



LATROBE CITY COUNCIL

**AGENDA FOR THE
SPECIAL COUNCIL MEETING**

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL
AT 6.00 PM ON
16 JULY 2018**

SM517

TABLE OF CONTENTS

1. OPENING PRAYER.....	3
2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND	3
3. APOLOGIES AND LEAVE OF ABSENCE.....	3
4. DECLARATION OF INTERESTS	3
5. PUBLIC PARTICIPATION TIME	3
6. CITY DEVELOPMENT.....	5
6.1 Hear submissions to Amendment C105 to Latrobe Planning Scheme Amendment C105 (Live Work Latrobe).	5

1. OPENING PRAYER

Our Father who art in Heaven, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil. For the kingdom, the power, and the glory are yours now and forever. Amen.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

I would like to acknowledge that we are meeting here today on the traditional land of the Braiakaulung people of the Gunaikurnai nation and I pay respect to their elders past and present.

If there are other Elders present I would also like to acknowledge them.

3. APOLOGIES AND LEAVE OF ABSENCE

4. DECLARATION OF INTERESTS

5. PUBLIC PARTICIPATION TIME

Public Speakers

Members of the public who have registered before 12.00 Noon on the day of the Council meeting are invited to speak to an item on the agenda.

CITY DEVELOPMENT

6. CITY DEVELOPMENT

Agenda Item: 6.1

Agenda Item: Hear submissions to Amendment C105 to Latrobe Planning Scheme Amendment C105 (Live Work Latrobe).

Sponsor: General Manager, City Development

Council Plan Objective: Support job creation and industry diversification to enable economic growth in Latrobe City.

Status: For Information

Proposed Resolution:

That Council receives, notes and considers all submissions received in response to exhibited Amendment C105 to the Latrobe Planning Scheme prior to the formal consideration and response to submissions by Council at the Ordinary Council Meeting to be held Monday 6 August 2018.

Executive Summary:

This report is to present submissions received to the exhibited Amendment C105 to the Latrobe Planning Scheme (Live Work Latrobe).

At its ordinary meeting held on 21 August 2017, Council resolved to:

- 1. Endorse the draft Live Work Latrobe Land Use Strategies for public exhibition as part of a Planning Scheme Amendment(s) required to give effect to each strategy.*
- 2. Requests authorisation from the Minister for Planning to prepare and exhibit the draft Live Work Latrobe Land Use Strategies and associated amendments to the Latrobe Planning Scheme.*

Amendment C105 was subsequently prepared to implement the recommendations of each of the Live Work Latrobe Land Use Strategies (Housing Strategy, Industrial and Employment Strategy and Rural Land Use Strategy). Latrobe City Council formally requested Ministerial authorisation to exhibit Amendment C105 to the Latrobe Planning Scheme in a letter dated 18 October 2017. Council later received

authorisation to proceed to exhibition 2 March 2018. The exhibition period commenced 22 March 2018 and concluded 11 May 2018.

Declaration of Interests:

A large proportion of Council staff and Councillors may be considered to have a perceived conflict of interest given the far reaching extent of the amendment in so far as changes are proposed to the majority of land across the municipality. Previous legal advice has confirmed the following:

- Section 77B(1) of the Act provides that a person has a direct interest in a matter if there is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way.
- Council staff and Councillors are likely to have a direct interest under s77B of the Local Government Act 1989 (Act).
- However, s77A(5) of the Act provides that a relevant person does not have a conflict of interest in a matter if the direct interest is held in common with a large class of persons and does not exceed the interests generally held by the class of persons.

In this instance, the owners of the affected properties clearly constitute a large class of persons for the purposes of the exemption that applies under the Act. Further, it is considered that the interests of the staff members and Councillors not exceed the interests generally held by the class of persons who own property or reside within the municipal area to which Amendment C105 applies.

The Acting General Manager City Development has declared an indirect interest under section 78 of the Local Government Act 1989.

All matters in relation to Amendment C105, including provision of information to Councillors, is and will continue to be managed by the Strategic Planning Team, under the supervision and Divisional control of the Manager - Planning Services.

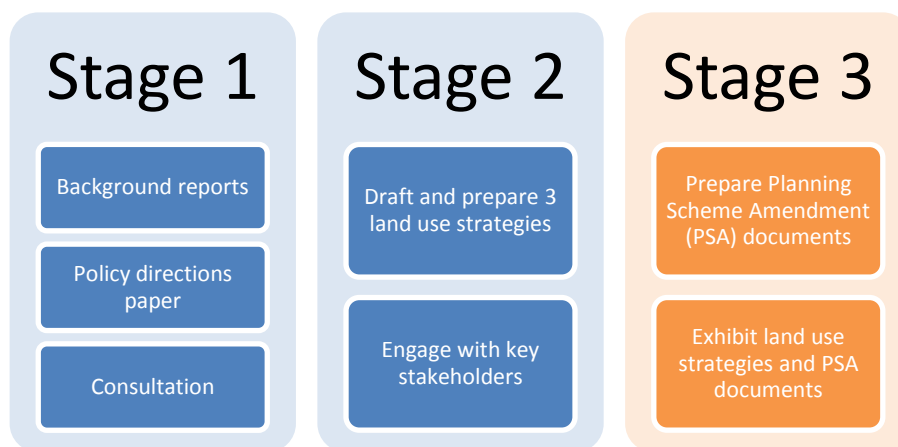
Background:

Latrobe City has a well-documented history of economic and structural change involving the mining and energy sectors. Latrobe City is also operating in a rapidly changing economic landscape. Population growth, technology advances, the ageing workforce, climate change, globalisation and a future low carbon economy, all present unique challenges and opportunities. More immediately, the cumulative effects of industry reforms including the recent closure of Hazelwood are likely to be felt for many years to come.

Past employment studies and industrial strategies have recognised the challenges and opportunities facing Latrobe City, but have lacked a clear spatial framework and supporting policy to effectively plan for current and future industry requirements.

In response to the immediate priorities for new investment and jobs growth, the Live Work Latrobe strategies provide recommendations that aims to secure the long term growth and creation of jobs for the community whilst securing Latrobe City's Regional City position.

The Live Work Latrobe project is being undertaken as a three stage process, as shown below.



Reasons for Proposed Resolution:

As prescribed by the Planning and Environment Act 1987 (the Act) Section 22 and 23, all submissions must be considered by Council prior to progressing the amendment.

Accordingly, Council is unable to progress the amendment or make changes to an exhibited amendment until such time that Council has formally considered and provided its response to all submissions.

It is intended that Council will formally consider and provide it's response to all submissions at the ordinary Council meeting to be held 6 August 2018.

Where matters raised by submissions are unresolved, these submissions must be referred to an independent Planning Panel, appointed by the Minister for Planning. Following a Panel Hearing, the Planning Panel will provide its report, at which time the planning authority (in this instance Council) must adopt the amendment, abandon the amendment or adopt the amendment with changes.

Issues:

Strategy Implications

The progression of each of the Live Work Latrobe Strategies aligns with the following Objectives and Strategies of the Council Plan 2017-2021:

Objectives:

- *Ensure Council operates openly, transparently and responsibly.*
- *Improve the liveability and connectedness of Latrobe City.*

Strategies:

- *Provide support for the established major industries in Latrobe by:*
 - *Advocating for the innovative uses of our local natural resources (timber, paper, brown coal, chemicals, agriculture etc)*
- *Develop projects that will enable the joining up of Latrobe City and reaffirm our position as a regional city.*
- *Implement a town planning regime which facilitates appropriate urban growth, industry diversification, liveability and connectivity of Latrobe City.*
- *Promote and rebrand Latrobe City to support economic growth through tourism, community and cultural events and recreation.*

Communication

The amendment is subject to the prescribed process in accordance with the public notice and consultation requirements of Section 19 of the Act.

It is noted that due to the large number of properties covered by the amendment given changes affect the whole of the municipal area (to greater or lesser degrees), Council has not directly notified all owners/occupiers, as per the notification exemption in section 19(1A) of the Planning and Environment Act 1987. A comprehensive engagement strategy was however undertaken to ensure members of the community were provided the opportunity to obtain information and

Discussion outlining notification of the amendment and associated community consultation is provided below under '*Consultation.*'

Financial Implications

The prescribed fees for Planning Scheme Amendments are detailed in the *Planning and Environment (Fees) Regulations 2016*. The costs associated with this stage of the planning scheme amendment include the fee for the Panel Report and the fee for the Minister's approval of an amendment if the amendment is adopted by Council.

Funds are to be allocated in the current 2018/2019 budget year to enable the planning scheme amendment to proceed.

It is noted that each of the strategies recommend a range of actions beyond the planning scheme, which will require ongoing staff and financial resourcing to be determined as part of the annual budget and business plan preparation.

Risk Analysis

Risk has been considered as part of this report and the recommendations. A summary of primary risk areas are outlined in the following table.

Identified risk	Risk likelihood*	Controls to manage risk
A large proportion of Council staff and Councillors may be considered to have a perceived conflict of interest given the far reaching of extent of the amendment in so far as changes are proposed to the majority of land across the municipality.	3 - Possible	It is considered that referral of the exhibited amendment to an independent planning panel will result in a third party report being prepared with recommendations to Council. It is considered that this process will reduce risk to Council due to potential or perceived conflict of interest by way of utilising a third party to assist in the consideration of unresolved submissions and the broader amendment as exhibited. p
A number of submissions raise concerns regarding negative financial implications of the exhibited amendment, including the intension of compensation being sought.	2- Unlikely	<p>The consideration of property value and other financial implications, including property rates is not a planning consideration.</p> <p>It is acknowledged that changes in planning policy, zones, overlays included within the Planning Scheme do effect property value, rates, related insurances and bank lending to greater and lesser degrees. However, these matters are also influenced by a range of other factors ranging from recent land sales, capital improvements, site conditions (topography, extent of native vegetation, serviceability etc.) to global financial circumstances.</p> <p>The requirement to refer unresolved matters to a Planning Panel will allow such matters to be considered as part of the progression of the Planning Scheme Amendment.</p>

<p>Negative perception of Council not acting to support development. The amendment introduces policy across the municipality that provides guidance to encourage and discourage land use development.</p>	<p>3 - Possible</p>	<p>Keeping landowners informed of the progress of the project; and</p> <p>Utilising the statutory Planning Scheme Amendment process to progress the amendment, including the referral of outstanding submissions to an independent Planning Panel so that all outstanding submissions can be presented to an independent, third part for review.</p>
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Legal and Compliance

In accordance with the Act, the municipal council, as a planning authority, has a number of duties and powers when considering a planning scheme amendment. These duties and powers are listed at Section 12 of the Act. Under Section 12 a planning authority must have regard to (inter alia):

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme.
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

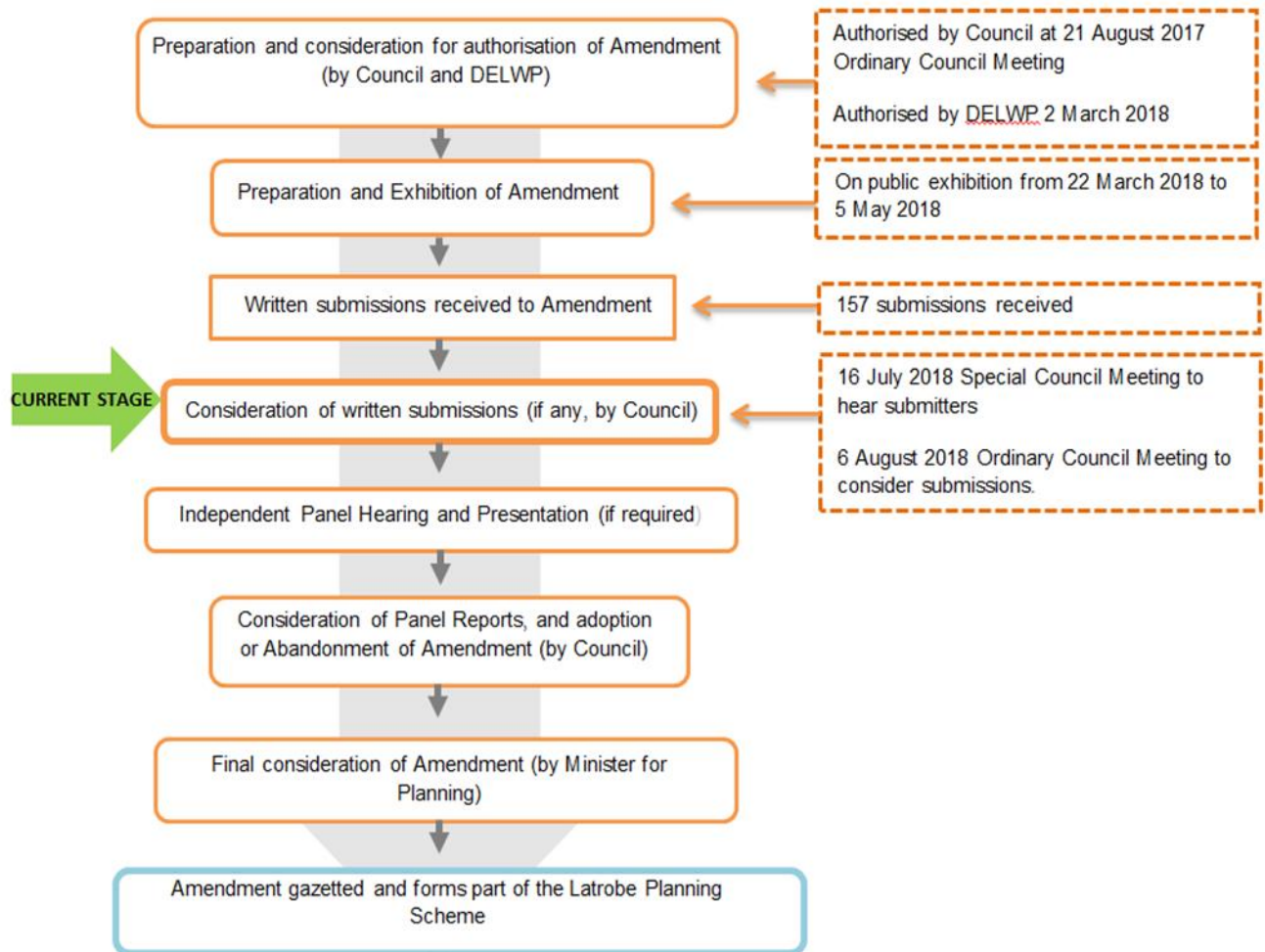
Amendment C105 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12. A response to Section 12 of the Act is outlined in the exhibited Explanatory Report.

As prescribed by the Planning and Environment Act 1987 (the Act) Section 22 and 23, all submissions must be considered by Council prior to progressing the amendment.

Ministerial Direction 15 states that if a planning panel is required that the Planning Authority must request the appointment of a panel under part 8 of the Act within 40 business days of the close date of submissions. The decision to hold a Special Council Meeting on the 16 July 2018 required Council to request an exemption from meeting this timeframe. A request for exemption from this requirement was submitted 12 June 2018 and later authorised 27 June 2018.

The C105 planning scheme amendment process is shown in the figure below and provides an indication of the current stage of the amendment.

Amendment C105 – Planning Scheme Amendment Process



Community Implications

Council as the planning authority has duties and powers outlined by the Act as outlined at Section 12, including:

- *provide sound, strategic and co-ordinated planning of the use and development of land in its area;*
- *do all things necessary to encourage and promote the orderly and proper use, development and protection of land in the area for which it is a planning authority.*

Accordingly, each of the land use strategies aim to rethink and revision current land use and development patterns, deliberately intervening in the present trajectory of growth and development of Latrobe City.

Given each of the Land Use Strategies recommend a range of land use policy

changes (including amending zones and overlays applying to land), it is acknowledged that elements of the amendment are controversial and likely to affect members of the community in different ways.

The progression of each of the Live Work Latrobe land use strategies by way of formal Planning Scheme Amendment process was therefore considered appropriate. This process requires Council to seek and consider submissions. Where submission are unresolved an independent planning panel must be appointed to consider all matters and provide recommendations to Council prior to proceeding.

Due to the number of submissions received to the amendment and the likely number of submitters who would like to speak to their submission at a Council Meeting it was determined that a Special Council Meeting was necessary to ensure adequate time is allocated to hear submissions.

Environmental Implications

Environmental implications was considered during the preparation of each of the Land Use Strategies and discussed within the exhibited Explanatory Report.

