organising the existing storage of materials and equipment, which will significantly improve the visual gateway to Wangaratta which is Bowser Road. Additionally, if a standard fence is built along the boundary facing Depot Road, it will further reduce the visibility of the stored materials and equipment from Bowser Road.</p> <p>The proposal incorporates a <b>3-meter-wide landscaping strip</b> at the frontage to support vegetation. This feature will also serve as a buffer along Depot Road, providing a visual barrier from Bowser Road.</p> <p>The view of the site from Federation Way gateway to Bowser settlement is obstructed with vegetation as shown in Figure 6 below:</p>  <p><b>Figure 6 View of site from Federation Way</b></p> <p>There is no heritage overlay on the subject land or the surrounding area and the and the proposed structures are predominantly storage containers which is not out of character with agricultural storage on many sites within a Farming Zone. The proposal will not have any adverse impact on surrounding built form. This proposal is consistent with the policy objectives of clause 02.03-5, 15.01-1S and 15.01-1L-02.</p>
<p><b>iii. Whether Depot Road and the intersection with Federation Way are suitably constructed to support the proposal (Council has received complaints regarding vehicle collisions including trucks at this</b></p>	<p>The intersection of Federation Way (DTP Road) and Depot Road (Council Road) is constructed sealed, line marked with all requisite signages. The current condition of the sealed intersection is very good. There are no visual obstacles that could cause any confusion. See below image at Figure 7.</p>  <p><b>Figure 6 View of road intersection of Federation Way and Depot Road</b></p>

Reference S11150  
27 September 2025

RFI Response | 16 Depot Road Bowser

<p><b>location in the past).</b></p>	<p>The intersection has been used by the owner for the same operations as proposed in the application for many years without any accidents, as well as providing access across the old railway line for the business that looks to be located with access to the west past the existing dwelling.</p> <p>According to data from <b>Road Crash Statistics</b>, no accidents have been recorded at this intersection. If the council has any information regarding accidents at this intersection, we kindly request that it be shared with us.</p>
<p><b>iv. How the proposed land use will operate in such a way that will prevent encroachment onto adjoining land and the Depot Road road reserve.</b></p>	<p>A Title Re-establishment is being undertaken by a licenced surveyor (estimated to be completed in another two months), and the title boundary has been pegged to ensure no part of the proposal could feasibly encroach outside of the subject land.</p>
<p><b>v. Any required remediation of the site and surrounds.</b></p>	<p>The proposal is consistent with all relevant objective of Municipal Planning Strategy and Planning Policy Framework of Wangaratta Planning Scheme.</p>

**List of enclosures with the RFI response:**

- 1. Appendix A – Amended Site Plan ref. S11150 V2**
- 2. Appendix B – Amended Planning Report Version 2**
- 3. Appendix C – Title Re-establishment S11150 Version 1**

If there are any questions, please let us know.

Yours faithfully,



Nidhi Satokar  
Planner

APPENDIX A – Amended Proposed Site Plan Ref. S11150 V2 (1 sheet)

APPENDIX B – Amended Planning Report Version 2

APPENDIX C – Title Re-establishment Plan S11150 v1



# OXLEY + CO

SURVEYORS ENGINEERS PLANNERS DEVELOPMENT CONSULTANTS

09 January 2026  
Reference S11150

Holly Sawyer  
Planning Coordinator  
Rural City of Wangaratta  
62-68 Ovens St,  
WANGARATTA VIC 3677

[PlanningMail@wangaratta.vic.gov.au](mailto:PlanningMail@wangaratta.vic.gov.au)  
(original not following in mail)

Dear Holly,

**RE: Response to Objections received during notice re Planning Application PlnApp 25/096**  
**– 16 Deport Road, Bowser**

I refer to the five objection letters received regarding the above-mentioned planning application, as listed below:

- Objector 1 – dated 27 October 2025
- Objector 2 – dated 22 October 2025
- Objector 3 – dated 30 October 2025
- Objector 4 – dated 30 October 2025
- Objector 5 – dated 03 November 2025

We have carefully reviewed each of these submissions. While many of the letters contain overlapping concerns, we have categorised these issues into the following key themes for your consideration: -

