

WANGARATTA PLANNING SCHEME

AMENDMENT C45

EXPLANATORY REPORT

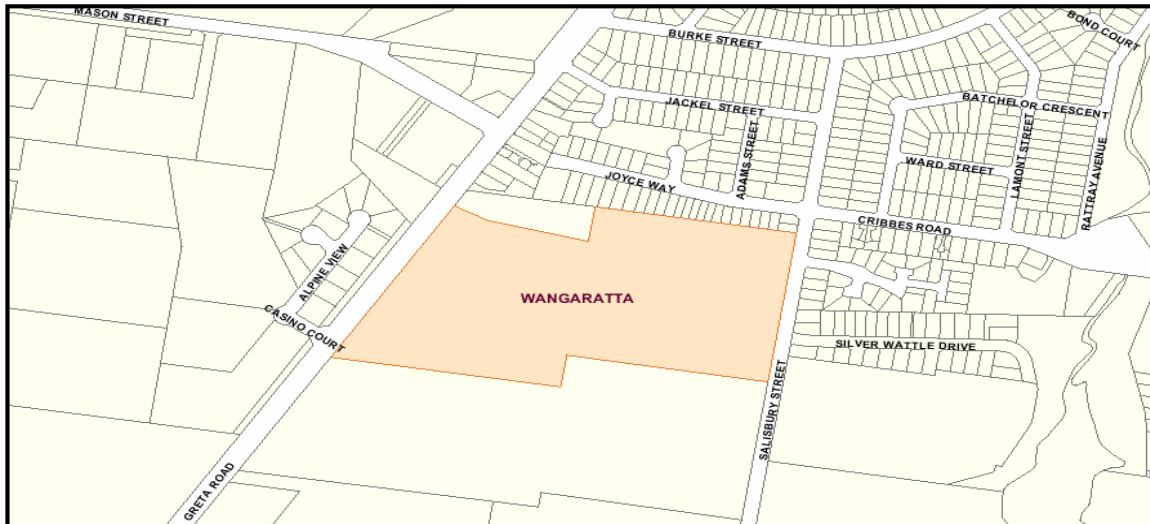
Who is the planning authority?

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

The amendment has been made at the request of Fabcot Pty Ltd.

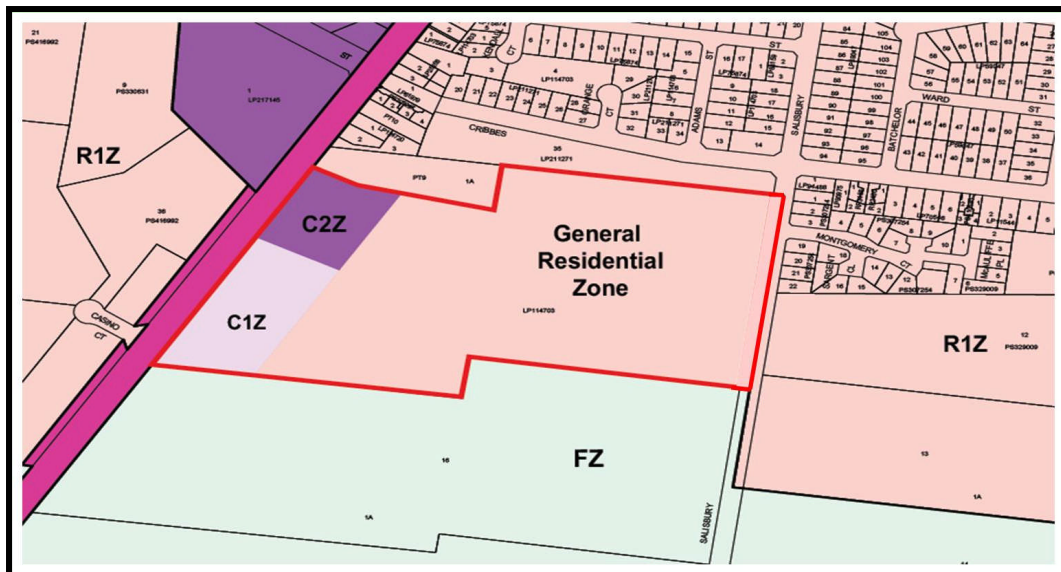
Land affected by the amendment

The amendment applies to Lot 20 on Plan of Subdivision 114703, Greta Road, Wangaratta as shown below.



What the amendment does

The amendment proposes to rezone the subject site from part Commercial 2 Zone and part Farming Zone to a new combination of zoning which consists of part Commercial 1 Zone, part Commercial 2 Zone and General Residential Zone as shown below:



A planning permit application for the subject site is being considered concurrently with this planning scheme amendment.

A detailed list of the clauses and schedules proposed to be changed by the amendment are as follows:

Maps (Zones/Overlays)

Amend Planning Scheme Map Nos. 23 by rezoning:

- Part of Lot 20 LP 114703 from Commercial 2 Zone to Commercial 1 Zone
- Part of Lot 20 LP 114703 from Commercial 2 Zone to General Residential Zone.
- Part of Lot 20 LP 114703 from Farming Zone to General Residential Zone.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to enable the use and development of the land for the purposes of a Supermarket which is proposed to be developed in association with a staged one hundred and eight (108) lot residential subdivision.