Consultation

Community consultation undertaken during Stage 1 and 2 of the Live Work Latrobe is outlined within each of the exhibited draft Land Use Strategies.

Provided below is a summary of activities undertaken during the public exhibition of Amendment C105 which took place from the 22 March 2018 to the 11 May 2018, as follows:

- 12040 direct notices were provided to owners and occupiers of properties considered to be most affected by the proposed changes.
- 11 all-day information sessions were held between the 27 March 2018 and the 10 May 2018 Morwell (x2), Churchill (x2), Traralgon (x2), Moe (x2), Toongabbie (x1), Glengarry (x1) and Yinnar (x1);
- 321 people attended the consultation sessions;
- 272 phone, email and counter enquiries have been responded to;
- 25 targeted consultations with local real estate agents, planning consultants, community groups and the Victorian Farmers Federation (VFF)
- Six (6) notices of Exhibition of Amendment were printed in the Latrobe Valley Express (22 March, 29 March, 5 April, 12 April, 19 April, and 26 April);
- Information was available from Council's Facebook page;

- 914 views from the project page on Council's website; and
- At the time this report was prepared, 157 written submissions from community members and key agencies had been received.

A summary of key matters raised during consultations and reflected by submissions received include:

- Support and objections to the proposed rezoning of land in Yinnar South from Rural Living Zone 4 and 6 to Farming Zone – Schedule 2;
- Concern over amenity issues as a result of the two new Residential Growth Zone areas in Morwell and Traralgon;
- Requests for additional land to be rezoned by the amendment, primarily to either a Farming Zone – Schedule 2 and Rural Living Zone;
- Concern and support to the rezoning of Farming Zone land to a Rural Living Zone in Hazelwood South;
- Support for the introduction of environmental focused policy, rural and nature based tourism opportunities and establishment of the proposed Strzelecki – Alpine bio-link;
- Support and concerns raised in relation to the Farming Zone – Schedule 1 changes; and
- Concerns regarding increase in rating valuations, reduction in property values and increased difficulty in obtaining banking finance.

A summary of individual submissions along with a preliminary planning comment is provided as an attachment to this report (please note this attachment will be subject to further revision and change ahead of the anticipated Ordinary Council Meeting to be held 6 August 2018).

A copy of all submissions received to the amendment is available for viewing upon request at the Latrobe City Council, Morwell Offices.

Other

It is noted that significant policy changes were introduced to the Planning Scheme by State Planning Scheme Amendment VC140 during January 2018, requiring increased consideration of bushfire risk. Given this, further work is currently underway to consider these matters.

This issue is highlighted in a late submission received 14 June 2018 by the Country Fire Authority (CFA). Further consultation with the CFA will therefore be critical to the progression of components of the exhibited amendment (in particular the progression of new Rural Living locations).

Supporting Documents:

Exhibited Housing Strategy

Exhibited Industrial and Employment Strategy

Exhibited Rural Land Use Strategy

Amendment C105 Explanatory Report.

Submissions received to Amendment C105 to the Latrobe Planning Scheme

Attachments

1 [↓](#). Attachment 1: Submission Summary Table

6.1

Hear submissions to Amendment C105 to Latrobe Planning Scheme Amendment C105 (Live Work Latrobe).

- 1 Attachment 1: Submission Summary Table 17**

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

The below DRAFT table is provided to assist Council's preliminary consideration of submissions, ahead of the Special Council meeting to be held 16 July 2018, at which all submitters will have the opportunity to present their submission to Council.

This table will be further reviewed, with necessary changes inserted ahead of a future Ordinary Council Meeting (tentative meeting date - 6 August 2018), at which Council will have the opportunity to formally provide its response to each submission and refer unresolved matters to a Planning Panel.

Given the above, the below information is preliminary and does not indicate the adopted position of Latrobe City Council.

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

Submission Number	Name and postal address	Support/ Object	Submission summary (Note: Not all matters raised by submissions have been included. Please refer to full submissions for further details).	Planning comment: (Note: The below comments are preliminary in nature and are subject to variation).
1 and 1A	Dion and Cheryl Tanti	Object	<p>Submission summary: Submitter previously sought to subdivide the subject property in order to build an additional dwelling.</p> <p>Refers to social and economic challenges being experienced within the Morwell community, and the limited number of vacant lots available to build.</p> <p>Requests ESO1 be removed and property rezoned for Rural Living purposes.</p>	<p>Planning comment: The requested change is not supported by the exhibited <i>Rural Land Use Strategy</i>.</p> <p>The Environmental Significance Overlay – Schedule 1 (ESO1) applies to the land. ESO1 relates to coal buffers. The ESO1 will not be removed from the property without the consent of Department Economic Development Jobs, Transport and Resources (DEDJTR).</p> <p>Whilst the ESO1 remains in place, rezoning of the land to enable intensification of development for rural living is contrary to the purpose of the buffer.</p> <p>Recommend referral of submission to DEDJTR for consideration as part of their review of coal related planning provisions within the Latrobe Planning Scheme.</p>
2	Glen and Catherine Gordon	Support	<p>Submission summary: Support for the amendment – stating they “<i>support what the city is doing.</i>”</p>	<p>Planning comment: Comments of support are noted. .</p>
3	Malcolm Lawrence	Object	<p>Submission summary: The ‘Substantial Change’ classification will destroy the neighbourhood character.</p>	<p>Planning comment: Property and surrounds is identified in an area for ‘Substantial Change’ by the exhibited <i>Housing Strategy</i>, as it is located within 400 metres of an Activity Centre (i.e. Mid 2</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>Overshadowing by 12 metre high buildings will create an untenable situation for single dwellings in the area, would like 'Limited Change' classification.</p>	<p>Valley Shopping Centre).</p> <p>The maximum building height proposed for this precinct is four storeys in height. Multi dwelling developments will require a planning permit and must address amenity issues such as overlooking and overshadowing.</p> <p>It is noted that the current land zoning enables developments up to three storeys in height or 11 metres. The proposed Residential Growth Zone would allow development up to four storeys in height, with any developments above three storeys in height required to be undertaken on a lot with a frontage greater than 20 metres to ensure appropriate set-backs; car parking and other requirements can be achieved.</p> <p>This will in many instances require prospective developers to first consolidate lots in this precinct prior to four storey developments being enabled.</p> <p>The exhibited <i>Urban Design Guidelines</i> also provide guidance to the design of buildings, provision of setbacks, car parking and landscaping requirements.</p> <p>It is considered appropriate to retain the Residential Growth Zone – Schedule 3 designation in order to give effect to the exhibited <i>Housing Strategy</i>.</p>
4	Shannon Burgan, Angie Burgan, Graeme	Object	<p>Submission summary: Submission does not support the proposed rezoning of the Toongabbie East area from Farming Zone to a Rural Living Zone.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> and <i>Rural Framework Plan</i> identify the subject land and surrounds for rural living.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

	Burgan, Evyette Flenley		<p>Submission raises concerns regarding the impact of the proposed rezoning to the family and property.</p> <p>Property has recently been purchased, and no consultation has occurred prior to exhibition.</p>	<p>However, recent changes to bushfire policy introduced by Amendment VC140 now prevents increasing development / subdivision opportunity in locations of moderate to high fire risk.</p> <p>Further investigation of fire risk to proposed Rural Living Precincts is therefore required. Preliminary investigation into fire risk in Toongabbie has commenced in consultation with CFA. It is recommended that Council defer rezoning of this Rural Living precinct pending:</p> <ul style="list-style-type: none"> - Preparation of the Toongabbie Structure Plan (commencing 2019) - Further exploration of bushfire planning policy requirements. <p>Consultation with the community is currently being undertaken as part of the Planning Scheme Amendment process.</p>
5	Ernst Schwab	Object	<p>Submission summary: Objections to the proposed height limitation of 12 metres, would like it kept at 13.5 metres as has plans already drafted for apartment complex</p>	<p>Planning comment: The land is proposed to be rezoned to Residential Growth Zone – Schedule 3(RGZ3) which specifies a maximum building height of 12 metres which equates to approximately 4 storeys. This maximum building height is considered appropriate for land in close proximity to Primary Activity Centres, with the exception of Traralgon which sets a maximum building height of 15 metres.</p> <p>Changing the schedule to 13.5 metres would retain a maximum of four storey developments, whilst allowing for plant and other services. This is considered appropriate.</p> <p>It is noted that variation to the requirements of the schedule</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				is available, subject to planning assessment.
6 and 6A	Marney Kanavan	6: Objection (withdrawn) 6A: Support with changes	<p>Submission summary: 6: Farming Zone – Schedule 2 (FZ2) impacts on rates, loan structure and resale of 2 adjoining 10 acre lots.</p> <p>Will there be any additional services for FZ2 properties such as rubbish collection/road maintenance.</p> <p>6A: Supports retaining the smaller lots as RLZ and rezoning the larger lot to FZ2.</p>	<p>Planning Comment: The <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The retention of the Rural Living Zone on the two smaller parcels is however considered appropriate; given there will be no further subdivision opportunity on either lot.</p> <p>Property rates are not a planning consideration.</p> <p>No changes to the current services will occur as a result of this amendment.</p>
7	Kevin Perry	Support with changes	<p>Submission summary: Submission requests that the exhibited Farming Zone – Schedule 2 (FZ2) be extended to Monash Way to provide support for construction of a dwelling.</p> <p>The justification provided is Jumbuk Rd is on a tourist route to the Grand Ridge Road, in close proximity to the Morwell National Park and close to Yinnar, Churchill and Morwell townships.</p> <p>Surrounding properties are predominantly of smaller size built with dwellings and used as hobby farms.</p>	<p>Planning Comment: The requested inclusion of the subject property is not identified by the exhibited <i>Rural Land Use Strategy</i>.</p> <p>The State Resource Overlay – Schedule 1 (SRO1) applies to the land and relates to the protection of underlying coal resources. This overlay cannot be removed from the property without the consent of Department Economic Development Jobs, Transport and Resources (DEDJTR).</p> <p>Whilst SRO1 remains in place, rezoning that would enable the intensification of land development is contrary to the purpose of the overlay.</p> <p>Recommend referral of submission to DEDJTR for consideration as part of their review of coal related planning provisions within the Latrobe Planning Scheme.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				It may be considered appropriate to amend the exhibited Rural Framework Plan to identify locations for future investigation and possible inclusion within the Farming Zone – Schedule 2. This may include the subject property and surrounds, pending advice from DEDJTR. The rezoning of the land would then be subject to a future Planning Scheme Amendment.
8	Craig and Alison Brooker	Support with changes	<p>Submission summary: The submission agrees with components of the amendment (town and industrial areas).</p> <p>Submission objects to back-zoning Rural Living Zone to Farming Zone – Schedule 2 in the Yinnar South area.</p>	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p>
9	Brian Wolfenden	Support with changes	<p>Submission summary: Submission notes that should the proposed amendments be implemented, they will provide significant step in the right direction for the Latrobe region.</p> <p>Submission requests that the property at McGraths’s Track be considered for inclusion within a Rural Living Zone.</p>	<p>Planning Comment: <i>McGraths Track:</i> The exhibited <i>Rural Land Use Strategy</i> recommends the application of the Farming Zone – Schedule 2 (FZ2) in this location. This is considered appropriate given the average lot sizes and the objectives identified for mixed farming. The consideration of a Rural Living Zone would be subject to</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			Submission seeks advice regarding the possible establishment of Farm Stays at the property located at Purvis Road.	<p>further investigation as part of a future Planning Scheme Amendment. This opportunity may be identified for further investigation on the exhibited Rural Framework Plan (subject to consultation with CFA).</p> <p><i>Purvis Road:</i> The exhibited <i>Rural Land Use Strategy</i> recommends the application of the Farming Zone – Schedule 2 (FZ2) in this location. This is considered appropriate given the average lot sizes and the objectives identified for mixed farming (including rural accommodation opportunities). This is consistent with the landowners intentions outlined in the submission.</p> <p>Due to the varied planning overlays that apply to the land, the advice from relevant agencies would be necessary as part of future use and development proposals on the land.</p>
10	John and Ronda Drewett	Support	<p>Submission summary: The submission supports the land being classified Farming Zone – Schedule 2.</p> <p>Supports the general direction of environmental and landscape recommendations outlined by the Rural Land Use Strategy.</p> <p>Provides support to the application of environmental and vegetation overlays being applied to the Strzelecki – Alpine bio-link.</p> <p>Submission raises concerns regarding maintenance of access road in the adjoining Flora Reserve.</p>	<p>Planning comment Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> identifies the subject property to be re-zoned to Farming Zone – Schedule 2.</p> <p>The northern portion of the property is identified for possible inclusion within the future proposed Strzelecki – Alpine bio-link.</p> <p>Road maintenance query has been referred to infrastructure team. Landowner has been contacted by Municipal Emergency Management Coordinator.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			Notes that following the Darlimurla Fires, the movement of Koalas through his property has significantly reduced from a weekly event to a very occasional event.	
11	Simon May (Make Moe Glow)	Support	Submission summary: Supports Rural Tourism focused Policy. Supports the introduction of Farming Zone – Schedule 2 in providing direction for and encouraging lower quality or fragmented agriculture land to be used for tourism.	Planning Comment: Comments of support are noted.
12	Loretta Lamb	Support	Submission summary: Support rezoning to make available 2 hectare lots in the Toongabbie area close to town.	Planning Comment: Comments of support are noted.
13	Vic Sabrinskas and Brenden Keene	Object	Submission summary: Submission request that properties from 121-175 Watsons Road (east side) & 45 Tambo Road, Moe be rezoned from Farming Zone to a Rural Living Zone – Schedule 1. Submission outlines the surrounding pattern of development, noting that land to the west is predominantly cleared for grazing. Large plantation forest areas situated to the south –west of the land. Rural Living Zoned land areas to the south, and adjoining the eastern boundary of both properties.	Planning Comment: The exhibited <i>Rural Land Use Strategy</i> does not identify the land for inclusion in a Rural Living Zone. In response to changes introduced by the State Government to bushfire related planning policy (Amendment VC140) subdivision and development is not supported where a Bushfire Attack Level (BAL) greater than 12.5 is likely. Preliminary investigation into fire risk in the Moe South area has commenced in consultation with CFA. Early indications are that the rezoning of land to a Rural Living Zone in the Moe South area (as exhibited) is not likely to proceed. Given the above, the inclusion of the subject land is not supported.
14	Michael Lont	Support	Submission summary: Submission notes support for bigger blocks in country towns People coming to country towns prefer 1 to 2 acre blocks to enjoy country living.	Planning comment: Comments of support are noted. The exhibited <i>Rural Land Use Strategy</i> and Rural Framework Plan identify new rural living opportunities for Toongabbie.