SN	Objection	Response
1.	<b>Amenity Impacts:</b> Concerns regarding noise, dust, vibrations, and light spill (bright lights).	<b>To reduce impact from noise, dust, vibrations and bright lights:</b> The site is located in close proximity to a railway line. While current operations—including the movement of heavy vehicles and the loading and unloading of materials generate some noise and vibrations for the intermittent times they are being undertaken, the predominant source of such impacts is the regular train traffic throughout the day. Given that this landlocked parcel is situated within a Farming Zone, similar noise and vibration levels would be natural if the land were utilised for intensive agricultural purposes. However, due to the unique nature of this site, the owner proposes to significantly reduce operations to a fraction of their current scale.  The loading and unloading of construction materials is the primary on-site activity that contributes to any noise and

Reference S11150  
09 January 2026

Objections Response Letter | 16 Depot Road Bowser

		<p>vibration. Under this proposal, the scale of this activity will be significantly reduced to a fraction of its current state and will be strictly confined to the enclosed area identified in Layout Plan (V3). The site’s primary function will shift toward the parking of large vehicles, with material storage restricted to specific side areas and the proposed container dome. Ultimately, this proposal seeks to mitigate the site's environmental footprint, transitioning it into a low-impact, visually screened, and relatively quiet facility.</p>
2.	<p><b>Operational Management:</b> Inquiries regarding hours of operation and the nature of the equipment stored on-site.</p>	<p><b>Limited operating hours:</b> Please note that as the site will predominantly be used for storage, activity on-site will be very limited, often to just a couple of hours per day when applicable. The use is not operated on-site everyday and there can be multiple days where there is no on-site activities.</p> <p>When on-site, operations typically involve loading materials onto trailers or trucks and departing for a destination site, where the work is performed over several hours or days. The vehicles and any remaining materials are only returned to the subject land for storage in designated areas, as shown on the layout plan.</p> <p>While there are no fixed operating hours for the movement of vehicles (comparable to a tradie travelling to and from a job) the site will primarily function as a storage facility for vehicles and materials within designated spots.</p> <p>Recognising that the stacking of materials can generate noise and vibrations, the owner is willing to limit this specific activity to between 7:00 AM and 7:00 PM on weekdays, and 9:00 AM to 3:00 PM on weekends. This arrangement will allow for the efficient management of stock within the site's contained spaces while significantly reducing the noise and vibration impact on the surrounding area. We believe these restricted operating hours for stacking activities will mitigate the overall impact of the site's operations.</p>
3.	<p><b>Road Safety and Infrastructure:</b> Issues relating to the parking of trucks and trailers within the road reserve.</p>	<p><b>Reducing impact on Deport Road Reserve</b> As demonstrated in Site Layout V3, an area of 27m x 12m (representing at least 10% of the site, per the planning scheme requirement) has been designated for the parking of trailers, trucks, and equipment. Storage will be strictly confined to this identified area within the property boundaries.</p> <p>Regarding the use of the road reserve, it is noted that because the site is located in a rural, non-built-up area (typically characterized by speed limits of 80 km/h or higher and a lack of street lighting), the standard one-hour parking limit for heavy vehicles generally does not apply. However, to prioritise road safety and acknowledge the concerns</p>

