

WANGARATTA PLANNING SCHEME
AMENDMENT C70
EXPLANATORY REPORT

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 of the Rural City of Wangaratta

Land affected by the Amendment

The Amendment applies to 112 places across the municipality.

HO #	Place
202	Former Church, 2140 Great Alpine Road, Everton
203	The Willows, 815 Wangandary Road, Wangandary
204	Lock up, 4886 Wangaratta-Whitfield Road, Whitfield
205	Hume and Hovell Memorial, Wangaratta-Whitfield Road (near the intersection of Boggy Creek Road, on the road reserve), Moyhu
206	Hume and Hovell Memorial, 9 Memorial Park Drive (on Whorouly Recreation Reserve), Whorouly
207	Riverslea, 391 Whorouly Road, Whorouly
208	Holy Trinity Anglican Church, 31 King Valley Road, Whitfield
209	Moyhu Public School, 2799 Wangaratta-Whitfield Road, Moyhu
210	Holy Cross Catholic Church, 2335 Wangaratta-Whitfield Road, Moyhu
211	Yarrunga Homestead, 213 Home Station Lane, Milawa
212	Boorhaman State School No. 1996, 1548 Boorhaman Road, Boorhaman
213	Everton Primary School No. 5399, 2157 Great Alpine Road, Everton
214	St Johns Anglican Church, 21 Church Street, Whorouly
215	St Patricks Catholic Church, 7 Church Street, Whorouly
216	Milawa Cemetery, 347 Kerrs Road, Milawa
217	Romani, 489 Reith Road, Wangaratta
218	Springhurst Post Office, 8 Silo Street, Springhurst
219	Former Store and house, 4 Silo Street, Springhurst
220	The former Butter Factory, 160 Anzac Road, Springhurst
221	House and garden, 165 Anzac Road, Springhurst
222	Elmwood, 2179 Beechworth-Wangaratta Road, Tarrawingee

HO #	Place
223	Cottage, 2319 Beechworth-Wangaratta Road, Tarrawingee
224	House, 1527 Wangaratta-Eldorado Road, Eldorado
225	Uniting Church and Hall, 78 Main Street, Eldorado
226	Pyle's House, 149 Pyles Road Eldorado
227	Everton War Memorial, Everton War Memorial, White Post Road (corner of Great Alpine Road, on the road reserve), Everton
228	Culvert, Main Street/ Minjambutta Lane , Eldorado
229	Cottage, 103 Main Street, Eldorado
230	Cottage, 107 Main Street, Eldorado
231	Whitfield Cemetery, 8 Cemetery Lane King Valley
232	Angleside House, 26 Boggy Creek Road, Moyhu
233	Fraser House, 61A Fraser Lane, North Wangaratta
234	The Vine Hotel, 27 Detour Road, North Wangaratta
235	The Garden Farmstead & Coolstore, 330 Oxley Meadow Creek Road, Oxley
236	Allandale Farmstead, 148 Kerrs Road, Milawa
237	Bobinawarra Memorial Hall, 616 Docker-Carboor Road, Bobinawarra
238	Eclat, 79 McDonald Road, Dockers Plains
239	Fairfield Park Homestead, 537 Benalla-Whitfield Road, Greta South
240	St Pauls Anglican Church, 27 Church Street, Glenrowan
241	Mont Ara, 202 Ellis Lane, Greta
242	Christ Church Anglican Church, 1317 Wangaratta-Kilfeera Road, Greta
243	Grandview Homestead, 769 Wangandary Road, Wangandary
244	Stewarton Farmstead, 1045 Wangaratta-Yarrowonga Road, Killawarra
245	Boorhaman Cemetery, 53 Cemetery Lane, Boorhaman
246	Bowmans Forest Cemetery, 2708 Great Alpine Road, Everton
247	Keith Hall, 211 Farmers Road, Everton Upper
248	Everton Public Hall, 2161 Great Alpine Road, Everton
249	Southernwood Farmstead, 1486 Great Alpine Road, Tarrawingee
250	Reidsdale, 810 Great Alpine Road, Tarrawingee
251	Whorouly Library Hall and Pre School Centre 10 Church Street, Whorouly
252	Bloomfield Park, 139 Diffey Road, Everton
253	Hume and Hovell Memorial, Buckland Gap Road/Ellens Lane (on the road reserve), Murmungee
254	Hill Park, 84 Anker Road, Wangaratta