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>However, recent changes to bushfire policy introduced by Amendment VC140 now prevents increasing development / subdivision opportunity in locations of moderate to high fire risk.</p> <p>Further investigation of fire risk to proposed Rural Living Precincts is therefore required. Preliminary investigation into fire risk in Toongabbie has commenced in consultation with CFA.</p> <p>It is recommended that Council defer rezoning of this Rural Living precinct pending:</p> <ul style="list-style-type: none"> - Preparation of the Toongabbie Structure Plan (commencing 2019) - Further exploration of bushfire planning policy requirements.
15	Glynn Evans	Support	<p>Submission summary: Submission supports Toongabbie land rezoning.</p> <p>The submission notes that there is a need for small acreage blocks, being approached by people to purchase such land noting attractive qualities of the township, including relaxed lifestyle, safe place to bring up children, suitable for horse riding and great for outdoor activities.</p> <p>A wish to be able to stay close to family and not wanting to live in Traralgon as they cannot find land to purchase are also highlighted by the submission.</p>	<p>Planning comment: Comments of support are noted. The exhibited <i>Rural Land Use Strategy</i> and <i>Rural Framework Plan</i> identify the subject land and surrounds for rural living.</p> <p>However, recent changes to bushfire policy introduced by Amendment VC140 now prevents increasing development / subdivision opportunity in locations of moderate to high fire risk.</p> <p>Further investigation of fire risk to proposed Rural Living Precincts is therefore required. Preliminary investigation into fire risk in Toongabbie has commenced in consultation with the CFA.</p> <p>It is recommended that Council defer rezoning of this Rural</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>Living precinct pending:</p> <ul style="list-style-type: none"> - Preparation of the Toongabbie Structure Plan (commencing 2019) - Further exploration of bushfire planning policy requirements.
16	Shelley Coupe	Support	<p>Submission summary: Supports Toongabbie rezoning. Family would like to move out of Traralgon to country town and Toongabbie is their first preference.</p>	<p>Planning comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> and <i>Rural Framework Plan</i> identify the subject land and surrounds for rural living.</p> <p>However, recent changes to bushfire policy introduced by Amendment VC140 now prevents increasing development / subdivision opportunity in locations of moderate to high fire risk.</p> <p>Further investigation of fire risk to proposed Rural Living Precincts is therefore required. Preliminary investigation into fire risk in Toongabbie has commenced in consultation with the CFA.</p> <p>It is recommended that Council defer rezoning of this Rural Living precinct pending:</p> <ul style="list-style-type: none"> - Preparation of the Toongabbie Structure Plan (commencing 2019) - Further exploration of bushfire planning policy requirements.
17	Marion Fletcher	Object	<p>Submission summary: Submission objects to multi storey buildings being located amongst single storey buildings.</p> <p>Key points of objection include, overcrowding and concerns</p>	<p>Planning comment: Property and surrounds is identified in an area for 'Substantial Change' by the exhibited Housing Strategy, as it is located within 400 metres of an Activity Centre (i.e. Mid Valley Shopping Centre).</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			regarding high density development.	<p>The maximum building height proposed for this precinct is four storeys in height. Multi dwelling developments will require a planning permit and must address amenity issues such as overlooking and overshadowing.</p> <p>It is noted that the current land zoning enable developments up to three storeys in height or 11 metres. The proposed Residential Growth Zone would allow development up to four storeys in height, with any developments above three storeys in height required to be undertaken on a lot with a frontage greater than 20 metres to ensure appropriate setbacks; car parking and other requirements can be achieved.</p> <p>This will in many instances require prospective developers to first consolidate lots in this precinct prior to four storey developments being enabled.</p> <p>The exhibited <i>Urban Design Guidelines</i> also provide guidance to the design of buildings, provision of setbacks, car parking and landscaping requirements.</p> <p>It is considered appropriate to retain the Residential Growth Zone – Schedule 3 designation in order to give effect to the exhibited <i>Housing Strategy</i>.</p>
18	Mark & Jan Smyth	Object	<p>Submission summary: Submission objects to the proposed rezoning from Rural Living Zone to Farming Zone – Schedule 2. Key matters raised include: - lending concerns if selling the property. - property will be de-valued. - land cannot be farmed, and there are smaller lots near them.</p>	<p>Planning comment: The exhibited Rural Land Use Strategy recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			- a 'blanket approach' should not be applied to the area.	<p>areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p>
19	Robert & Wendy Neocleous also on behalf of Mr F & Mrs M Maselli	Support With changes	<p>Submission summary: Submission requests that the land be rezoned to enable subdivision.</p> <p>Submitter has for many years sought the review and removal of the State Resource Overlay – Schedule 1 (SRO1) from the property and surrounds.</p>	<p>Planning comment: The rezoning of the subject land was not identified by the <i>Rural Land Use Strategy</i>.</p> <p>The State Resource Overlay – Schedule 1 (SRO) cannot be removed from the property without the consent of Department Economic Development Jobs, Transport and Resources (DEDJTR).</p> <p>Whilst the SRO1 remains, rezoning that will enable further subdivision and development for rural living is contrary to the purpose of the overlay.</p> <p>Recommend referral of submission to DEDJTR for consideration as part of their review of coal related planning provisions within the Latrobe Planning Scheme.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

20	Mark & Elizabeth Kilpatrick	Object	<p>Submission summary: Submission objects to multi storey buildings, citing concerns of privacy, traffic, and parking and states that the value of properties will drop.</p>	<p>Planning comment: Property and surrounds is identified in an area for 'Substantial Change' by the exhibited Housing Strategy, as it is located within 400 metres of an Activity Centre (i.e. Mid Valley Shopping Centre).</p> <p>It is noted that the current land zoning enable developments up to three storeys in height or 11 metres. The proposed Residential Growth Zone would allow development up to four storeys in height, with any developments above three storeys in height required to be undertaken on a lot with a frontage greater than 20 metres to ensure appropriate setbacks; car parking and other requirements can be achieved.</p> <p>This will in many instances require prospective developers to first consolidate lots in this precinct prior to four storey developments being enabled.</p> <p>The exhibited <i>Urban Design Guidelines</i> also provide guidance to the design of buildings, provision of setbacks, car parking and landscaping requirements.</p> <p>It is considered appropriate to retain the Residential Growth Zone – Schedule 3 designation in order to give effect to the exhibited <i>Housing Strategy</i>.</p>
21	Tom Tripp	Support	<p>Submission summary: Submission supports proposed changes outlined by the amendment.</p> <p>Believes the amendment will benefit the area.</p>	<p>Planning comment: Subject property and surrounding residential area is proposed to be rezoned to a General Residential Zone – Schedule 2 (Incremental Change).</p> <p>Comments of support are noted.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

22	Tim & Gail McGrath	Support	<p>Submission summary: Submission supports the proposed change to the Schedule to the Rural Living Zone.</p>	<p>Planning comment: Comments of support are noted.</p> <p>Considering changes introduced by the State Government to bushfire related planning policy (Amendment VC140); the exhibited change to the Schedule to the existing Rural Living Zone applying to the subject land will result in an increase in subdivision and development where dwellings are not likely to achieve a Bushfire Attack Level (BAL) below 12.5.</p> <p>Further investigation of the proposed change to the Rural Living schedule and new policy requiring consideration of fire risk is therefore required.</p> <p>Preliminary investigation into fire risk in the Moe South area has commenced in consultation with the CFA.</p>
23 and 23A	Jim & Judy Lawless	Object	<p>Submission summary: Submission notes that the property is a third generation dairy farm. The proposed rezoning would mean a drastic rise in rates which they can't afford.</p> <p>Requests that current Farming Zone classification be applied to the land, and that two smaller land parcels are included in the proposed Rural Living Zone.</p>	<p>Planning comment: Land is proposed to be rezoned to a Rural Living Zone – Schedule 1 with Development Plan Overlay - Schedule 8. This would enable subdivision of land into 2 ha allotments.</p> <p>The subject land is considered appropriate for a Rural Living Zone, given proximity to main township area and the existing Rural Living zoned land to the east. A preliminary assessment of bushfire risk also indicates support for the proposed rezoning.</p> <p>However, given the submitters objection to the proposed rezoning of the subject property to a Rural Living Zone, and the likelihood that a subdivision will therefore not proceed; the rezoning of land may distort available supply and therefore prevent other locations from being rezoned to</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				<p>enable supply.</p> <p>Considering the above, it is recommended that rezoning of the subject land to a Rural Living Zone not proceed as part of the exhibited amendment.</p> <p>Retain the identification of land as a future Rural Living precinct on the exhibited Rural Framework Plan.</p>
24 and 24A	Victor De Beer	Object	<p>Submission summary:</p> <p>The submission objects to the proposed changes to the zoning of land in Yinnar South. Key points of objection outlined by the submission include:</p> <p>The consultant’s report refers to the township of Yinnar South being of a high bush fire zone.</p> <p>The consultant’s report refers to a lack of access in and out of Yinnar in an emergency. The consultant’s report refers to Yinnar South lacking infrastructure.</p> <p>Proposal will restrict home owner’s current option to subdivide their land.</p> <p>Will restrict people from constructing a second dwelling on their land to care for loved ones such as a granny flat.</p> <p>Potential devaluing of properties and the potential for buyers to shy away from purchasing in Yinnar South.</p> <p>Council is to represent the people’s views that live in it.</p>	<p>Planning Comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the <i>2002 Rural Living Study</i> for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification.</p> <p>In response to additional matters raised, see below: - The construction of a dependent person’s unit does not require a planning permit under the current or proposed zone.</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				<ul style="list-style-type: none"> - Property value is not a consideration of planning. - Council is appointed as the planning Authority for the municipal district. Clause 10.01 of the Planning Scheme (Integrated Decision Making) provides that: <i>“Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However in bushfire affected areas, planning authorities and responsible authorities must prioritise the protection of human life over all other policy considerations.”</i>
25	Murray & Glennis Sanders	Object	<p>Submission summary: The property adjoins an existing Rural Living Zone precinct to the west – and is of similar size to properties found in this precinct.</p> <p>Requests the property be rezoned to a Rural Living Zone to enable the construction of a replacement dwelling on the subject land.</p> <p>Submission notes they have paid for rates on the land under a rural residential classification for over 25 years.</p> <p>The property previously contained one of the oldest buildings in Callignee. This was removed some years ago due to safety concerns.</p> <p>The submission notes several meetings held with local parliamentary representatives and the planning department.</p> <p>The submission refers to significant trauma experienced by</p>	<p>Planning comment: The property is proposed to be located in Farming Zone – Schedule 1 (FZ1).</p> <p>The recent State Government Amendment VC140 introduced a revised clause relating to bushfire considerations in the State Planning Policy Framework. In accordance with the newly introduced policies, subdivision and development is not supported where a Bushfire Attack Level (BAL) greater than 12.5 is likely.</p> <p>Due to the extent of vegetation on the land (and surrounds), it is unlikely that a BAL rating below 12.5 could be achieved.</p> <p>Considering the above, the rezoning of the property to a Rural Living Zone is not able to be supported.</p> <p>The application of Farming Zone – Schedule 2 to the subject site and property to the north is however considered appropriate given surrounding development pattern and</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			the family.	small lot sizes. This will be subject to further consultation with affected property owners and other relevant agencies.
26	Duane Hackett	Object	<p>Submission summary: Submission requests that a Rural Living Zone (RLZ) be extended to include farmlets between Old Callignee Road, Factory Road and the Traralgon-Balook Rd.</p> <p>If this is not considered appropriate, the submission provides support to the application of the exhibited Farming Zone – Schedule 2 (FZ2).</p>	<p>Planning comment: It is considered appropriate to progress the exhibited Farming Zone – Schedule 2 classification on the subject land.</p> <p>It is noted that Amendment VC140 introduced a revised clause relating to bushfire considerations in the State Planning Policy Framework. Any proposed rezoning must not enable the rezoning of land to allow for intensification if it will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009.</p> <p>Due to the extent of vegetation on the land (and surrounds), it is unlikely that a BAL rating below 12.5 could be achieved.</p> <p>It is therefore recommended to proceed with the application of FZ2 to the subject property and surrounds.</p>
27	Yvonne Cabion	Support	<p>Submission summary: Submission provides support to the establishment of a Bio-Link. Submitter noted that they observed a Koala walk past her house in Kelso Road in Feb 2018.</p>	<p>Planning Comment: Comments of support are noted.</p>
28	Anthony Faltum	Object	<p>Submission summary: Submission requests that the subject property be rezoned from a Farming Zone to Rural Living Zone – Schedule 1 (RLZ1) to reflect existing land use and properties within this area.</p>	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> does not identify the land for inclusion in a Rural Living Zone.</p> <p>It is noted that Amendment VC140 introduced a revised clause relating to bushfire considerations in the State Planning Policy Framework. Any proposed rezoning must not enable the rezoning of land to allow for intensification if it</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009.</p> <p>Due to the extent of vegetation on the land (and surrounds), it is unlikely that a BAL rating below 12.5 could be achieved.</p> <p>The findings from preliminary Bushfire Risk assessments undertaken in Moe South and recent advice of the CFA, the requested rezoning of the subject land to a Rural Living Zone is not able to be supported at this time.</p>
29	Simon Forbes	Object	<p>Submission summary: Submission objects to the rezoning of land from Rural Living Zone to Farming Zone – Schedule 2 in the Yinnar South area. Key points matters raised include:</p> <ul style="list-style-type: none"> - Predominantly small lot sizes along Gilberts Road. - Farming uses would affect the amenity of exiting landowners. - Additional restrictions for the development a second dwelling in the Farming Zone. - Land will be devalued. - If dwellings are to be burnt down, greater restrictions would apply for the redevelopment. 	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the <i>2002 Rural Living Study</i> for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

30	Garry & Sandra Lawler	Object	<p>Submission summary: Requests that properties from 121-175 Watsons Road (east side) & 45 Tambo Road be rezoned from a Farming Zone to a Rural Living Zone – Schedule 1.</p>	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> does not identify the land for inclusion in a Rural Living Zone.</p> <p>It is noted that Amendment VC140 introduced a revised clause relating to bushfire considerations in the State Planning Policy Framework. Any proposed rezoning must not enable the rezoning of land to allow for intensification if it will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009.</p> <p>Due to the extent of vegetation on the land (and surrounds), it is unlikely that a BAL rating below 12.5 could be achieved.</p> <p>The findings from preliminary Bushfire Risk assessments undertaken in Moe South and recent advice of the CFA, the requested rezoning of the subject land to a Rural Living Zone is not able to be supported at this time.</p>
31	Glenn Martin	Object	<p>Submission summary: Submission requests that the subject property be re-zoned from a Farming Zone to a Rural Living Zone.</p>	<p>Planning comment: The rezoning of the land is not identified by the <i>Rural Land Use Strategy</i>.</p> <p>However, considering the lot is on the edge of an existing rural living precinct and bordered by two roads providing access to the land, rezoning to a Rural Living Zone – Schedule 1 is considered appropriate. This would enable the creation of an additional 7 lots.</p> <p>It is therefore recommended that the exhibited <i>Rural Framework Plan</i> be amended to identify the land for investigation and inclusion within a Rural Living Zone. Rezoning of the subject property will then be progressed as</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				part of a future Rural Living Study. A Planning Scheme amendment may also be initiated independently for the rezoning of the subject land.
32	Ron and Rae Manestar	Support	Submission summary: Support their property being rezoned to Farming Zone – Schedule 2.	Planning comment: Comments of support are noted. The rezoning of the land to Farming Zone Schedule 2 is identified by the <i>Rural Land Use Strategy</i> .
33A	Terry & Erika Algie	Object	Submission summary: The submission objects to the introduction of Farming Zone – Schedule 1 (FZ1) as this would preclude the ability to construct a retirement dwelling on one of the property titles being approximately 16 acres. Application of the Farming Zone – Schedule 2 would restrict farming operations on the land. Original submission number 33 withdrawn.	Planning comment: The introduction of FZ1 to the subject land is identified by the exhibited <i>Rural Land Use Strategy</i> . The discouragement of dwellings not required for agriculture is a primary objective of the exhibited Farming Zone – Schedule 1 (FZ1). A permit can be issued for a dwelling on any size allotment, provided the dwelling is reasonably required for an agricultural use (as directed by the Zone and Policy). The exhibited Clause 22.02 (Rural Dwellings and Subdivision) policy also includes the following objective for land proposed for inclusion in FZ1: “ <i>Retain larger lots and avoid the establishment of sensitive land uses within the Farming Zone – Schedule 1 in order to retain versatility for current and future agriculture investment.</i> ” Where a dwelling is required for an agricultural use on the land, such proposals are supported by the exhibited policy (subject to planning permit).