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09 January 2026

Objections Response Letter | 16 Depot Road Bowser

		<p>raised by objectors, the following measures will be implemented:</p> <ul style="list-style-type: none"> <li>• All vehicle parking will be contained on-site to avoid the use of the road reserve.</li> <li>• In the rare event that internal parking is at capacity, any parking within the road reserve will be strictly temporary and limited to short durations only.</li> <li>• It will be ensured at all times that no vehicles obstruct the flow of traffic or interfere with the ongoing maintenance and activities within the road reserve.</li> </ul> <p>It should be noted however that the owner of this land has no control over unrelated vehicles parking within the road reserve.</p>
4.	<p><b>Visual Amenity:</b> Potential visual impact on the surrounding environment and the northern entrance to Wangaratta.</p>	<p><b>Reduce visual impact to environment and northern entrance to Wangaratta</b></p> <p>Please refer to the Layout Plan (V3). To significantly reduce the visual impact of the site from Bowser Road, a 3m wide landscaping strip is proposed along the lot’s frontage. In addition to this greenery, the owner is willing to include screen walls / boundary walls with a height of 2-3m to provide effective visual shielding of the storage areas.</p> <p>The proposed container dome is designed as a structured, cohesive addition that enhances the overall aesthetics of the storage facility. Furthermore, two significant, high-quality trees within the lot will be retained and remain unaffected by the proposed activity. These mature trees will serve as a natural leafy barrier, contributing to the visual screening and acting as a buffer for the already reduced noise levels generated during operating hours.</p> <p>Collectively, these measures will enhance the visual context of the locality and provide an improved appearance for the northern entrance to Wangaratta.</p>
5.	<p><b>Encroachment on other land</b> – clearing of land and restoration land</p>	<p><b>Land Remediation and Transition Plan</b></p> <p>It is acknowledged that prior to December 2025, operations had encroached upon the adjoining parcel and at (owned site) 16 Depot Road without the necessary permits for warehousing or shipping container storage. Since that time, the owner has taken significant steps to clear the sites. To date, more than 30 vehicles and pieces of equipment have been sold. Given the scale of this machinery, relocation is a complex logistical task; however, the owner has successfully moved materials from the northwest to the front (near Depot Road) of the site to facilitate easier pickup and removal. An additional 20+ items are currently under sale negotiations and awaiting collection and the owner is continuing to clear materials with some scrap material ready to take to scrap yard, rubbish to be removed and some smaller materials to be moved into existing empty shipping</p>

Reference S11150  
09 January 2026

Objections Response Letter | 16 Depot Road Bowser

	<p>containers on the subject land to facilitate clearing of the Crown Land.</p> <p>The primary focus of current clearing efforts is the northeastern portion of the site. It should be noted that the full remediation of the area is largely dependent on the approval of this planning permit. As this specific parcel is landlocked and historically unsuitable for agricultural production, authorising the proposed use will provide the necessary operational framework to clear the surrounding land more rapidly.</p> <p>Once approved, all remaining items will be consolidated on-site as the adjoining areas are cleared. Following the removal of all unauthorized materials, the site will be restricted to the permitted storage and parking spaces identified in the layout plan. Furthermore, the site will be professionally screened with the proposed landscaping and boundary walls in accordance with the approval, ensuring a high-standard finish.</p> <p>Additionally, there is currently a significant shortage of available industrial-zoned land in the vicinity to accommodate the immediate relocation of this equipment and it should be noted that the owner has been actively looking for alternatives to temporarily store materials and equipment to no avail.</p> <p>Granting this permit will allow the owner to efficiently remove materials from adjoining land, restore those parcels, and improve the overall aesthetics of the area.</p> <p>This proposal represents an efficient use of this landlocked site that will respect its surrounding context and will ultimately enhance the local amenity.</p>
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The above responses are submitted for Council’s perusal. We request that this information be considered in conjunction with our recent Request for Further Information (RFI) response and the detailed Planning Report with layout plan, which provides a comprehensive justification for the proposal given the unique circumstances of the site.

If you have any questions, please let me know.

Kind regards,



Nidhi Satokar  
(Planner)