HO #	Place
255	Cottage and garden, 19 Main Street, Eldorado
256	Eldorado Cemetery, Cemetery Road, Eldorado
257	Former Everton Upper School, 1639 Beechworth-Wangaratta Road, Everton
258	Hurdle Creek, 320 Whorouly South Road, Whorouly South
259	Whitfield Locomotive Shed, 6191 Mansfield-Whitfield Road, Whitfield
260	Whitfield District Primary School, 6182 Mansfield-Whitfield Road, Whitfield
261	Whitty's Cottage, 6181 Mansfield-Whitfield Road, Whitfield
262	Whitfield Uniting Church and Hall, 7 Whitty Lane, Whitfield
263	Former Cheshunt State School No 2553, 65 Paradise Falls Road, Cheshunt
264	Lake William Hovell Dam, Upper King River Road, Cheshunt South
265	Brick Silo 4546 Wangaratta-Whitfield Road, Whitfield
266	The Homestead, 38 Whitefield Lane, King Valley
267	Hume and Hovell Memorial, Moyhu-Meadow Creek Road/Adjacent Hill Lane (on the road reserve), Meadow Creek
268	Brick Barn Furlans Farmstead, 1961 Wangaratta-Whitfield Road, Docker
269	Former Police House and Stables, 1585 The Snow Road, Milawa
270	Milawa Public Hall, 181 Milawa-Bobinawarra Road, Milawa
271	St Andrews Uniting Church, 145 Church Lane, Milawa
272	Anglican Church, 1517 Snow Road, Milawa
273	Browns Bros Winery Barn & red brick bungalow, 244 Milawa-Bobinawarra Road, Milawa
274	Stone cottage, 1553 Great Alpine Road, Tarrawingee
275	Avondale House, 343 Markwood-Tarrawingee Road, Markwood
276	Grave site, 263 Edi-Upper Road, Edi-Upper
277	William Shields Grave, 283 Pettifers Road, Edi-Upper
278	St Matthews Anglican Church, 1706 Benalla- Whitfield Road, Myrree
279	Greta Public Hall, 448 Greta West-Greta South Road, Hansonville
280	The former Greta West School, 2 McLeans Road, Greta West
281	Fifteen Mile Creek Channel and Southern Weir, O'Malley's Lane, Greta West
282	Greta Cemetery, 1327 Wangaratta-Kilfeera Road Greta
283	Former Waldara Homestead, Waldara Drive , Waldara
284	Old Boorhaman, Homestead 45 Peechelba Road Peechelba East

HO #	Place
285	Eldorado Museum, 136 Main Street Eldorado
286	Jubilee Gates Springhurst Primary School, 121 Anzac Road, Springhurst
287	St Mary's Anglican Church and tree, 20 Church Road, Springhurst
288	Springhurst Cemetery, 275 Cemetery Road Springhurst
289	St Martin's Catholic Church, 1528 Boorhaman Road, Boorhaman
290	Ellerslie, 520 Boorhaman Road, Dockers Plains
291	House, 1613 Great Alpine Road, Tarrawingee
292	House at Farmstead, 1281 Great Alpine Road, Tarrawingee
293	St Stephen's Catholic Church, 2261 Beechworth-Wangaratta Road, Tarrawingee
294	The Fire Fighters Monument, Great Alpine Road, Wangaratta
295	Whorouly School No 1373, 18 Church Street Whorouly
296	Stone House, 478 Lee Morrison Road, Murrumungee
297	El Dorado cottage, 19 McGregor Street, Eldorado
298	St Augustine's Catholic Church, 156 Main Street Eldorado
299	Eldorado Public Hall, 94 Main Street, Eldorado
300	Eldorado War Memorial, 94 Main Street, Eldorado
301	Bakery cottages, 99 Main Street, Eldorado
302	Farmstead, 274 Bowmans Road, Bowmans Forest
303	Brookfield House and garden, 2383 Great Alpine Road, Everton
304	Everton Hotel, 2125 Great Alpine Road, Everton
305	Rosedale, 18 White Post Road, Everton
306	The Red Lion, 1906 Beechworth-Wangaratta Road, Tarrawingee
307	Former Baptist Church, 26 Jones Street, Oxley
308	Hume and Hovell Memorial, Great Alpine Road, Everton
309	Yeraio, 5 Vincent Road, Wangaratta
310	House, 102 Main Street, Eldorado
311	Memorial Gun House (Gatehouse Park Reserve), Main Street, Eldorado
HO123 (delete)	Northern House, Group of 3 'Closer Settlement' Farmhouse – 73 Salisbury Street, Wangaratta (Planning Scheme Map No. 23HO)
HO193 (correction)	Stone Winery – Bynong Farmstead, 1291 Carboor Everton Road, Bobinawarrah (Planning Scheme Map Nos. 44HO and 45HO)