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

34	Annette Auld	Object	<p>Submission summary: The submission objects to the rezoning of land in Yinnar South.</p> <p>Key points raised by the submission include:</p> <ul style="list-style-type: none"> - Concerns about value of the property. - No benefit in rezoning the land to farming due to the small lot sizes. - Submitter has lived in Yinnar South for over 40 years and concerned /stressed about the proposed zone change. - Risk of bushfire not considered to be an issue. - Middle Creek Road was recently upgraded. - Well established community. - Concerns with the community consultation, in particular the lack of early consultation on the report and the recent community driven meeting. - Submission raises questions regarding compensation. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the <i>2002 Rural Living Study</i> for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>Property values and lending services is not a planning consideration.</p>
35	Adrian Auld	Object	<p>Submission summary: The submission objects to the rezoning of land in Yinnar South. Key points raised by the submission include:</p> <ul style="list-style-type: none"> - Submitter has lived in Yinnar South for over 40 years and concerned/ stressed about the proposed zone change. - Concerns about value of the property. - No benefit in rezoning the land to farming due to the small lot sizes. - Questions as to why other Rural Living locations are not being changed. 	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the <i>2002 Rural Living Study</i> for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - Middle Creek Road was recently upgraded. - Well established community. - Risk of bushfire not considered to be an issue. - Submission raises questions regarding compensation. 	<p>areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>Property values and lending services is not a planning consideration.</p>
36	Deanne Hammer	Object	<p>Submission summary:</p> <p>Requests the subject properties are changed from the exhibited Farming Zone – Schedule 1 to a Farming Zone – Schedule 2 to prevent commercial scale farming as a means of protecting potable water and water quality.</p>	<p>Planning comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> identifies the subject land as being located in Farming Zone – Schedule 1.</p> <p>The Farming Zone Schedule 2 will not prevent farming practices taking place.</p> <p>There are a range of provisions included within the planning scheme and other regulations for the protection of waterways from runoff resulting from agricultural activities.</p> <p>The EPA also has responsibilities under the Environment Protection Act 1970 to prevent pollution and protect waterways.</p> <p>It is considered appropriate to amend the Rural Framework Plan to identify the subject land for future investigation and possible inclusion within the Farming Zone – Schedule 2. This would include consultation with landowners.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

37	Adam Wyke	Support with changes	<p>Submission summary: Submission requests that residential development and mixed use opportunities be enabled at the Bubb St property (currently IN3Z),</p> <p>Supports more diverse housing at the Vale Street property.</p>	<p>Planning comment: The rezoning of the property at Bubb Street is not identified by the exhibited <i>Industrial and Employment Strategy</i>.</p> <p>It is noted however, that the type of use and development the submitter refers to in the submission may be considered under the current Industrial Zone applying to the land.</p> <p>Review of retail and mixed use locations on land within and adjoining Activity Centre locations may be considered as part of the Retail Strategy in the 2018/19 budget.</p> <p>Comments of support are noted regarding the identification of Vale Street within a location for ‘incremental change’.</p>
38 and 38A	James & Joan Gardner	Object	<p>Submission summary: Objects to the rezoning of land from a Farming Zone to Rural Living Zone in Yinnar South.</p> <p>The existing Rural Living Zone is most suited to the area with a good mix of farming and rural living.</p> <p>Submission noted the strong local community and associated community infrastructure available.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				property referenced by the submission.
39	Charles Twomey	Support with changes	<p>Submission summary: Concerns if back-zoned to FZ2 that existing rights as a rural resident would be lost, the size of properties in this area are not viable farmland, affect land value, FZ2 may allow someone to establish an incompatible business with the rural lifestyle of existing residents.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>Residents will have existing use rights for their land in regards to how it is currently being used.</p> <p>Certain farming uses will still require a planning permit (such as intensive animal husbandry) within a Farming Zone.</p>
40	Greg & Lorrel Samson	Object with changes	<p>Submission summary: Existing covenant on the land prevents more than one dwelling on the lot (no comment on subdivision however on face value there is an assumption that subdivision would</p>	<p>Planning comment: The restrictive covenant will not be impacted / removed by the rezoning of the land. A planning permit is required to vary or remove a covenant.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>also not be supported).</p> <p>Concerns that removal of the covenant will affect the amenity of the area (increased traffic, additional noise, and additional roadside clutter).</p> <p>An increase in traffic would increase risk and there is no footpath in this area. Battle-axe blocks are not ideal if development was to occur. If C105 was approved, would like the minimum subdivision area reduced to 1300 sq. m.</p>	<p>Under the current planning controls, lots can be subdivided to smaller than 600 sq. m. The zoning is only one of the considerations when applying for a planning permit.</p> <p>In regards to the request to lower the minimum subdivision size, the Neighbourhood Residential Zone – Schedule 3 has been selected as the most appropriate tool to protect pockets of neighbourhood character, including larger lot sizes across various precincts. This is considered appropriate to achieving the objectives of the exhibited <i>Housing Strategy</i>.</p>
41	Dianne Walker	Object	<p>Submission summary:</p> <p>Submission objects to the proposed re-zoning of land from a Rural Living Zone (RLZ) to Farming Zone – Schedule 2(FZ2). Key matters raised by the submission include:</p> <ul style="list-style-type: none"> - Proposed Farming Zone – Schedule 2 lacks flexibility. - Provides agricultural with precedence over residential uses and is not in keeping with the area. - Yinnar south is the only precinct being back-zoned. - Lack of consultation over the preparation of the report. - Existing land use pattern reflects rural living not FZ2 (and 40Ha). - The areas are accessible to infrastructure and community assets (and accessible to towns). - There is not an oversupply of RLZ yet it is proposed to back-zone Yinnar South and rezone other areas. - The area has not been known in 130 years to have had a bushfire. - Timing of amendment inconvenient. 	<p>Planning comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The proposed re-zoning of this area is in response to location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The current RLZ classification presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable. It is also noted that existing agricultural uses occurring on larger land parcels may be considered to be a non-conforming use in the Rural Living Zone or require a planning permit.</p> <p>The subject property and surrounds were considered by a</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>Rural Living Study completed in 2002 and progressed by planning scheme amendment C7 in 2003. The 2002 study and planning panel that considered Amendment C7 both recommended that the subject land be rezoned to a Rural Zone (Farming Zone equivalent). At the time this report was prepared, it was unclear as to why these recommendations were not enacted.</p> <p>The proposed Farming Zone – Schedule 2 does support the construction of dwellings, where improved land management outcomes may result and no conflict with existing agriculture operations is compromised. In this way, the establishment of dwellings on the land for 5th generation family members may be enabled (subject to planning permit). This opportunity is considered available given the separate property titles applying to the subject property.</p> <p>A planning permit is currently required by the Bushfire Management Overlay applying to the land for subdivision and development of a dwelling.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity within the broader Yinnar South area, it is considered appropriate to retain the Rural Living Zone classification. This does not include the property at Upper Middle Creek Road.</p> <p>In relation to the recently approved subdivision approved on the land for the creation of a smaller allotment (approximately 4.1 hectares), subject to the creation of title it may be appropriate to retain the Rural Living Zone land classification on this parcel.</p> <p>Property values and lending services is not a planning</p>
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**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				consideration.
42	Nathan Walker	Object	<p>Submission summary: Yinnar South has a strong community and has infrastructure in place to service the area.</p> <p>Yinnar South is an easily accessible and safe environment situated on flat to undulating ground in the Middle Creek valley . There are no RLZ areas in steep or inaccessible high fire risk locations.</p> <p>Close to services provided by nearby townships; closer to these than other districts. In addition to submission No. 41 additional points of objection outlined in Submission 42 include:</p> <ul style="list-style-type: none"> - Land along Explorers Road should remain within a Rural Living Zone. - The subject property has remained in Rural Living Zone since before it was purchased in 1980. The purchase price and subsequent property rates have been paid in good faith based on the current zoning and associated development opportunity. - Residential use of this land should take precedence over agriculture. - Difficulty for landowners to borrow money for land zoned Farming. - Land is not steep and is clear of vegetation. - Devaluing of land. - Availability of infrastructure and utility services to the area. - Road access is fully sealed, with multiple routes. - Availability of local education and higher end services from Yinnar and Churchill townships. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the subject property referenced by the submission.</p> <p>Property values and lending services is not a planning consideration.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - Contributes to the need for Rural Living Zoned land required in Latrobe City. - References that other locations proposed for inclusion in Farming Zone – Schedule 2 are being ‘forward zoned.’ 	
43	Robert and Dianne Walker	Object	<p>Submission summary: Submission objects to the proposed re-zoning of land from a Rural Living Zone (RLZ) to Farming Zone – Schedule 2(FZ2). Key matters raised by the submission include:</p> <ul style="list-style-type: none"> - Land along Explorers Road should remain within a Rural Living Zone. - The subject property has remained in Rural Living Zone since before it was purchased in 1980. The purchase price and subsequent property rates have been paid in good faith based on the current zoning and associated development opportunity. - Residential use of this land should take precedence over agriculture. - Difficulty for landowners to borrow money for land zoned Farming. - Land is not steep and is clear of vegetation. - Devaluing of land. - Availability of infrastructure and utility services to the area. - Road access is fully sealed, with multiple routes. - Availability of local education and higher end services from Yinnar and Churchill townships. - Contributes to the need for Rural Living Zoned land required in Latrobe City. - References that other locations proposed for inclusion in Farming Zone – Schedule 2 are being ‘forward zoned.’ 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the subject property referenced by the submission.</p> <p>Property values and lending services is not a planning consideration.</p>
44	David Stickney & Marlene Drysdale	Object	<p>Submission summary: Under Farming Zone – Schedule 2 (FZ2), agriculture would take precedence over rural living and may negatively impact</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>lifestyle.</p> <p>There is greater likelihood of a farming or forestry industry being developed next door.</p> <p>Back-zoning would reduce land/house value. Possible issues with finance and banks and may affect potential buyers. FZ2 is appropriate for farming communities; compromise would be to exclude existing RLZ properties.</p>	<p>Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification.</p> <p>In response to additional matters raised by the submission, further comments are provided as follows.</p> <p>The continued use of dwellings on the property is considered to be altered the proposed application of the Farming Zone – Schedule 2 (FZ2).</p> <p>The FZ will still require a permit for certain agricultural land uses. Timber plantations must meet certain requirements for a permit not to be triggered.</p> <p>Property values and lending services is not a planning consideration.</p>
45 and 45A	Julie Reggardo	Object	<p>Submission summary: <i>Submission number 45:</i> The submission objects to the rezoning of land from Rural Living Zone to Farming Zone – Schedule 2 (FZ2).</p>	<p>Planning comment: The exhibited Rural Land Use Strategy recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2). The proposed Clause 22.02 provides guidance for the</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>If this area needs to be changed to FZ2 then an overlay can be placed over it and leave the remaining small lots as Rural Living Zone (RLZ).</p> <p>Not enough awareness about the proposed back-zoning.</p> <p>There is high demand for rural living in Yinnar South, demonstrated by building approvals.</p> <p>The <i>Rural Land Use Strategy</i> refers to Jeeralang.</p> <p>Yinnar South is a wonderful community which is made up of around 160 small acreage lots, with associated community infrastructure within the town and nearby.</p> <p>Agrees that we must protect against the further fragmentation of rural land by subdivision.</p> <p><i>Submission 45A:</i> Submitter explains that they have resided in the area since 1987.</p> <p>Submitter owns both a 10 acre and 5 acre property adjoining, stating that the value of land would significantly decrease.</p>	<p>construction of dwellings and subdivision within FZ2 areas.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>The existing BMO will address matters of fire risk for proposed development of land.</p>
46	Thomas Hammer	Object	<p>Submission summary: Submission requests the subject properties are changed from the exhibited Farming Zone – Schedule 1 to a Farming Zone – Schedule 2 to prevent commercial scale farming as a means of protecting potable water and water quality.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> identifies the subject land as being located in Farming Zone – Schedule 1. The Farming Zone Schedule 2 will not prevent farming</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>practices taking place.</p> <p>There are a range of provisions included within the planning scheme and other regulations (for the protection of waterways from runoff resulting from agricultural activities.</p> <p>The Environment Protection Authority (EPA) also has responsibility under the Environment Protection Act 1970 to prevent pollution and protect waterways.</p> <p>It is considered appropriate to amend the Rural Framework Plan to identify the land for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
47	Colin Walker & P. A. Barry	Object	<p>Submission summary:</p> <p>The submission objects to the rezoning of land from Rural Living Zone to Farming Zone – Schedule 2. Farming ability already lost due to subdivision of the area.</p> <p>Blanket change to Yinnar South ignores the reality of economics in farming those areas which are steeper or of lower fertility soil types.</p> <p>More restrictions to development on existing subdivisions. Existing zoning has worked well in the area with the retention of bushland areas and co-existence between farmers and RLZ residents. Decrease in land values, would rates reduce.</p>	<p>Planning comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2). The proposed Clause 22.02 provides guidance for the construction of dwellings and subdivision within FZ2 areas.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				retain the Rural Living Zone classification. Property values and lending services is not a planning consideration.
48	Justin & Sonali Moore	Object	<p>Submission summary: Submission objects to the rezoning of land from Rural Living Zone to Farming Zone – Schedule 2.</p> <p>Key points of objection include:</p> <ul style="list-style-type: none"> - Property is densely wooded with endangered and vulnerable vegetation, not suited to farming. - Land would be easier to manage if subdivided. - Land was purchased two years prior, with the intention of subdivision into two parcels (noting support for 173 agreements and Trust for Nature covenants being applied to the land as part of such a proposal). - Proposed rezoning will devalue the property and make it more difficult to sell or obtain finance. - Subdivision process is costly. - Purchased the property with the intent of living on it, and consideration of the minimum subdivision area enabled under the zone. - Live Work Latrobe reports were not publicly available at the time the land was purchased. - Obtaining finance / borrowing is made more difficult due to the proposed re-zoning of land. - Concern regarding exhibition period and notification of landowners. - Land has been owned by the family since 1942. - Bushfire considerations would make possible uses for tourism development unachievable. - Refers to previously disputed rateable value applied to the land which is considered excessive. 	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>In relation to the subject property, noting the extent of high value vegetation and bushfire risk on the property and surrounds, it is considered that the further subdivision of land is not likely to be achieved (or appropriate); contrary to the expectations that the current Rural Living Zone classification may indicate.</p> <p>Under the current zoning arrangements, further subdivision and the development of a dwelling on the land will be subject to a planning permit under the Bushfire Management Overlay (BMO) and likely requirements for vegetation removal.</p> <p>The exhibited Farming Zone – Schedule 2 provides support to the construction of a dwelling (along with consideration of other provisions of the planning scheme). Further subdivision below 40 hectares is not supported by the</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - Demand for people seeking to live in rural towns and on small acreages. - Refer to 62 Yinnar South community members attending a community meeting and the concern raised by those in attendance. - No mention of Yinnar South in the draft strategy documents. - Yinnar South is not positioned for possible Rural Tourism uses. - Yinnar South is no more fire prone than other locations in the Bushfire Management Overlay (BMO). - Back-zoning of Yinnar South will remove much needed supply of Rural Living land. - Yinnar South has excellent community infrastructure. - Questions the quality of the report due to limited timelines for engagement with the community. - Recommends the Farming Zone remain unchanged. - Refers to intent to represent the objection to a future Planning panel and to take the matter to further appeal processes if progresses to approval. 	<p>proposed Farming Zone – Schedule 2.</p> <p>Rural Tourism opportunities are not prohibited by the BMO (i.e. the use of land for such purposes can be managed in periods of high fire danger through closure). The use of land for dwellings is not able to be regulated in the same manner.</p> <p>Property values and lending services is not a planning consideration.</p> <p>It is considered appropriate to proceed with the proposed application of the Farming Zone – Schedule 2 to the subject property as exhibited.</p> <p>Recognising the extent of high value vegetation which exist on the land (and highlighted by the submission), recommend that the draft Rural Framework Plan be amended to identify the subject land (and surrounds) for future investigation and possible inclusion of appropriate overlays being applied to the land for the protection of high value native vegetation.</p> <p>Submissions that remain unresolved will be referred to a future planning panel, at which submitters will be provided the opportunity to present.</p> <p>It is acknowledged that the submission raises a number of questions. Council Planning Officers will contact the submitter to address these questions.</p>
49	Wendy Wright (Federation University).	Support	<p>Submission summary: Submission supports the introduction of the bio-link, and the management of wildlife populations and their habitat.</p>	<p>Planning comment: Comments of support are noted.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			Federation University has undertaken work on the Strzelecki Koala and would be keen to work with council.	
50	Nicole Stow (Beveridge Williams)	Objection requesting changes	<p>Submission summary: The submission congratulates Council on its preparation of the Amendment, which seeks to implement the most significant body of land use planning work completed since the gazettal of the Latrobe Planning Scheme in March 2000.</p> <p>The submission identifies a number of matters for further investigation and consideration prior to adoption of the Amendment. These matters are summarised as follows:</p> <ul style="list-style-type: none"> - Assessment of land characteristics / capability in locations identified for change in housing form and density. - Analysis of potential dwelling yield to be achieved by the Housing Strategy. - Consideration of car parking variations for medium to higher density parking. - Requests that Residential Growth Zone – Schedule 1 (RGZ1) be applied to land at Hickox Street, Traralgon. - Minor clarifications sought in location descriptions in the exhibited Clause 21 and Clause 22. - Concern regarding the ability for excision of dwellings in the Farming Zone. - Concern regarding the proposed application of a Development Plan Overlay to new Rural Living areas. - Typographical errors within the exhibited Urban Design Guidelines and Land Use Strategies. 	<p>Planning Comment: Beveridge Williams (Traralgon Office) are a local consultancy providing urban design, town planning and associated infrastructure and engineering services to Gippsland since 1962.</p> <p>The submission poses a number of questions and provides advice to Council for consideration prior to adopting the amendment. The strategic planning team will continue to work with the submitter to further discuss elements of the strategy and prepare adjustments to the exhibited amendment as appropriate, for consideration by Council. A preliminary response to key matters raised by the submission is provided below.</p> <ul style="list-style-type: none"> - A key objective of the Housing Strategy is to utilise existing infrastructure and services. In comparison new and expanding residential growth areas are experiencing difficulties in providing necessary infrastructure and services. - A primary infrastructure consideration has been the capacity of sewer. Gippsland Water has been engaged throughout the project and has advised they have no objections to the amendment. - Traffic and car parking will be considered as part of planning permit applications. - It is considered that housing growth and change that will be subject to many influences including property values and scale of redevelopment proposals. - A draft Housing Capacity assessment has been prepared outlining a 'notional supply' of housing that may be achieved by the exhibited Housing Strategy. This assessment is to be further revised in line with the