Reference S11150  
09 January 2026

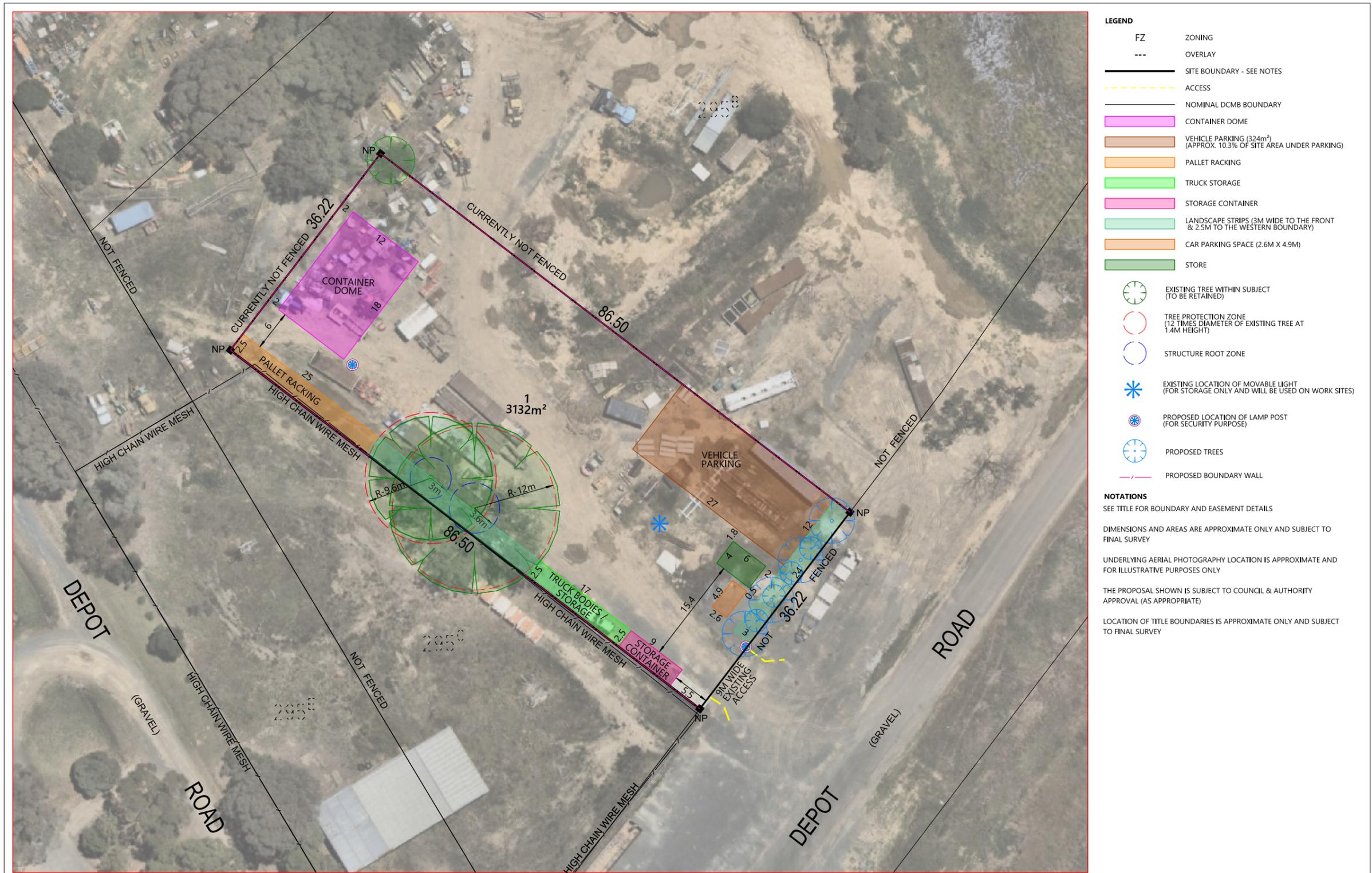


Objections Response Letter | 16 Depot Road Bowser

**APPENDIX A – Amended Proposed Site Plan Ref. S11150 V2 (1 sheet)**

**APPENDIX B – Amended Planning Report Version 2**

**APPENDIX C – Title Re-establishment Plan S11150 v1**



- LEGEND**
- FZ ZONING
  - OVERLAY
  - SITE BOUNDARY - SEE NOTES
  - ACCESS
  - NOMINAL DCMB BOUNDARY
  - CONTAINER DOME
  - VEHICLE PARKING (324m<sup>2</sup>) (APPROX. 10.3% OF SITE AREA UNDER PARKING)
  - PALLET RACKING
  - TRUCK STORAGE
  - STORAGE CONTAINER
  - LANDSCAPE STRIPS (3M WIDE TO THE FRONT & 2.5M TO THE WESTERN BOUNDARY)
  - CAR PARKING SPACE (2.6M X 4.9M)
  - STORE
  - EXISTING TREE WITHIN SUBJECT (TO BE RETAINED)
  - TREE PROTECTION ZONE (12 TIMES DIAMETER OF EXISTING TREE AT 1.4M HEIGHT)
  - STRUCTURE ROOT ZONE
  - EXISTING LOCATION OF MOVABLE LIGHT (FOR STORAGE ONLY AND WILL BE USED ON WORK SITES)
  - PROPOSED LOCATION OF LAMP POST (FOR SECURITY PURPOSE)
  - PROPOSED TREES
  - PROPOSED BOUNDARY WALL