The land is presently used as open grazing land and is affected by two planning zones being Commercial 2 and Farming Zone, with the commercial zoning being located along the site's Greta Road frontage. The current zoning of the land precludes the proposed development.

The existing Commercial 2 Zone applying to part of the subject site was envisaged for potential warehousing / manufacturing as it was highly accessible because of its abuttal to Greta Road. However, the land has not been developed for a number of years and it is considered the current zoning has become redundant.

The General Residential Zone (GRZ) has been selected to cover the land designated for residential subdivision. It is considered that the GRZ allows for a diversity of larger lot sizes and a more varied neighbourhood character. These are areas where modest housing growth and housing diversity is encouraged.

Schedule 1 to the GRZ requires a planning permit for development of a dwelling or residential building on a lot less than 500 square metres, which is consistently applied over all existing General Residential Zoned land.

The rezoning of the land to include Commercial 1 Zone and the General Residential Zone principally provides the appropriate zoning suitable for the development proposed and the intended direction for the development of land in Wangaratta South.

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

Section 4(1) of the *Planning and Environment Act* 1987 contains the following relevant objectives for Planning in Victoria:

- *To provide for the fair, orderly, economic and sustainable use, and development of land;*

The development is considered to represent an orderly and efficient development in a designated residential growth area of Wangaratta. The rezoning of the land will create a new residential subdivision containing 108 new lots in an integrated design which provides connection between Greta Road and Salisbury Street.

The subdivision provides a variety of lot sizes enabling a mix of residential development and the possibility of multi-unit development on the larger and corner allotments. Lot sizes vary between 577sqm and 901sqm. The subdivision layout provides strong linkages, including the provision of future connections to the land immediately to the south which is currently farming zone and may be developed in future for residential, a purpose for which it is designated for at Clause 21.06 of the Scheme.

The amendment facilitates the development of a stand-alone supermarket, which will provide retail opportunities to the surrounding community of the South Wangaratta residential growth area.

- *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*

The subject site consists generally of cleared grazing land, with the exception of one prominent tree on the site. However located on the adjoining Greta Road reserve is a strand of remnant vegetation, which following alteration of the design proposal, specifically the vehicular access points to the site, can be protected to ensure its continued environmental contribution and its presence on a major gateway into the City of Wangaratta.

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

The amendment is not expected to have any negative environmental effects. The land is generally cleared grazing land with some scattered trees.

The application proposes the removal of one tree on the site and an associated Vegetation Assessment has been prepared by Biosis, which provides an offset calculation for the removal of this tree.

The design and layout of the development has been amended to avoid removal of a strand of remnant vegetation located along the sites Greta Road reserve. The proposed supermarket building has also been setback appropriately to minimise impact on the Critical Root Zone of this vegetation. The applicant has provided a Construction Impact Assessment by Homewood Consulting which makes

recommendations for the protection of these trees during the construction period and for the construction of the shared pathway which is to be designed to be minimal impact and of a porous nature.

The applicant has also prepared a Stormwater Management Strategy, which proposes the use of water sensitive urban design features within the subdivision layout. This strategy responds to known drainage constraints within the surrounding area as identified within Clause 21.06 of the Scheme.

The amendment is expected to have positive social and economic impacts through the introduction of an accessible supermarket in conjunction with new residential lots. The provision of a shared pedestrian / bicycle zone parallel to Greta Road, which connects to existing public infrastructure located north of the subject site, will enable residents to access the site from the surrounding area, with the supermarket providing the opportunity to employ local residents. As such, the amendment will directly benefit the local residents and be of net community benefit.

The applicant has provided details within their submission which states:

- The subject site's trade area includes a primary sector in the immediate vicinity of the site, a secondary north sector which includes the established residential area to the north of the subject site, but south of other existing supermarket facilities, and a secondary south sector covering the surrounding rural areas up to approximately 17 kilometres from the subject site.
- Population growth in the trade area is moderate, with the majority of the growth to occur within the primary sector, in immediate vicinity of the subject site.
- The proposed development will not affect the role played by the Wangaratta Town Centre as the primary retail destination within the region. Any impacts that do accrue will be minor and will be directly offset by continued market growth. It is thought existing supermarkets in Wangaratta trade strongly, and that minor impacts will not impact on viability.

Does the amendment address relevant bushfire risk?

The amendment addresses bushfire risk by proposing a residential subdivision layout that meets the requirements of the Country Fire Authority (CFA). The CFA have provided advice to Council on review of the amendment which included conditions that must be included in any planning permit.

The site is not recognised formally within the Planning Scheme as being affected by the Bushfire Management Overlay (BMO). However it should be noted that the site is identified as a Bushfire Prone Area, which is consistent with much of Regional Victoria.

To develop land for residential purposes in Bushfire Prone Areas, a Site Bushfire Attack Level (BAL) Assessment must be prepared to determine the BAL for the property. This assessment is undertaken by the relevant Building Surveyor and the construction of the dwelling is set to the appropriate BAL standards.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on Form and Content of Planning Schemes under Section 7(5) of the Act and complies with Ministerial Direction 11-Strategic Assessment of Amendments.