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>exhibited amendment and following any changes to the application of residential zones agreed to by Council. Once necessary revisions have been completed, this assessment will be made available as supporting information prior to an anticipated planning panel.</p> <ul style="list-style-type: none"> - The provision of car parking is a consideration of planning permit applications. Options available for new higher density redevelopments will likely include car parking being made available via lot consolidation and /or basement level car parking. This includes the opportunity to apply for a car park waiver. - RG22 has been applied to those locations adjoining heritage precincts, located within 400 metres of a Primary Activity Centre. It is acknowledged that the affected land in Hickox Street does have a rear abuttal to the Thomas Street heritage precinct. It is also noted that the exhibited Traralgon Housing Framework Plan identifies the Hickox Street area as substantial change. - Minor revisions to Clause 21 and 22 are generally supported. - Whilst dwelling excisions are generally discouraged, provisions exist within the exhibited strategy for the excision of dwellings in the Farming Zone – Schedule 1. <p>In response to matters raised by the submission, changes to the exhibited amendment which are considered appropriate include:</p> <ul style="list-style-type: none"> - Apply the Residential Growth Zone – Schedule 1 (RGZ1) to land at Hickox Street, Traralgon. - Make minor variations to the exhibited Clause 21 and 22 as outlined by the submission (these changes will be further articulated in Council’s formal response to submissions at a future Council Meeting). - The progression of new Rural Living precincts will not be progressed by the exhibited amendment (due to new
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SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				policy consideration introduced by Amendment VC140). - Typographical errors have been completed.
51	AGL Loy Yang Jeff Hobson	Support with Changes	<p>Submission summary: AGL Loy Yang understands the necessity of holistic planning and congratulates the Council on the initiation of this reform Amendment. The submission notes a number of issues and opportunities which require further consideration with the Amendment as follows:</p> <ol style="list-style-type: none"> Notes the recently announced Hydrogen Energy Supply Chain (HESC) 1, to which AGL is a consortium partner. If feasible, the commercial phase of this project may see coal demand transition from coal-to-power to coal-to-hydrogen. This will underpin economic development within Latrobe Valley and should be a priority within the amendment. AGL maintains that a precautionary approach should be taken to development around AGL Loy Yang mine to ensure adequate and substantial buffers are maintained between the mine and residential/road development. Amendment should also give preference to EPA Inquiry Recommendation 10.3 <i>"Develop, as a priority, strengthened land use planning mechanisms that establish and maintain buffers to separate conflicting land uses, avoid encroachment problems, help manage health, safety and amenity impacts, and ensure integration with EPA regulatory requirements."</i> The amendment should allow for flexibility to respond to the Latrobe Valley Regional Rehabilitation Study. 	<p>Planning comment: Existing and emergent opportunities for the utilisation of coal resources are well represented within the Latrobe Planning Scheme and is not altered by the amendment. Variation to such policy provisions is not able to be achieved without the expressed consent by DEDJTR.</p> <p>The consideration of land use separation buffers between the Loy Yang Mine and the Traralgon urban boundary were considered by Amendment C87.</p> <p>Independent investigation commissioned by Council into land stability of the Traralgon urban area affected by the Loy Yang mine concludes that land stability in this location is not a concern. Council has however written to the relevant Minister requesting that further investigation be undertaken in response to land stability matters outlined at Clause 21.09-4.</p> <p>Amendment C105 does not alter the urban boundary of Traralgon. Neither does the amendment re-zone land within 2000 metres of the mine area.</p>
52	Adam Dunn West Gippsland	Support with Changes	<p>Submission summary: Submission notes concerns with land adjoining the Traralgon Creek being identified for 'Substantial Change' in housing</p>	<p>Planning comment: Comments of support provided by the WGCMA are noted.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

	Catchment Management Authority (WGCMA)		<p>density (i.e. Tennyson Street, Whitakers Road and Shakespeare Street area).</p> <p>Submission notes that should flooding impacts to the urban area of Traralgon be alleviated by works currently being explored as part of the Traralgon By-Pass that increased development in locations presently at risk of flooding may be supported in the future.</p> <p>Support proposed changes in policy to facilitate the creation of a bio-link from the Strzelecki Range bioregion to the Southern Fall bioregion. The proposed bio-link will provide for ecological connectivity between landscapes for the Strzelecki Koala and a range of fauna and flora within Latrobe City, both now and in a changing climate.</p> <p>Notes that proposed rural living locations should seek to protect waterways. Within the bio-link area, riparian vegetation will provide important corridors and linkages across the landscape.</p>	<p>The WGCMA were a key stakeholder and assisted in the preparation of each of the exhibited land use strategies, including the provision of mapping which informed the identification of the potential Strzelecki – Alpine Bio-link.</p> <p>No areas are proposed for inclusion within a zone that would enable intensification of development on land prone to flooding. Further consultation and confirmation of this has been undertaken with the Authority.</p> <p>In response to changed policy requirements regarding bushfire risk, it is recommended that new Rural Living locations not be progressed by the current amendment.</p>
53	Robert Ford (Human Habitat)	Support with Changes	<p>Submission summary: Submission refers primarily to land to the east of Alexander Road (Lot 1 TP 173536 and 20 National Road, Morwell).</p> <p>The submission notes a range of strategic directions and recommended actions affecting the land as follows:</p> <ul style="list-style-type: none"> - <i>Industrial Framework Plan</i> (included in the exhibited <i>Industrial and Employment Strategy</i>); - <i>Morwell – Traralgon Growth corridor planning</i>. <p>The <i>Rural Land Use Strategy</i> appears to counter directions identified for the land by applying Farming Zone – Schedule 1. The Farming Zone is also prohibitive to ‘added commercial entities to support the Latrobe Regional Airport.’</p>	<p>Planning comment: The land is presently zoned Farming and is proposed to be located in Farming Zone – Schedule 1.</p> <p>The <i>Industrial Framework Plan</i> (included in the exhibited <i>Industrial and Employment Strategy</i>) identifies future opportunities to target health and aviation.</p> <p>The land is also under consideration as part of a Traralgon – Morwell corridor master planning project, presently being undertaken.</p> <p>The retention of the Farming Zone land is considered appropriate until such time land supply demand warrants</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>The submission supports opportunities identified by the <i>Industrial Framework Plan and Morwell – Traralgon Corridor</i> project. The submission however notes that the retention of the Farming Zone on the land is contrary to these objectives.</p>	<p>the rezoning of the site in accordance with directions outlined by the Industrial Framework Plan.</p> <p>Possible land zoning is also an expected outcome of the Morwell – Traralgon Corridor project.</p> <p>Timeframes in which land is rezoned will be dependent on an assessment of demand and supply.</p>
54	Julie Ritter	Comment	<p>Submission summary: Submission raises concerns to the proposed rezoning of land to a Rural Living Zone. In particular possible restrictions to owning other animals such as chickens, geese, ducks, sheep, cattle and horses.</p>	<p>Planning comment: Existing use rights may apply to any agriculture on the property (i.e. keeping of cows, horses etc.). Such animals are not included in the definition of animal keeping (animal keeping is land used to breed, board domestic pets or keep/breed/board racing dogs). Boarding refers to land uses such as kennels and catteries for external domestic animals. Relevant local laws are also required to be considered.</p> <p>It is noted that in response to recent changes to bushfire policy introduced by Amendment VC140, further investigation of fire risk to proposed Rural Living Precincts is now required.</p> <p>It is therefore recommended that Council defer rezoning of this Rural Living precinct pending:</p> <ul style="list-style-type: none"> - Further exploration of bushfire planning policy requirements. - Preparation of the Toongabbie Structure Plan (commencing 2019)
55	Ainslee Caldwell	Comment	<p>Submission summary: Requests that the Amendment provides clarification that there is no restriction to keeping of livestock in the proposed</p>	<p>Planning comment: Existing use rights may apply to any agriculture on the property (i.e. keeping of cows, horses etc.). Such animals are</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			Rural Living Zone (including but not limited to chickens, geese, ducks, sheep, cattle and horses).	<p>not included in the definition of animal keeping. The definition of animal keeping provided in the Planning Scheme primarily refers to the use of land for breeding, boarding domestic pets or racing dogs.</p> <p>Boarding refers to land uses such as kennels and catteries for external domestic animals. Relevant local laws are also required to be considered.</p> <p>It is noted that in response to recent changes to bushfire policy introduced by Amendment VC140, further investigation of fire risk to the proposed Rural Living Precinct (including the subject property) is now required.</p> <p>It is therefore recommended that Council defer rezoning of this Rural Living precinct pending:</p> <ul style="list-style-type: none"> - Further exploration of bushfire planning policy requirements. - Preparation of the Toongabbie Structure Plan (commencing 2019).
56	Baw Baw Shire Council	Comment	<p>Submission summary:</p> <p>The submission provides a range of comments and suggested revisions , summarised as follows:</p> <ul style="list-style-type: none"> - Formatting and arrangement of content at Clause 21. - Discussion of the importance given to particular themes within the exhibited planning scheme amendment. - Suggested variations to Clause 22.02 and 22.03 to improve clarity. - Specialised housing types are undersupplied in an area of increasing demand. - Support to the recognition and strengthening of the proposed Strzelecki – Alpine Bio-link. - Universal housing requirements are under- represented in 	<p>Planning comment:</p> <p>Submission makes references to the structure of the exhibited amendment. The format and structure anticipated by Smart Planning is considered to address these matters.</p> <p>The suggested editorial additions and corrections to the exhibited amendment will be further considered following the identification of necessary post exhibition changes.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			the planning scheme. - Identifies a series of editorial additions and corrections to the exhibited amendment.	
57	William & Margaret Dubelaar	Object	<p>Submission summary: Submission requests that the subject property be included in either a Rural Living Zone (RLZ) or Farming Zone – Schedule 2 as Farming Zone – Schedule 1 does not fit into the land use context and the size of the site.</p> <p>RLZ would possibly enable an additional two dwellings.</p> <p>RLZ is not appropriate on the properties west of Narracan Creek due to access (due to a steep escarpment), land management (noxious weeds) and unstable land.</p>	<p>Planning comment:</p> <p>It has been identified that the exhibited amendment will create split zoning on this property with the introduction of Farming Zone – Schedule 2 (FZ2) to the northern portion of the subject land.</p> <p>Given the land constraints with likely flood risk and bushfire risk, it is not appropriate to apply a Rural Living Zone. However including the entire property within FZ2 is considered appropriate.</p> <p>It is noted that further investigation of the proposed Rural Living Precincts and potential fire risk is required for new rural living areas exhibited for Moe South. It is likely that these locations will not be progressed by the exhibited amendment.</p>
58	Neil Burns	Support with Changes	<p>Submission summary: Commends the project, however requests being included within a Rural Living Zone.</p>	<p>Planning comment:</p> <p>The subject land and surrounds is identified as a future Rural Living Precinct by the exhibited <i>Rural Framework Plan</i>. The rezoning of the land was not however included due to consideration of land supply that may have been enabled by new Rural Living Zone areas exhibited by the amendment.</p> <p>Given the likely deferral and removal of other proposed Rural Living locations exhibited by the amendment (due to changed bushfire risk policy requirements), it may be considered appropriate to progress with the rezoning of the subject site and surrounds to a Rural Living Zone.</p> <p>This would include a requirement to determine bushfire risk</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>as required by recent Amendment VC140.</p> <p>It is therefore recommended to progress the further assessment of proposed Rural Living Zone being applied to the land as part of a separate and future Rural Living Study.</p> <p>A Planning Scheme Amendment may also be initiated independently.</p>
59	David Mifsud	Object	<p>Submission summary: Submission requests the rezoning of areas 19 and 21 (as shown on the current Traralgon Structure Plan) to a Rural Living Zone.</p>	<p>Planning comment: Area 19 is identified as future Rural Living Precinct, considering the current development pattern. Given the constrained nature of where Traralgon can grow, it is agreed that higher densities should be encouraged within the settlement boundary.</p> <p>Due to possible horizontal and vertical land movements from Loy Yang, any rezoning would require council to seek the views of the Minister administering the Mineral Resources Act for land within 2000 metres of the mine crest. This property is within the 2000 metres threshold.</p> <p>Further consultation and advice from State Government would therefore be required prior to progressing the rezoning of land in this precinct.</p>
60	Department Economic Development Jobs, Transport and Resources (DEDJTR).	Support with changes	<p>Submission summary: Submission provides comments on the Amendment and highlights some matters for information including: - Coal provisions and mapping are currently being reviewed by the Department. I note that prior to exhibition the coal provisions in the Amendment were largely unchanged as a condition of authorisation. It follows that Council</p>	<p>Planning comment: Comments provided by the DEDJTR submission and the prior support provided during preparation of each of the Live Work Latrobe strategies is noted.</p> <p>In response to matters raised by the submission the following preliminary comments are provided as follows:</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>responses to submissions to the Amendment should be similarly neutral so as not to pre-empt the Review's outcome.</p> <ul style="list-style-type: none"> - Refers to the identification of land east of Minnedale Road from 'future industrial' to 'future residential'. Invites Council to reconsider this annotation in light of optimum buffers from the Loy Yang coal mine. - Refers the extensive Extractive Industry Interest Areas and suggests they be represented on the Rural Framework Plan given potential conflict with urban growth and rural diversification. - Requests that they be notified of submission relating to coal provisions and any changes proposed by Council in response to such submissions. 	<ul style="list-style-type: none"> - Extractive Industry Interest Areas are presently identified in the Latrobe Planning Scheme and will continue to be represented within the exhibited Clause 21.05-17. - The identification of locations for Farming Zone – Schedule 2 responds to the purpose of the Farming Zone and relevant overlays presently applying to the land. In this way, it is not considered appropriate to rely on the provisions of the Farming Zone to protect possible future resource extraction. - Council is aware that appropriate planning provisions are currently being explored to recognise extractive resources. - Council look forward to the outcomes of the current pilot to determine appropriate planning controls to recognise Extractive Industry Interest Areas and will work with DEDJTR in actioning any resultant changes to the planning scheme once available. - Submissions referring to the current review of coal resource planning provisions, along with Council's response will be publicly available during the progression of the planning scheme amendment.
61 61 A	Ted Addison	Support with Changes	<p>Submission summary: Commends council for rural policies. Submission does not support 15 lots/hectare policy as proposals such as Ellavale Estate will not be created in the future.</p> <p>Water and Sewerage services need to be available for developments, council should consider taking on the role of developer to ensure these things are provided. Concerns over the possible rezoning of inappropriate industrial areas to residential as an OHS issue.</p>	<p>Planning comment: Comments of support are noted.</p> <p>15 lots per hectare is a state government density to ensure optimum land utilisation in urban areas that are fully serviced. Council agrees on water and sewerage needing to be aligned with developments; however it is unlikely council will take on a developer role due to potential conflicts of interest.</p> <p>Any rezoning of industrial land to residential or a zone which</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