**NOTATIONS**  
 SEE TITLE FOR BOUNDARY AND EASEMENT DETAILS  
 DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY  
 UNDERLYING AERIAL PHOTOGRAPHY LOCATION IS APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY  
 THE PROPOSAL SHOWN IS SUBJECT TO COUNCIL & AUTHORITY APPROVAL (AS APPROPRIATE)  
 LOCATION OF TITLE BOUNDARIES IS APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY

**OXLEY + CO**  
 SURVEYORS ENGINEERS PLANNERS  
 DEVELOPMENT CONSULTANTS  
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 (03) 5721 6255 | oxleyco.com.au | admin@oxleyco.com.au

REFERENCE:	S11150	LAYOUT PLAN
VERSION:	4	16 DEPOT ROAD, BOWSER
DATE:	12/01/2026	

**SUBJECT LAND:**

TITLE DETAILS	VOL 3011 FOL 076
PLAN	TP 867013R
PARISH	CARRARAGARMUNGEE
TOWNSHIP	
SECTION	
CROWN ALLOTMENT	295A
AREA	3132m <sup>2</sup>

**SHEET 1 OF 1 SHEET**

**SCALE**  
 0 5 10  
 LENGTHS ARE IN METRES

**SCALE SHEET SIZE**  
 1:500 A3

**NORTH**  
 MGA2020

FILE PATH: W:\S11150\Planning\S11150\Proposed Submission v3.dgn



Rural City of  
**Wangaratta**

# Minutes

For the Audit and Risk Committee Meeting  
Warby Room, Municipal Offices  
62-68 Ovens Street, Wangaratta  
**3:00pm 25 September 2025**

[wangaratta.vic.gov.au](http://wangaratta.vic.gov.au)

## 1. Welcome

We acknowledged the traditional owners of the land on which we met and paid our respects to their Elders past, present and emerging and to Elders from other communities who may have been here today.

## 2. Present/Absent/Apologies

### Present

Jane Watson – Independent Member (virtual)  
Wilson Tang – Independent Member (virtual)  
Matt Fagence - Independent Member (virtual)  
Cr Harvey Benton – Councillor

### Staff

Stephen Swart – Acting Chief Executive Officer  
Sarah Brindley – Director Corporate and Leisure  
Andrew Lovett – Manager Governance  
Jess Greening – Manager Finance  
Andrew Scoffern – Governance and Reporting Advisor

### Auditors

Kate Scarce – Internal Auditor (virtual)  
Dannielle Mackenzie - External Auditor (virtual) – until 3:38pm

### Apologies

Vito Giudice – Independent Member  
Cr Irene Grant – Mayor  
Brendan McGrath – Chief Executive Officer

## 3. Confirmation of Minutes

A motion that the Audit and Risk Committee read and confirm the Minutes of the Scheduled Meeting of 19 August 2025 as a true and accurate record of the proceedings of the meeting was moved by Independent Member Matt Fagence and Independent Member Wilson Tang and CARRIED.

## 4. Conflict of Interest Disclosure

There were nil conflicts of interest disclosed by any Independent Member, councillor or Council staff.

## 5. Reports

### 5.1 Draft Closing Report and Management Letter

#### Executive Summary

This report was presented to the Audit and Risk Committee to note the draft external audit outcome for the 2024/25 financial Year, including the Draft Closing Report and Draft Management Letter.

A motion that the Committee noted the draft external audit outcome for 2024/25, including the Draft Closing Report with unmodified audit opinion, and the Draft Management Letter including management's proposed actions to address the audit actions identified was moved by Independent Member Matt Fagence and Independent Wilson Tang and CARRIED.

#### Discussion

Council had to change revaluation assets to 2025/26 and the review of capital works is in progress.

Two new actions relating to periodic access and review of privileged user logs, both relating to capital Works in Progress, were added.

Council's representative from its external audit Crowe noted that deferral of revaluations is a must-do for completion in the 2025/26 financial year and Council must ensure that items are either capital works in progress or assets.

The independent chairperson questioned whether Council was confidential in its non-cash figures. Council management responded that practical completion were from 2023 and prior years and handover didn't get capitalised; this was addressed at the same time. Works in progress is related mainly to other asset classes.