What the amendment does

The Amendment proposes to implement the recommendations of the Rural City of Wangaratta, Heritage Review, November 2015. The amendment proposes to *apply* the Heritage Overlay to 110 properties across the municipality.

The amendment also proposes to *delete* HO123 a redundant provision (heritage property has been demolished) at the request of a private proponent.

The amendment further proposes associated *corrections* to the Wangaratta Planning Scheme. The corrections include reordering of the Schedule to Clause 43.01 Heritage Overlay, amending the Schedule to Clause 63.01 to reflect correct maps and amending Planning Scheme Map Nos. 44HO and 45HO that were incorrectly excluded from Amendment C43 due to an administrative error.

Specifically, the amendment:

- Amends Clauses 21.10 Environmental Management and Heritage, 21.12 Reference Documents and 22.06 Environmental Management and Heritage, to reference the *Rural City of Wangaratta, Heritage Review, November 2015*
- Amend the Schedule to Clause 43.01 Heritage Overlay to: include 110 places described above and delete HO123 (Salisbury Street, Wangaratta) to remove a redundant provision.
- Amends the Schedule to Clause 61.03 to reflect mapping changes
- Amends the Schedule to Clause 81.01 to introduce a revised Incorporated Document – “*Rural City of Wangaratta Heritage Overlay Permit Exemptions Incorporated Plan, (December 2015)*”.
- Amends Planning Scheme Map Nos. 8HO, 11HO, 12HO, 15HO, 17HO, 18HO, 23HO, 25HO, 27HO, 28HO, 33HO, 35HO, 36HO, 37HO, 38HO, 39HO, 41HO, 44HO, 45HO, 46HO, 49HO and 50HO.
- Inserts Planning Scheme Map Nos. 4HO, 6HO, 9HO, 26HO, 40HO, 42HO, 43HO, 47HO, 51HO and 54HO.

Strategic assessment of the Amendment

The amendment implements the recommendations of the Heritage Review, November 2015, prepared for Council by Heritage Concepts, which identifies and protects places of local heritage significance. It is noted that places listed in the Review are

“...representative places that have a strong regional character and for this are important as part of an interpretation of state wide historic and aesthetic characteristics. Some of the places are rare in the municipality and some, while common in the municipality are rare for the State of Victoria.”

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

The Amendment implements the objectives of planning in Victoria by:

- providing for the fair, orderly, economic and sustainable use of land; and
- conserving and enhancing those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest.

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

Environmental Effects

It is not anticipated that there will be any adverse environmental consequences as a result of the inclusion of the nominated sites into the schedule of the Heritage Overlay. In some

cases the amendment will allow adaptive reuse of a building to provide it with a new lease of life. This makes use of existing materials and infrastructure, providing environment benefit.

Social Effects

The conservation of the identified sites will have positive social effects by recognising and protecting the sites and their historical associations with early settlement, agriculture, development, and post settlement history of the Rural City of Wangaratta.

Economic Impacts

It is considered that the long-term economic effects of the amendment will be positive. Application of the Heritage Overlay will allow for the conservation of individual places of local heritage significance, on a permanent basis. Protecting such places can provide economic benefit, and are a stimulus for tourism income. The provision that allows uses normally prohibited, to be considered further allows such economic benefits to occur. Anecdotal evidence suggests old buildings (for example churches), have been identified as potential sites for bed and breakfast type accommodation.

Does the Amendment address relevant bushfire risk?