			<p>Land adjacent to the Golf Course fronting Oswald Street is proposed for inclusion in the new NRZ4. The land is a very small (9,000m² approximately) in-fill site adjacent to the Golf Course – this land has been for sale for over 2-1/2 years and all/most developer enquiry has not achieved a sale due to the small number of allotments that can be created. NRZ4 will reduce that number of possible allotments by approximately one third, making it even more unrealistic to achieve a profit.</p> <p>There is no reason why such a parcel of land squeezed between a Motel, Service Station and Funeral Parlour should have 700+ sq.m lots.</p> <p>McNairn Road – been told there is no strategic justification for its rezoning, yet council own property around it and concerned about councils right to rule on this matter.</p>	<p>could allow for sensitive uses to establish will need to have an audit undertaken prior to rezoning to ensure it is appropriate (Ministerial Direction 1 – Potentially Contaminated Land).</p> <p>In response to land adjacent the Golf Course fronting Oswald Street, it is agreed that the subject land does present opportunities which may be considered beyond the exhibited Neighbourhood Residential Zone. Appropriate response to recognise such opportunities (including medium density housing opportunities) will be provided to Council for consideration and inclusion within the exhibited amendment.</p> <p>Matters relating to McNairn Road were previously addressed within Amendment C106 to the Latrobe Planning Scheme.</p>
62	Robert Fullerton	Object	<p>Submission summary: Submission requests that a portion of the subject land be rezoned from a Farming Zone (FZ) to a Rural Living Zone (RLZ).</p>	<p>Planning comment: The subject land is not identified in the current Tyers Structure Plan or the exhibited Rural Land Use Strategy for inclusion in a Rural Living Zone.</p> <p>It is recommended to further assess the proposed Rural Living Zone being applied to the land as part of a separate and future Rural Living Study; and to amend the exhibited Rural Framework Plan to identify this land for future investigation and possible inclusion within a Rural Living Zone.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

62A	Robert Fullerton	Object	<p>Submission summary: Submission requests that the subject property be rezoned from a Special Use Zone to a Rural Living Zone.</p>	<p>Planning comment: Land was previously used for mining.</p> <p>It is the position of the submitter that all remediation work has now been completed on the land and the consent of DEDJTR has been obtained to the rezoning of the property.</p> <p>Rezoning of the subject property may be progressed as part of a future Rural Living Study. A Planning Scheme Amendment may also be initiated independently for the rezoning of the subject land.</p>
63	Chris Lee	Support with changes	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Suggests that certain areas in Koornalla could be suited to FZ2 as well.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the <i>Rural Framework Plan</i> to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
64	Leanne Sutton	Object	<p>Submission summary: Supports the protection of large scale farming in outlying districts, however considers that land in close proximity to rural towns should provide for diversity of uses to support population and economic viability of these communities.</p> <p>Key points raised by submission include:</p> <ul style="list-style-type: none"> - Requests that Farming Zone – Schedule 2 is applied to the entire Glengarry North area due to the existing lot pattern. 	<p>Planning comment: Purpose of proposed changes to the Farming Zone is to ensure existing and future farming opportunities are protected. It is considered that enabling additional non-farm related dwellings to locate on rural land is counterproductive to this outcome.</p> <p>Average lot sizes of Farm Zone properties within the Glengarry area are large and should be protected from further fragmentation, given the limited number of large</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - We should be looking to retain young people from rural backgrounds; the Farming Zone – Schedule 1 (FZ1) may make it difficult for younger farmers due to the start-up costs. - Smaller parcels will enable farms to build up holdings as they can afford it. - Older generations like to stay on the land while handing the agricultural business to children (succession plans). - FZ1 conditions are quite stringent and onerous and if placed on existing smaller lots this could affect smaller, innovative farming and niche enterprises. - A range of options should be available to allow people to have choice of lifestyle. 	<p>farm lots remaining in the municipality.</p> <p>All agricultural pursuits are generally supported within the Farming Zone, including subdivision and dwellings where this is required for the benefit of agriculture.</p> <p>The requested change of zoning of land to the north of Glengarry requires consideration as part of a separate amendment as this is not currently supported by the exhibited <i>Rural Land Use Strategy</i>.</p> <p>Consider amending the exhibited <i>Rural Framework Plan</i> to show areas to the north of Glengarry for investigation and inclusion in the Farming Zone – Schedule 2.</p> <p>Proceed with the zoning of land as exhibited by the amendment.</p>
65	Graeme Zimmer	Support	<p>Submission summary:</p> <p>The submission provides support to the proposed application of Farming Zone - Schedule 2 (Mixed Use Farming), concluding that the Farming Zone –Schedule 2 will allow the profitable development of small properties which have been rendered uneconomic under the present zoning rules.</p> <p>Key points raised by the submission include:</p> <ul style="list-style-type: none"> - Submitter notes that he is one of many who have had their life savings destroyed by the prior introduction of the 	<p>Planning comment:</p> <p>Comments of support are noted.</p> <p>It is agreed that the land use pattern and uses of land is 'mixed' and therefore the inclusion of the area within a Farming Zone – Schedule 2 is considered appropriate.</p> <p>Matters referring to the prior introduction of the Farming Zone in 1994 are beyond the scope of the exhibited amendment.</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

			<p>Farming Zone (FZ) in 1994.</p> <ul style="list-style-type: none"> - Acknowledges policy and amendments initiated in other municipalities regarding the FZ, stating that Latrobe City Council has made no similar effort to consult or represent the community to the State Government on this matter. - Includes reference to the Victorian Nationals Planning Policy Paper (2006), and the Liberal member for Mornington, both highlighting the implications of the current Farming Zone. <p>Specific discussion is provided regarding the ‘miss-zoning’ of land in the Callignee area as follows:</p> <ul style="list-style-type: none"> - Callignee settlement is one of the oldest rural communities in the Latrobe Valley. - Prior to the 2009 bushfire, the town had a Church, Community Hall and a Primary School. - Callignee Community Centre was constructed a few hundred metres from the submitters property. - Much of the soil in Callignee is unsuited to general farming, ‘floater’ rock nodules on the land, is hilly and treacherous for tractor use. - Much of the area consists of small blocks subdivided many years ago. - Many of the small lots in the precinct are landlocked (surrounded by existing houses) and therefore are not able to be amalgamated into larger farms. These lots will be left to ‘run wild.’ Solution for these small blocks is to encourage modern intensive industries. Total ban on dwellings discourages these opportunities. <p>Discussion is provided regarding the prior purchase of the land in 1991, improvements made to the land, prior planning permit applications for the construction of a dwelling and intentions to develop aquaponics venture.</p>	
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SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			Submission provides an introduction to Aquaponics as an attachment.	
66	Lance Wallace (Energy Australia Yallourn)	Support	Submission summary: Supports the bio-link corridor linking the Strzelecki bioregion with the Victorian Alpine region, and the inclusion of the Yallourn Mine area within the corridor.	Planning comment: Comments of support are noted.
67	Robert Piper	Object	Submission summary: The proposed Farming Zone – Schedule 1 (FZ1) will impact primary production on parcels which were previously viable. Farms will become unviable as the infrastructure necessary to run a farm on these smaller productive areas can no longer be supplied (cost to travel around the site is cost prohibitive).	Planning comment: Purpose of proposed changes to the Farming Zone is to ensure existing and future farming opportunities are protected. It is considered that enabling additional non-farm related dwellings to locate on rural land is counterproductive to this outcome. The FZ1 does not require farms to be 100Ha. Rather, it puts in place a minimum subdivision size thus preserving existing larger holdings.
68	Wayne & Jodie McCulloch	Object	Submission summary: Submission objects to the rezoning of land from Rural Living Zone to Farming Zone – Schedule 2.	Planning comment: The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation. The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable. With regard to smaller lots with limited or no further

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification.</p> <p>Retaining a Rural Living Zone classification to the subject land is considered appropriate, considering surrounding development pattern and land use.</p> <p>Whilst this zone may enable the creation of one additional lot, the provisions of the Bushfire Management Overlay (BMO) applying to the land is considered appropriate in ensuring risk to human life and assets is appropriately assessed.</p> <p>Property rates and land values are not a planning consideration.</p>
69	Bobby Reid	Object	<p>Submission summary: Submission objects to rezoning from GRZ to Neighbourhood Residential Zone – Schedule 4 (NRZ4).</p> <p>The proposed change will devalue the property and place further restrictions on what can be done with it. Understands the role of planning however this zone is akin to a heritage zone. If character is important why not impose it on new estates.</p> <p>Notes prior advice that once the northern batter of the Hazelwood Mine has been rehabilitated, that the area is identified for inclusion in the General Residential Zone.</p> <p>Submission raises concerns about the notification of the amendment.</p>	<p>Planning comment: The proposed NRZ4 discourages the intensification of housing with units and townhouse developments.</p> <p>Land is identified for inclusion with an area for ‘incremental change’ – due to proximity to the Morwell Activity Centre, subject to completion of stabilisation and rehabilitation of the northern batter of the Hazelwood mine area, with the exhibited policy stating:</p> <p><i>“Discourage significant housing intensification south of Commercial Road, Morwell pending the completion of rehabilitation works to the northern extent of the Hazelwood open cut brown coal mine area (Area 13 on the Morwell Structure Plan).”</i></p> <p>The application of residential zones in the manner exhibited (i.e. application of the Neighbourhood Residential Zone</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				(NRZ) was undertaken in close consultation with the Department of Environment, Land, Water and Planning (DELWP). This was a requirement of authorisation to exhibit the amendment. The Neighbourhood Residential Zone is not applied to locations of Heritage value, rather this zone defines a preferred character to be achieved/maintained. The objectives of this schedule are outlined by the exhibited amendment.
70	Bryan & Antina Corkran	Support with changes	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Suggests that certain areas in Koornalla could be suited to FZ2 as well.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the Rural Framework Plan to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
71	John & Sophia Werner	Support with changes	<p>Submission summary: Supports the proposed Farming Zone _ Schedule 1 and 2 changes being introduced to the Planning Scheme.</p> <p>Requests that Koornalla is considered to be included in Farming Zone – Schedule 2.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the Rural Framework Plan to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
72	Richard Hoxley (on behalf of Mr Lour Hill)	Object	<p>Submission summary: Submission notes the characteristics of the site (adjoining both residential and rural living zone) and the topography of</p>	<p>Planning comment: The amendment proposes to locate the subject site and surrounds within a Farming Zone – Schedule 2, recognising</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

			<p>the site means there is limited agricultural opportunities.</p> <p>Clause 22.02 will unreasonably restrict subdivision opportunities to create smaller lots when excising a dwelling or when re-subdividing. Clause 22.02 would preclude any subdivision that results in a smaller lot from being approved. Requests Farming Zone – Schedule 2 be varied to provide opportunity for smaller lots to be created when re-subdividing existing lots or when excising an existing dwelling.</p> <p>Additional policy statements could also be included for further guidance when determining whether or not to grant a permit for a lot smaller than the minimum lot size.</p>	<p>the limited opportunities for traditional agriculture pursuits on the land.</p> <p>The creation of additional small lots is not supported by current and proposed policy. The proposed application of Farming Zone – Schedule 2 is required to resolve legacies of small lots within the Farming Zone by enabling their purposeful use; it is not intended to increase challenges associated with small lot creation and dwelling excision.</p> <p>Specific to the subject property and its potential for future subdivision and development, it is considered that such opportunities on the land are likely to be problematic due to the steep topography of the land and associated challenges this creates for possible construction and servicing requirements.</p>
73	Michael Mielczarek (APA Gas)	Support with changes	<p>Submission summary: A summary of key matters raised by the submission is as follows:</p> <ul style="list-style-type: none"> - requests that 21.03 be amended to reflect the presence of the APA gas pipelines with Latrobe, the critical nature of this infrastructure to protect the pipeline from encroaching activities that may adversely affect its operation. - That the <i>Housing Strategy</i> be updated to reflect the APA gas pipelines and associated measurement lengths and that the strategy identify the possible need for a Safety Management Study and consultation with the pipeline owner/licensee prior to any amendment in proximity to the pipeline, that results due to the strategy. - That the <i>Industrial Strategy</i> be updated to reflect the APA gas pipelines and associated measurement lengths and that the strategy identify the possible need for a Safety 	<p>Planning comment: Support the inclusion of an additional policy direction regarding land use and development around Major Pipeline assets.</p> <p>It is considered that the above change is policy neutral.</p> <p>The identification of high pressure gas pipe lines in the housing and industrial strategies is not considered necessary as the Design and Development Overlay (DDO) requires planning consideration of these matters and is presently included within the Planning Scheme.</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