### 5.2 Financial Statements and Performance Statement for Year Ended 30 June 2025

#### Executive Summary

This report presented the draft Financial Statements, Draft Performance Statement and Governance and Management Checklist for the financial year ending 30 June 2025 to the Audit and Risk Committee to provide a recommendation to Council that these statements be adopted in principle at the next available Council Meeting, subject to any changes requested by the Victorian Auditor General's Office (VAGO).

A motion that the Audit and Risk Committee endorsed the Draft Financial Statements, Performance Statements and Governance and Management Checklist for the year ended 30 June 2025 and recommended Council gives in principle approval to the Financial Statements and Performance Statement and noted that once the Financial Statements were certified by the nominated Councillors, and the independent auditor's report received from VAGO, they will form part of Council's Annual Report which will be available on Council's website once adopted was moved by Independent Member Wilson Tang and Councillor Harvey Benton and

CARRIED.

#### **Discussion**

Depreciation expenditure had a significant increase, with an explanation in the agenda.

The Independent Chairperson questioned the change in landfill provision results and Council management confirmed that movement was much smaller than previous years, mainly due to discounting.

The Committee also raised the reclassification of debt from non-current to current. Management noted that there will be large line matures at end of 2026 and there is a re-classification on that basis.

Why is the Capital Work Program smaller than prior year?

Council management noted that there was a delay in delivering in 2026 budget and there was \$6m in carry-over works, everything else is savings.

Additionally, at the start of the financial year, there was no manager in the infrastructure role and weather, contractor availability affected this situation. The situation has improved with large capital works carried over and netball club amenities project being completed.

Council's Acting Chief Executive Officer indicated that the target for the Statutory Planning Service Standard measure (planning applications decided within required time frames) was too ambitious.

The measure for Asset Renewal was far lower than target but the both numerator and denominator both impacted and compounded this result.

### **5.3 Update on Child Safety Actions**

#### **Executive Summary**

This report was presented to the Audit and Risk Committee to provide an update on the child safety actions raised at the August Audit and Risk Committee Meeting.

A motion that the Audit and Risk Committee noted the update on Council's child safety actions, with a further report to be presented at the December Audit and Risk Committee meeting, was moved by Independent Member Matt Fagence and Independent Member Wilson Tang and CARRIED.

The Committee re-emphasised that importance of Council focusing on short-term actions, specifically ensuring that all contractors and volunteers meet Child Safety Standards

**Action:** Further discussion at the December Meeting. Focus on the clarity around developments around the situation currently in Victoria, with Manager People and Culture to present.

The Committee sought verbal confirmation that all contactors, volunteers and staff who have a working with children check, with Council management confirming that this indeed was the case.

#### 5.4 AFS Industry Update and Status Update

##### Executive Summary

This report was presented to the Audit and Risk Committee to note the updated Industry Update and the Internal Audit Status Update as provided by our internal auditor AFS and Associates.

A motion that the Audit and Risk Committee noted the Industry Update and the Internal Audit Status Update was moved by councillor Harvey Benton and Independent Member Wilson Tang and CARRIED.

It was raised by Council's independent auditor representative that privacy and AI are colliding and that some work to ensure Council remains robust and agile in this space is imminent.

#### 5.5 AASB 13 Fair Value Measurement – Implementation and Impact Assessment

This report is presented to the Audit and Risk Committee - ARC regarding the implications of the revised AASB 13 standard Fair Value Measurement, relating to how councils assess the value of community assets that are used to deliver services rather than to generate income.

This report builds on the findings and recommendations presented in the May 2025 ARC report, and to seek endorsement of the implementation and impact assessment.

The Audit and Risk Committee endorsed the implementation, position taken and compliance roadmap as outlined in the AASB 13 Council Position Paper, report and supporting documentation, for the purpose of preparation of the 2025/26 financial statements was moved by Independent Member Wilson Tang and Independent Member Matt Fagence and CARRIED.

Council identified that no material impact in asset classes were identified and that all assets revalued externally have all been assessed as compliant with all applicable Accounting Standards.

Council's Asset Capitalisation Policy includes costs that are required under Fair Value Assessment.

## 6. Other Business

**Action:**

Update WorkSafe matter at December meeting.

## 7. Next Meeting

Tuesday 09, December 2025

## 8. Closure of Meeting

The meeting was closed at 3:56pm.