The amendment does not affect the application of the Bushfire Management Overlay (BMO). The amendment will not lead to any unacceptable risk to human life or any increased threat to property or assets in the immediate area as a consequence of bushfire risk.

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

The amendment has been prepared in accordance with:

- Ministerial Direction No 11: '*Strategic Assessment of Amendments*' and
- Ministerial Direction No 15: '*The Planning Scheme Amendment Process*'

Further, in preparing this amendment, regard has been given to Planning Practice Note 46: '*Strategic Assessment Guidelines*, June 2015 and Practice Note 01: '*Applying the Heritage Overlay*' July 2015.

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

Clause 15, Built Environment and Heritage:

This policy encourages the conservation of places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

A key objective of Clause 15.03-1 is to ensure the conservation of places of heritage significance. This amendment supports this objective and implements the strategy to:

Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

The Heritage Review, November 2015 provides the required strategic justification to implement the recommendations of the Review and introduce the nominated places into the planning scheme and, specifically updating local policy and applying the Heritage Overlay to 110 places of local significance is wholly consistent with the strategic intent of Clause 15.

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

The Amendment is seen as directly supporting and implementing the LPPF of the Wangaratta Planning Scheme, particularly:

Clause 21.03 Vision

The vision for the municipality is a long term community-created approach for land use planning until the year 2030. A core component of this vision is that the municipality and community will:

Preserve and enhance our heritage and the environment

Clause 21.10 Environmental Management and Heritage:

This clause notes that

Heritage places can include buildings, sites, trees and aboriginal cultural sites. Heritage places contribute to lifestyle, cultural richness and economic prosperity.

The MSS also at Clause 21.10 provides the following Strategic Direction:

Value, protect and celebrate environmental and cultural heritage.

Identifying heritage places is the first step in protecting their value. The policy intent of the Municipal Strategic Statement (MSS) is clear in its desire to promote appropriate conservation of heritage values across the municipality. To this end, the amendment delivers an outcome explicitly sought by the MSS and Council's Corporate Plan.

Clause 22.06 Environmental Management and Heritage

At Clause 22.06-3 specific policy seeks to guide discretionary decision making for identified heritage places of local significance by encouraging:

The retention, reuse and recycling of significant and contributory heritage places in the Heritage Overlay in a manner which conserves and does not detract from the significance of the heritage place or precinct.

Application of this local strategic direction will ensure discretionary decision making examines the features that make a place significant and the end use or development is respectful of those features.

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

The amendment makes proper use of the Victoria Planning Provisions (VPPs) by applying the Heritage Overlay to properties identified as having heritage significance. The VPPs provide a state-wide reference document or template from which planning schemes are sourced and constructed.

The Amendment seeks to utilise an existing Overlay Schedule within the Wangaratta Planning Scheme and updates the Wangaratta Planning Maps accordingly. No new VPP provisions are proposed to be introduced into the planning scheme at this time.

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

The views of relevant advisory agencies were sought during community consultation of the Heritage Review, November 2015 and included in the (Council) endorsed document.

The amendment seeks to facilitate strategic outcomes currently supported by the Wangaratta Planning Scheme. The Amendment will be referred to the relevant Ministers prescribed under S.19(1)(c) of the Act as well as Heritage Victoria and the National Trust.

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

Amendment C70 will not have any significant impact on the transport system, as defined by Section 3 of the *Transport Integration Act 2010* (TIA).

There is no Statement of Policy Principles applied to or affecting the interface body (Rural City of Wangaratta), under Section 22 of the TIA (2010).

Resource and administrative costs

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

There may be a slight increase in the number of permit applications, to consider development for properties identified by the Heritage Overlay. This will impact on resources (the need for technical planning assessment and technical heritage advice) and administration costs. Any costs, however, would be justified by the long term social and environmental benefits of the amendment.

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
Wangaratta Government Centre
62-68 Ovens Street
WANGARATTA VIC 3676

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at: www.delwp.vic.gov.au/public-inspection.

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 24 March, 2016.

A submission must be sent to:

By mail

ATT: STRATEGIC PLANNING – C70

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

Or via email

ATT: STRATEGIC PLANNING – C70

council@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: Week beginning Monday 9 May, 2016
- Panel hearing: Week beginning Monday 30 May, 2016