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

The amendment implements the objectives of Clause 11 – Settlement, as follows:

- It promotes sustainable growth and development of regional Victoria.
- It makes available residential land for development within Wangaratta, identified within Clause 21.06 as a future residential area.
- The rezoning of the land will increase the supply of residential land within South Wangaratta and provide a variety of land sizes, in an area where the necessary infrastructure can be supplied.
- It protects the existing remnant native vegetation located on a gateway to the City of Wangaratta.
- The development of additional residential land will not remove or compromise any environmentally sensitive land.

The amendment implements the objectives of Clause 16 – Housing, as follows:

- Ensuring continued land supply within a designated growth area of South Wangaratta.

The amendment implements the objectives of Clause 17.01 (Commercial) – Economic Development, as follows:

- The amendment rezones part of the subject land to Commercial 1 which will facilitate the development of a proposed supermarket.
- The development of the supermarket provides an essential local facility, supporting the surrounding residential area.
- The retention of a small portion of Commercial 2 Zone in the north-western corner of the site can accommodate land uses in the future which can supplement the supermarket.

The amendment implements the objectives of Clause 18.01– Integrated Transport, as follows

- The development of the subject land, facilitated by the amendment, will give rise to a dedicated shared pedestrian and bicycle zone parallel to Greta Road and linking to the proposed area of public open space.
- The subdivision design and supermarket layout makes provision for public transport opportunities through the creation of bus stops outside the supermarket.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment will support and implement the Local Planning Policy Framework (LPPF) within the Wangaratta Planning Scheme as follows:

Clause 21.06 – Urban development and central activities area

The amendment responds to the Wangaratta and Environs Framework Plan by proposing additional housing in Wangaratta South, in an area earmarked for future residential use. The applicant has prepared a Stormwater Strategy to demonstrate that appropriate measures can be integrated within the subdivision to manage stormwater, in response to known drainage issues within the surrounding area.

The proposed residential subdivision pattern has been influenced by the pattern of subdivision that exists to the north and east of the subject site, and makes provision for future links to the south of the site. The size of the lots in conjunction with their configuration will enable all dwellings to take advantage of northern sunlight.

Clause 21.08 – Economic development and tourism

The amendment builds upon Council's recognition that there is potential for new economic development within the Shire. It is evident that whilst new residential development has occurred within Wangaratta South, there has not been the same investment made in a localised retail offer. The establishment of a supermarket will assist in meeting the needs of the local community, which is expected to grow over time as a result of the recent approvals for residential development.

Clause 21.11 – Infrastructure and community

The amendment will result in a proposal that incorporates Best Practice water sensitive urban design techniques to minimise stormwater runoff.

Clause 22.04-1 – Licensed premises

The amendment will result in the provision of an ancillary liquor store within the proposed supermarket. Pedestrian access to the liquor store is via the supermarket which will operate within the trading hours of the supermarket.

Given the direct linkage of the liquor store and the supermarket, it is considered that there would be less impact on the amenity of the surrounding area in comparison to a stand-alone liquor store.

Furthermore, as the purpose of the liquor store is to be a 'convenience' to the shoppers who visit the supermarket, it is expected shoppers will exit the site upon purchasing alcohol, thereby reducing the chances of anti-social behaviour occurring on-site.

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

The amendment makes proper use of the Victorian Planning Provisions (VPP) by applying the Commercial 1 Zone and the General Residential Zone, both consistent with the form and content of the VPPs to facilitate retail and future residential development.

The Commercial 1 Zone and General Residential Zone are both legitimate tools within the VPPs. These tools are more appropriate controls for the subject site and will assist in achieving desired outcomes for this location consistent with State and Local planning policies.

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

Through the preparation of the amendment and draft planning permit for development and subdivision, the view of the relevant agencies have been sought and addressed, including VicRoads, Country Fire Authority and service authorities. Agency conditions have been placed on draft permit and modification to the proposed subdivision has been made to reflect this consultation.

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

The amendment is unlikely to have a significant impact on the transport system as defined by Section 3 of the *Transport Integration Act 2010*, as demonstrated by the Traffic Impact Assessment Report prepared by Traffic Works P/L – (16/8/13), which has been reviewed by both VicRoads and Council.

Based on the findings of the Traffic Impact Assessment, it is considered future additional vehicular movements will not significantly impact on the transport system objectives of the Act.

Resource and administrative costs

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

There will be minimal impact on the resource and administrative costs of Council. Following approval and construction of the subdivision the zoning will not generate any further planning approvals for single dwellings as all proposed lots are over 500sqm in area and not covered by any overlay.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

Rural City of Wangaratta office
Wangaratta Government Centre
62-68 Ovens Street
Wangaratta

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at www.dtp.li.vic.gov.au/publicinspection .

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by Monday 15 September 2014.

A submission must be sent to:

Rural City of Wangaratta
62-68 Ovens Street
WANGARATTA VIC 3676

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: Week commencing 15 December 2014
- panel hearing: Week commencing 19 January 2015