			Management Study and consultation with the pipeline owner/licensee prior to any amendment in proximity to the pipeline, that results due to the strategy.	
74	Simon Gatt General Manager Gippsland Hancock Victoria Plantations (HVP)	Support with changes	<p>Submission summary: HVP Plantation supports the objective of the Rural Land Use Strategy for forestry, being to <i>“support and promote forestry by protecting productive land and discouraging land fragmentation and encroachment.”</i></p> <p>The submissions states that the biggest land use issue affecting forestry in Latrobe City is development of residential areas adjoining forestry land and timber haulage routes. Examples of this are provided, whilst highlighting challenges experienced at Jumbuck Road due to perceptions of safety and liveability of the rural living area. These issues reduce profitability of growing trees in Latrobe City.</p> <p>Forestry is an environmentally friendly land use, providing catchment protection, carbon sequestration and wildlife habitat. Localised issues of amenity do result from log truck traffic, herbicide, fertiliser and burning which are necessary to produce wood upon which the timber industry depends (including Australian Paper Maryvale).</p> <p>The submission disputes that land continues to be released for rural living due to conflict with farming and forestry. The submission also identifies possible locations where land may be suited to Rural Living purposes.</p> <p>The submission strongly supports the proposed rezoning of land at Yinnar South from a Rural Living Zone to a Farming Zone – Schedule 2, noting that Middle Creek Road and Whitelaws Track are significant access routes into HVP</p>	<p>Planning comment: Comments of support are noted.</p> <p>HVP Plantations are the largest single private landowner within the Latrobe City and critical to other key industries, including Australian Paper Maryvale. Approximately 40% of land in Latrobe City is utilised for forestry.</p> <p>The importance of the HVP Plantation forestry operations is recognised accordingly within the exhibited <i>Rural Land Use Strategy</i>, stating that <i>“it is important that forestry land is strategically recognised and protected to provide long term business confidence.”</i></p> <p>Accordingly the exhibited <i>Rural Land Use Strategy</i> therefore seeks to support the forestry industry by identifying locations where forestry will be the primary land use and by protecting productive forestry land from fragmentation and encroachment from sensitive uses such as dwellings.</p> <p>Key actions are provided at page 40 of the exhibited Rural Land Use Strategy. These actions are considered to respond and positively align to the matters outlined by the submission.</p> <p>A number of changes are however proposed to the exhibited planning scheme amendment to better respond to the matters raised by the submission, as follows: - Amend Clause 21 to insert reference to</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>plantation forests. If these roads were to become built up, it would be a major problem for the timber industry and gross failure of planning. Interface issues with forestry and rural residential land would also result.</p> <p>The submission objects to and the proposed Moe South Rural Living precinct area.</p> <p>Enhancing economic viability of timber production should be a non-negotiable objective of Council. The Rural Land Use Strategy and Amendment are key opportunities to do this.</p>	<ul style="list-style-type: none"> - <i>“recognition of haulage routes’ - to avoid conflict with road safety and amenity concerns.”</i> This is an appropriate consideration in rural living and residential settlement planning. - Amend the extent of PCRZ being applied to College Creek Catchment area to those areas surrendered to Crown. - Amend the Rural Framework Plan to identify current and future Cores and Links PCRZ locations and future Rural Living investigation areas. - Consider submission comments in relation to the identification of new Rural Living locations. - Correct error to land north of Crinigan Road, Morwell by retaining the residential zone. - Retain land at Sayers Trigg Bushland Reserve within the Farming Zone.
75	David & Belinda Unthank	Support with changes	<p>Submission summary: The submission requests that the area directly east of the town be rezoned to enable 2000-4000sq/metre residential development.</p> <p>Submission supports the creation of Rural Living land between Packett Rd and Nippy Lane.</p>	<p>Planning comment: Comments of support are noted.</p> <p>The opportunity to consider the provision of land within a Low Density Residential Zone requires further consideration and assessment, which is beyond the scope of the exhibited amendment.</p> <p>This may however be considered as part of the preparation of the Toongabbie Structure Plan to be commenced with internal resourcing in the 2019- 2020 financial year.</p> <p>Given the limited capacity of sewer infrastructure within the town, it is not likely that lots below 4000 square metres are likely to be achieved in the future.</p>
76	Chris Madsen	Support with changes	<p>Submission summary: Submission provides support to the Farming Zone –</p>	<p>Planning Comment: Comments of support are noted.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Suggests that certain areas in Koornalla could be suited to FZ2 as well.</p>	<p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the <i>Rural Framework Plan</i> to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
77	Margaret Squires	Support with changes	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Suggests that certain areas in Koornalla could be suited to FZ2 as well.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the <i>Rural Framework Plan</i> to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
78	David Madsen	Support with changes	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Suggests that certain areas in Koornalla could be suited to FZ2 as well.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the <i>Rural Framework Plan</i> to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
79	Willow Saxby	Object	<p>Primary matters of objection relevant to the exhibited amendment include:</p> <ul style="list-style-type: none"> - Character within the lower Central Business District of 	<p>Planning Comment: The preferred character of locations proposed for inclusion within the Neighbourhood Residential Zone – Schedule 4 is</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>Morwell is not defined.</p> <ul style="list-style-type: none"> - The Neighbourhood Residential Zone (NRZ) is strict and intended for heritage protection. - Planning permits required for all works to a building. - With a future rezoning of land, property will be unsaleable. - Compensation for loss will be sought if amendment proceeds. - Refers to prior use and zoning of property at Lloyd Street Moe. Discusses prior policy and planning requirements applying to the land. - Highlights frustrations with Council stifling development. - Refers to many current operating service stations on sensitive use land including residential that have no overlay or proper zoning because Council allowed improper use. - By rezoning all current residential land to NRZ this will further impact the commercial land use of land at Lloyd Street Moe. 	<p>outlined in the exhibited Schedule under Neighbourhood Character Objectives.</p> <p>The exhibited <i>Housing Strategy</i> also describes objectives for locations identified for Limited Change as follows:</p> <ul style="list-style-type: none"> - <i>Encourage low density housing types, such as dual occupancies and detached housing in areas which</i> - <i>are more remote from activity centres and public transport.</i> - <i>Ensure new development maintains the spacious regional residential setting of established suburbs.</i> <ul style="list-style-type: none"> - The application of residential zones in the manner exhibited (i.e. application of the Neighbourhood Residential Zone (NRZ) was undertaken in close consultation with the Department of Environment, Land, Water and Planning (DELWP). This was a requirement of authorisation to exhibit the amendment. - Planning Permits will not be required for minor buildings and works or alterations to existing buildings under the proposed zone. - The exhibited amendment identifies land south of Commercial Road Morwell as being appropriate for ‘incremental change’ in housing type and diversity. This opportunity however is to be deferred until the completion of stabilisation works occurring on the northern batter of the Hazelwood Mine area. - The resolution of matters specific to property at Lloyd Street is beyond the scope of the exhibited amendment. - Legal matters regarding the effect of the exhibited
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SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>amendment in relation to the value of property is not a planning consideration.</p> <ul style="list-style-type: none"> - Matters affecting prior planning permit processes are beyond the scope of the exhibited amendment. - Resolution of matters related to the redevelopment and use of service stations sites are beyond the scope of the exhibited amendment. The amendment does however include the following change to Clause 21.10 as follows: <ul style="list-style-type: none"> - <i>“Identify locations and apply the Environmental Audit Overlay, considering sites including former landfill sites, fuel depots or industry locations identified for transition.”</i> - The use of land for commercial opportunities enabled under the General Residential Zone (which currently applies to the land) are unchanged by the proposed Neighbourhood Residential Zone (i.e. table of uses within these zones are identical).
80	FocusCDS Consultants (on behalf of Sibelco Lime (Victoria) Pty Ltd)	Object	<p>Submission summary: The submission provides a description of current use of the land for lime processing and batching.</p> <p>A summary of key points of objection is provided as follows:</p> <ul style="list-style-type: none"> - the site has been used for the existing industrial use for a continuous period exceeding 15 years. - Similar plant operations have occurred since 1950. There is in fact no planning permit for the use of the site as the commencement of the industrial use predates any planning requirement for a permit. - Sibelco intends to maintain the site as its primary lime manufacturing facility in Victoria and to remain operating on the site in the long term 	<p>Planning comment: It is acknowledged that Sibelco is a regionally significant industry in the supply of lime based products and that they have completed improvements to reduce off-site amenity impacts resulting from dust, vibration and noise.</p> <p>The continued use of the land is also operating under historical use arrangements.</p> <p>The subject site and surrounding industrial zoned land is identified by the exhibited <i>Industrial and Employment Land Use Strategy</i> and <i>Housing Strategy</i>.</p> <p>Both strategies provide commentary and directions</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - There has been substantial existing and ongoing capital investment in the site - Substantial costs of relocating the plant - Need to maintain suitable buffers around the site - Constraints of potential contamination - Current Planning permit for upgrading the plant. - Greenfield land on the fringe of the town is more attractive for development. 	<p>regarding the eventual transition of land uses to those that better leverage proximity to the Traralgon Activity Centre, and enable ‘Substantial Change’ in residential housing and other Mixed-Use developments.</p> <p>The exhibited Amendment C105 identifies that an Environmental Audit Overlay be applied to the site to ensure the appropriate management through its future land use transition.</p> <p><i>Traralgon Inner South Master Plan</i> (November 2010) and current <i>Traralgon Structure Plan</i> included within the Latrobe Planning Scheme also identify the transition of the area, directing that the expansion of residential development to the south should not be progressed until such time that the use of the subject land is transitioned. The exhibited <i>Housing Strategy</i> and <i>Traralgon Housing Framework Plan</i> provide similar directions to defer change in the density of housing given the necessary 500m buffer distance required for operations undertaken by Sibelco on the subject land.</p> <p>The continuation of current (and recently permitted) site operation is not believed to be materially affected by the proposed amendment (nor provision of lime based materials to a reliant industry), in so far as existing use rights remain. Significant expansion or increase in operations would however likely be discouraged.</p> <p>For reasons outlined above, it is considered necessary that the Planning Scheme identify the eventual relocation /transition of heavy industry uses in this location, directing them to suitably buffered locations identified by the exhibited <i>Industrial Framework Plan</i>.</p>
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SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

81	Allan & Catherine Stewart	Object	<p>Submission summary: Submission requests that the subject property to be included within Farming Zone – Schedule 2 as the property has potential for rural tourism.</p> <p>Submitter previously obtained a planning permit for a bed and breakfast however did not proceed with this. Submitter outlined intent to pursue this opportunity once again; however the previous planning permit has since lapsed.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> identifies the land for inclusion within a Farming Zone – Schedule 1. This is due to the predominant land use in the area.</p> <p>The Farming Zone provisions allow for a Bed and Breakfast to occur on the land without a permit provided certain conditions are met. The exhibited Clause 22.02 does however encourage rural tourism uses to be associated with an agricultural use of the land within the Farming Zone – Schedule 1.</p> <p>A planning permit may be required for the buildings and works, depending on the extent of works.</p> <p>Consider amending the exhibited <i>Rural Framework Plan</i> to identify the subject site, and smaller lot to the south for future investigation and possible inclusion within a Farming Zone - Schedule 2.</p>
82	Scott & Kerin Mitchell	Object	<p>Submission summary: Submitter notes that they had recently purchased the property.</p> <p>Concerns about possible property rate increases and</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> and Rural Framework Plan identify the subject land and surrounds for rural living.</p> <p>However, recent changes to bushfire policy introduced by</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			restrictions on how the land may be used for keeping livestock on the property. Landowner is not considering further subdivision at present.	<p>Amendment VC140 now prevents increasing development / subdivision opportunity in locations of moderate to high fire risk.</p> <p>Further investigation of fire risk to proposed Rural Living Precincts is therefore required. Preliminary investigation into fire risk in Toongabbie has commenced in consultation with CFA.</p> <p>Property valuations are not a planning consideration under the Act.</p> <p>Considering the above, defer rezoning of this Rural Living precinct pending:</p> <ul style="list-style-type: none"> - preparation of the Toongabbie Structure Plan (2019); and - further investigation of bushfire planning policy changes and implications for new development.
83	Garth Bishoff	Object	<p>Submission summary:</p> <p>The submission disputes reasoning for the proposed change from a Rural Living Zone to a Farming Zone Schedule 2.</p> <p>Consequences of proposed zone change are also stated, including decrease in property value, borrowing, property rates, large vehicle access, removal of subdivision opportunity and potential increase in intensive agriculture pursuits. Submission concludes to request the subject property and broader area are retained within a Rural Living Zone.</p>	<p>Planning Comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2)).</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The current land zoning presents opportunities for further subdivision on the land, which is not considered appropriate</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>given the risks and issues stated above.</p> <p>It is agreed that existing small lots with limited or no further subdivision be retained in a Rural Living Zone. This includes the property referenced by the submission. Property value and lending services is not a planning consideration.</p>
84	Robert Walker	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from Rural Living Zone to a Farming Zone – Schedule 2. Key matters raised by the submission include:</p> <ul style="list-style-type: none"> - The Yinnar South RLZ precinct is the only one in Latrobe city being back zoned, the decision to do this is based on incorrect and irrelevant information with inadequate research being undertaken. - Many residents in this precinct should have the right to continue to be recognized as RLZ and the rights it provides to those residents. - History shows no region in Latrobe is immune to bushfires. Many other districts of Latrobe have "Extreme" bushfire ratings. Fire risk is not forcing other areas to be back zoned. - Live Work Latrobe summary document, under Issues/Opportunities, Rural Living it quotes "<i>Promote unique and varied lifestyle choices which Latrobe City has to offer</i>". Creating new RLZ only around towns is not in keeping with this statement. - Creating the new RLZ areas at Churchill, Toongabbie and Moe South would take away good productive farm land. - The layout and topography of our property lends itself favourably to subdivision, with a sealed road running through the centre of the property. - There is currently a deficit of rural living properties in Latrobe City. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The proposed re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The subject property and surrounds were considered by a Rural Living Study completed in 2002 and progressed by planning scheme amendment C7 in 2003. The 2002 study and planning panel that considered Amendment C7 both recommended that the subject land be rezoned to a Farming Zone (equivalent). At the time this report was prepared, it was unclear as to why these recommendations were not enacted at this time.</p> <p>The proposed Farming Zone – Schedule 2 does support the construction of dwellings, where improved land management outcomes may result and no conflict with existing agriculture operations is compromised. In this way, the establishment of dwellings on the land for 5th generation family members may be enabled (subject to planning permit). Given multiple titles in existence on the land, this opportunity may be feasible, noting that planning permit is</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - Farming Zone will be detrimental to existing residents due to opportunity for some form of industry nearby. - The area offers a unique living environment with character and beauty not offered by newer developments laid out in urban style on bleak landscape. - This area meets the guidelines set out in Section 8.3 of the exhibited <i>Rural Land Use Strategy</i>. - Yinnar South has not been given same consideration to other Rural Living precincts. 	<p>currently required by the Bushfire Management Overlay for development of a dwelling.</p> <p>In response to additional matters raised by submission regarding the broader precinct, it is recommended that the Rural Living Zone be retained on existing small Rural Living Zoned properties within Yinnar South, where there is limited or no further subdivision opportunity. This does not include the property at Upper Middle Creek Road.</p> <p>In relation to the recently approved subdivision approved on the land for the creation of a smaller allotment (approximately 4.1 hectares), subject to the creation of title it may be appropriate to retain the Rural Living Zone land classification on this parcel.</p> <p>In response to the consideration of other Rural Living Zoned precincts, these locations do not present the same scale of further subdivision opportunity as presently exists on large parcels within Yinnar South. It is also noted the new Rural Living Zone precincts exhibited by the amendment will likely be deferred and not progressed by the current Amendment. This is due primarily to the need to further review fire risk in these locations as required by recent Amendment VC140.</p> <p>Property values and lending services is not a planning consideration.</p>
85	Jason Walker	Object	<p>Submission summary: Submission objects to proposed rezoning of land and refers specifically to property located at Upper Middle Creek Road and a recent plan of subdivision in which approximately 4.16 hectares was subdivided in order to create a parcel for the</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The proposed re-zoning of this area is a result of location</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
 AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

		<p>development of a dwelling.</p> <p>Submission notes that the farming use of the land has never been sufficient as a sole income; a second job has been required to support a family.</p> <p>There is a lack of fairness in this rezoning, and it should not be applied to blocks that are clearly Rural Living properties and should remain as such.</p> <p>- There has been time and substantial money put into subdividing this block off to build a family home on. If the FZ2 was passed it would make it difficult for us and anyone else looking to borrow money as lender's don't like the term "farm zone" and see this a business loan not a home loan. Furthermore the Loan to Value Ratio (LVR) is significantly lower in farm zoning area. My current bank has concerns to how the loan would be structured and the "L VR".</p> <p>A written letter of appraisal from real estate agent property consultant was completed on a 10-acre block of land at this location on 28 February 2018, prior to knowledge of this amendment. Telephone conversation with this real estate consultant was had on 13 April 2018 and advised the 10 acre block of land would be valued at less than half the price with FZ2 zoning in place.</p>	<p>specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The subject property and surrounds were considered by a Rural Living Study completed in 2002 and progressed by planning scheme amendment C7 in 2003. The 2002 study and planning panel that considered Amendment C7 both recommended that the subject land be rezoned to a Farming Zone (equivalent). At the time this report was prepared, it was unclear as to why these recommendations were not enacted at this time.</p> <p>In response to matters raised by submissions, it is recommended that the Rural Living Zone be retained on existing small Rural Living Zoned properties within Yinnar South. This does not include the property at Upper Middle Creek Road.</p> <p>In relation to the recently approved subdivision approved on the land for the creation of a smaller allotment (approximately 4.1 hectares), subject to the creation of title it may be appropriate to retain the Rural Living Zone land classification on this parcel.</p> <p>The development of a dwelling on the recently created land title is supported by the proposed Farming Zone – Schedule 2.</p> <p>It is noted that this is subject to a planning permit including the consideration of the requirements of the Bushfire Management Overlay applying to the land.</p>
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SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				Property values and lending services is not a planning consideration.
86	Leonard Rainer	Support	<p>Submission summary: Supports Callignee rezoning to Farming Zone – Schedule 2 (FZ2) as it will enable the possibility to build a dwelling and would be better suited to small scale mixed farming.</p> <p>FZ2 in this area will allow the profitable development of many small properties which have been rendered uneconomic under the current FZ.</p>	<p>Planning comment: Comments of support are noted.</p>
87	Tony & Maxine Penington	Object	<p>Submission summary: The submission states that the current Rural Living Zone is the appropriate zone for the property.</p> <p>Submission notes the established services and facilities available within the locality.</p> <p>Proposed change to land zoning will negatively impact possible future sale of land while making it harder for prospective buyers to obtain finance.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The proposed re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>It is however considered appropriate to retain existing developed small Rural Living Zoned properties within a Rural Living Zone where there is limited or no further subdivision opportunity. This includes the property referenced by the submission.</p> <p>The presence of a Bushfire Management Overlay will ensure consideration of fire risk as part of any future development</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				of the land. Property values and lending services is not a planning consideration.
88	Adrian & Anne Walker	Support with changes	Submission summary: Submitter notes that they are satisfied with the proposal to amend the zoning of their properties at 340 Middle Creek Road and 790 Whitelaws Track to a Farming Zone. Submission states that all 5 and 10 acre blocks in Yinnar South that are already occupied should remain within a Rural Living Zone.	Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Comments of support to proposed rezoning from Rural Living Zone to Farming Zone – Schedule 2 are noted. It is appropriate that existing small Rural Living Zoned properties remain within a Rural Living Zone. Correct the split zoning of the property at 790 Whitelaws Track to be solely within Farming Zone – Schedule 1.
89	Bernard McKay	Support	Submission summary: Supports Callignee rezoning to FZ2 which will enable this area to be rebuilt (area affected by 2009 bushfires).	Planning comment: Comments of support are noted.
90	Lawrence Dyall	Support	Submission summary: Supports Callignee rezoning to FZ2 which will enable this area to be rebuilt (area affected by 2009 bushfires).	Planning comment: Comments of support are noted.
91	Brendan MacGregor	Object	Submission summary: Proposed change of zone from Rural Living to a Farming Zone – Schedule 2 is considered to devalue land. Concerns regarding possible industrial business being enabled on adjoining land, producing noise, dust and bad odour. Proposal may limit ability to build shed or granny flat.	Planning comment: It is appropriate that existing small Rural Living Zoned properties remain within a Rural Living Zone, where there is limited or no further subdivision opportunity. This includes the property referenced by the submission.

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			Disputes assessment that land is steep and a high fire risk.	
92	Tony Hanning	Object	<p>Submission summary:</p> <p>The decision to back zone the Yinnar South precinct is not based on sound judgment. The area has been wrongly identified in the consultant's report and the Minutes of the Latrobe City Council Meeting of August 21st 2017 (CM505) where the consultant's recommendations were adopted.</p> <p>The submission considers that the process in which the amendment has been progressed is null and void. That is there is no evidence whatsoever that the research informing the resolution and the report have involved Yinnar South to any degree whatsoever (i.e. Jeeralang as opposed to Yinnar South). Key points of objection include: Failure of Council to correctly identify the area to be rezoned.</p> <ul style="list-style-type: none"> - Failure to justify the reasoning behind the rezoning of the Yinnar South precinct. - Lack of consultation with those stakeholders likely to be affected by the Amendment particularly as it relates to Yinnar South. - Inconsistencies in the recommendations for rezoning where some areas around Toongabbie are left in the Rural Living Zone in contradiction to Council's own policy whilst others such as Yinnar South are recommended for back zoning. 	<p>Planning comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning (including the subject land). The 2002 study and planning panel that considered Amendment C7 both recommended that the subject land be rezoned to a Rural Zone (Farming Zone equivalent). At the time this report was prepared, it was unclear as to why these recommendations were not enacted at this time.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The current land zoning presents opportunities for further subdivision which is not considered appropriate or achievable in many instances.</p> <p>In response to additional matters raised by the submission, the following comments are provided:</p> <ul style="list-style-type: none"> - The process in which the amendment was prepared and subsequently received authorisation for exhibition by the Minister for Planning is considered to comply with the requirements of the <i>Planning and Environment Act 1987</i>, <i>Planning and Environment Regulations 2015</i> and <i>Ministerial Direction No. 15</i>. - The identification of Yinnar South for back-zoning is shown on the map provided at Figure 25, page 69 of the exhibited

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p><i>Rural Land Use Strategy</i>. It is acknowledged that the place description corresponding with the map at Figure 25 is an error to be corrected. The error is regarding the name and not in the location exhibited. The Explanatory Report and other exhibited amendment documents refer to Yinnar South.</p> <ul style="list-style-type: none"> - Property value is not a planning consideration. - The application of the proposed Farming Zone – Schedule 2 will introduce a minimum subdivision area of 40 hectares. - Consultation with affected property owners is provided by the exhibition and submission process as required for the progression of Planning Scheme Amendments. Council has not adopted any strategy or the exhibited Amendment C105. - The proposed new Rural Living locations exhibited by Amendment C105 are identified by the draft <i>Rural Land Use Strategy</i>. It is noted however, that it is likely that such locations will not be progressed by the amendment, largely in response to changed policy requirements for the consideration of bushfire risk as introduced by Amendment VC140.
93	Desmond & Helen Harrington	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from Rural Living Zone – Schedule 4 to Farming Zone – Schedule 2.</p> <p>Prior to purchasing in 2006 the property submitter sought planning advice from Council representatives regarding future subdivision potential, taking into consideration for establishing a wildlife corridor.</p> <p>Submission notes that they will be seeking compensation for any losses that may incur.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning (including the subject land).</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				<p>areas of high value native vegetation.</p> <p>The current land zoning presents opportunities for further subdivision on the subject land, which is not considered appropriate or achievable. Specific to the subject property additional considerations include:</p> <ul style="list-style-type: none"> - The land is heavily vegetated with high value native bushland including endangered vegetation types. - Topography of the site and surrounds. - Bushfire risk to the property. <p>Considering the above, the further subdivision of the subject land is considered problematic, regardless of proposed zone changes.</p> <p>It is considered appropriate to proceed with the proposed application of Farming Zone – Schedule 2.</p> <p>In addition, recognising the extent of high value vegetation which exist on the land it is recommend that the exhibited <i>Rural Framework Plan</i> be amended to identify the subject land (and surrounds) for future investigation and possible inclusion of appropriate overlays being applied to the land for the protection of high value native vegetation.</p>
94	Linda Sahhar, Nilsson, Noel and Holmes (Surveyors) Pty Ltd	Object	<p>Submission summary: Submission objects to the rezoning from Rural Living Zone to a Farming Zone.</p> <p>Imposition of the application of Farm Zone - Schedule 2 (FZ2) to our property will result in a drastic and unfair compromise in our ability to develop and use our land in the manner in which we had intended upon purchase of the property</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning (including the subject land).</p> <p>The re-zoning of this area is a result of location specific</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

		<p>under the Rural Living Zone some 12 years ago.</p> <p>Key points of objection include:</p> <ul style="list-style-type: none"> - Back zoning of Yinnar South RLZ land to FZ places significant financial hardship on current owners and is not fair and equitable. - Amendment C105 will affect our ability to subdivide our land in accordance with the current RLZ, in a fair and orderly manner as prescribed by the Latrobe Planning Scheme. - Our proposal to subdivide will create appropriately designed allotments in keeping with the existing character of the area and will protect valuable vegetation and biodiversity. - Yinnar South is an extensive, established Rural Living Residential area. - FZ will not be in character with the established rural residential neighbourhood. - FZ use is not compatible with the established existing rural living land use and will create conflict in amenity. - FZ will strip current resident’s rights relation to protecting the amenity of their homes. - FZ will place further unfair burdens and restrictions on current residents in relation to not adversely affecting surrounding agricultural activities. - The back zoning of the land to FZ will create a greater potential for negative impacts on the natural environment by intensive farming practices. - Amendment C105 states that there is a shortfall in RLZ property required for future growth and yet proposes to back zone existing RLZ land in Yinnar South, preventing the area reaching its full potential. - The back zoning of RLZ to FZ in Yinnar unfairly prejudices the area while other areas are benefited from re-zoning to 	<p>issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The current land zoning presents opportunities for further subdivision on the subject land, which is not considered appropriate, or achievable given the risks and issues stated above.</p> <p>Specific to the subject property the following comments are provided:</p> <ul style="list-style-type: none"> - The land is heavily vegetated with high value native bushland including endangered vegetation type. The majority of the site is indicated as having the highest vegetation score – indicating that the current condition is comparable to how it was pre European settlement - There is a significant Bushfire risk associated with the subject property. - Proximity to plantation forestry and associated uses of this land, including timber haulage are also important considerations. <p>Considering the above, the further subdivision of the subject land for Rural Living purposes is considered problematic, regardless of proposed zone changes. However, provided the above matters can be addressed, a two lot subdivision would be enabled under the proposed FZ2. Development of a dwelling on each lot would not require a planning permit under the zone provided each lot was greater than 40 hectares. Development of dwellings on smaller allotments would require a planning permit.</p> <p>The Bushfire Management Overlay (BMO) will also need to</p>
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SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>RLZ.</p> <ul style="list-style-type: none"> - Amendment C105 fails to acknowledge the valuable contribution these sought after rural lifestyle choice properties make towards attracting and maintaining population growth and how they support the Yinnar community in general. - RLZ land in Yinnar South is ideally placed to meet with policy in relation to the location or RLZ land on the outskirts of townships. - The Amendment C105 documentation and Council planning reports have created ambiguous references to Jeeralang and Yinnar South, causing confusion amongst stakeholders as to the areas under consideration for back zoning and is therefore generating a flaw in public perception. - The consultation process used to advertise Amendment C105 is flawed as it has not given due weight to the impact potential to individual land holders affected. Those being specifically disadvantaged by the Amendment should have been notified at the outset, not after the draft was finalised. 	<p>be considered as part of future subdivision and development proposals on the land.</p> <p>In addition, recognising the extent of high value vegetation which exist on the land it is recommend that the exhibited Rural Framework Plan be amended to identify the subject land (and surrounds) for future investigation and possible inclusion of appropriate overlays being applied the land for the protection of high value native vegetation.</p> <p>Given the large scope of Amendment C105, public exhibition of the draft Strategies is being undertaken as part of the formal exhibition process afforded by the prescribed Planning Scheme Amendment process. Advice from DELWP and Planning Panels Victoria was previously sought regarding this approach.</p>
95	Lindsay Nation	Support with changes	<p>Submission Summary</p> <p>The submission does not support the current General Residential Zone (GRZ) or proposed Neighbourhood Residential Zone (NRZ) being applied to the land as the property is 9000 sq/ metres.</p> <p>The land and surrounds is not serviced by sewer infrastructure making residential development unviable. The land and surrounds would be best suited to a Low Density Residential Zone (LDRZ).</p>	<p>Planning Comment:</p> <p>The exhibited <i>Housing Strategy</i> identifies the land as being within an area of limited change in housing types.</p> <p>The application of the NRZ was undertaken as a translation of existing General Residential Zoned land, in order to give effect to the objectives of the <i>Housing Strategy</i>.</p> <p>However, it is agreed that the predominant development pattern and lack of sewer infrastructure may suggests that a Low Density Residential Zone is appropriate.</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				This will be considered during the preparation of a <i>Yallourn North Small Town Structure Plan</i> , identified for commencement during the 2018 – 19 financial year.
96	Lyn Spriggs	Object	<p>Submission summary:</p> <p>The submission refers to three properties. Key points of objection include:</p> <ul style="list-style-type: none"> - Potential increase in the property rates resulting from the proposed change from Farming Zone to a Rural Living Zone. - The amendment proposal for the Rural Living Zone affects the best farmland leaving the poorer quality land in the farming zone. - Loss of capacity to subdivide the 263 acre property. - Fostering future farm business and land use opportunities. - The proposed rezoning could impact on the viability of their farm. - The proposed change will detrimentally affect farmers in the area. - Requests further information regarding possible rate implications which may result should the land be rezoned to rural living. 	<p>Planning Comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> identifies the land for inclusion in a Rural Living Zone – Schedule 1 with Development Plan Overlay - Schedule 8. This would enable subdivision of land into 2 ha allotments. It is acknowledged that this would enable a significant change in land use outcomes to the subject land and its surrounds.</p> <p>The two smaller parcels of land located north and south of Lawless Road (70 acres and 30 acres) are identified by the exhibited <i>Rural Land Use Strategy</i> for inclusion within a Rural Living Zone. The larger land parcel of 265 acres (104 hectares) is proposed to be located in a Farming Zone – Schedule 1.</p> <p>The two smaller parcels of land is considered appropriate for a Rural Living Zone, given proximity to the main township area and the existing Rural Living zoned land to the east. Preliminary assessments of bushfire risk also indicate support for the proposed rezoning of part of majority of the exhibited Rural Living Area.</p> <p>However, given the submitters objection the proposed rezoning of the subject property to a Rural Living Zone, and the likelihood that a subdivision will not proceed on the land, this may distort land supply and therefore prevent other locations from being rezoned to enable supply.</p> <p>It is considered that the Farming Zone – Schedule 1 be</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>considered for the whole of the subject land.</p> <p>Retain the identification of land as a future Rural Living precinct on the exhibited <i>Rural Framework Plan</i>.</p>
97	Michael Rohner	Object	<p>Submission summary:</p> <p>Submission notes that additional ‘tests’ will be required to grant a planning permit for a dwelling under the proposed zone change.</p> <p>The Farming Zone – Schedule 2 will discourages the building of dwellings.</p>	<p>Planning Comment:</p> <p>Clause 22.02 provides direction to support the construction of dwellings within the Farming Zone – Schedule 2, where amongst other considerations, improved land management will result.</p> <p>A permit is required under the Bushfire Management Overlay (BMO) to the property and any application would be considered as one permit application even if it had multiple triggers for a permit.</p> <p>Retain Rural Living Zone to smaller properties, where there is no, or limited subdivision opportunity. This includes the property referenced by the submission.</p>
98	Betty Sykes	Object	<p>Submission summary:</p> <p>The submission notes that while the rezoning to Farming Zone – Schedule 2 would be beneficial in creating jobs it fails to take into account the high bushfire risk and would create a higher population count over the summer months when the area was most at risk.</p> <p>Requests that Callignee be rezoned as Farming Zone Schedule 1.</p>	<p>Planning Comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> identifies the Callignee area for inclusion within the Farming Zone-Schedule 2 (FZ2), where mixed use farming, niche or hobby farming and rural tourism opportunities may be supported alongside rural living land. It is acknowledged that precincts may support non-traditional farming investment and development.</p> <p>Application of the FZ2 in Callignee is considered appropriate</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>for the following reasons:</p> <ul style="list-style-type: none"> - Existing development pattern and land uses undertaken in the area. - The attractive landscape setting and location on tourist route to the Grand Ridge Road, and Tarra Bulga National Park. - Achieve consistent and improved land management outcomes across the precinct (in particular small lot management, maintenance, possible improved biodiversity outcomes). - Providing greater certainty to land use types to be supported. - Within the FZ2, small scale rural tourism opportunities are also supported as outlined by the exhibited Clause 22.03. - The minimum subdivision area and lot size in which a permit is required for a dwelling is unchanged. <p>Consideration and assessment of bushfire risk for particular uses and development is afforded by the Bushfire Management Overlay (BMO) which applies to the precinct.</p> <p>This remains unchanged on the land (including the classification under which Bushfire Risk is assessed).</p> <p>It is recommend to proceed with the application of the Farming Zone – Schedule 2.</p>
99	Ronald & Violent Munn	Object	<p>Submission summary: Submission requests that the township boundary be moved to the eastern boundary of the property and that the land be zoned to allow for subdivision in line with the subdivision plan from 1988.</p> <p>Does not believe the land can be operated with commercial</p>	<p>Planning Comment: Amendment C105 identifies the land for inclusion with a Farming Zone – Schedule 1.</p> <p>The township boundary was established and future land for rezoning to a residential zone is established by Amendment C87, which introduced the Traralgon- Morwell Growth</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			agriculture in mind as it is only a lifestyle property.	<p>Framework Plan. This plan identifies the subject land as 'Protected Rural Land.'</p> <p>This is not proposed to change by the exhibited Amendment C105.</p> <p>The proposed adjustment to the township boundary is considered to be beyond the scope of the current amendment.</p>
100	Leigh Cummins and Kaitlyn McKenzie	Object	<p>Submission summary: The submission disputes reasoning for proposed change from a Rural Living Zone to a Farming Zone Schedule 2.</p> <p>Consequences of proposed zone change are also stated, including decrease in property value, borrowing, property rates, large vehicle access, removal of subdivision opportunity and potential increase in intensive agriculture pursuits. Submission concludes to request the subject property and broader area are retained within a rural living zone.</p>	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The proposed Farming Zone – Schedule 2 provides support for the construction of dwellings.</p> <p>It is agreed however that existing small lots with limited or no further subdivision be retained in a Rural Living Zone. This includes the property referenced by the submission.</p>
101	William Macpherson	Object	<p>Submission summary: The submission requests the rezoning of land to the east of Traralgon from a Rural Living Zone to a Low Density Residential Zone.</p> <p>The submission notes that the likely transition of the area</p>	<p>Planning comment: The exhibited amendment does not identify a change to the current zoning of the subject land and surrounds.</p> <p>The current <i>Traralgon – Morwell Growth Framework Plan</i> included in the Planning Scheme identifies the long-term</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			for residential purposes is not likely to be achieved due to existing development and subdivision of the precinct.	<p>transition of the precinct for future residential development. The density of development in this precinct is intended to be standard residential density and not low density.</p> <p>The <i>Traralgon – Morwell Growth Framework Plan</i> leading objective is to ensure that planning decisions do not prejudice the ultimate long term growth potential of Traralgon. The <i>Traralgon Growth Area Review – Background Report</i> (2013), provides the following commentary relevant to the submission:</p> <p><i>“It’s often easier to readjust and rezone large parcels of land with limited ownership. Retaining large lots and avoiding subdivision will provide maximum opportunity for residential development. It is considered that sites suitable for re-adjustment are typically located in the inner precincts, along the highway frontages, and on the fringe of the urban areas.”</i></p>
102	Steve Rieniets	Object	<p>Submission summary:</p> <p>The submitter objects to the zoning of land at Waterloo Road to Farming Zone Schedule 1 (FZ1):</p> <ul style="list-style-type: none"> - The land is too small to be a productive farm in its own rights. - Currently abuts NRZ4 and GRZ3. <p>The submitter objects to the zoning of a second property also at Waterloo Road to Farming Zone Schedule 1.</p> <p>Key matters of objection include:</p> <ul style="list-style-type: none"> - Both parcels of land are split between Baw Baw Shire and Latrobe City (north of the drain running through the properties). - FZ1 would mean the land within Latrobe City would have 	<p>Planning comment:</p> <p>The discouragement of further subdivision and development of dwellings not required for agriculture is a primary objective of the exhibited Farming Zone – Schedule 1 (FZ1). The FZ1 increases the subdivision area to 100 hectares and permit requirement for a dwelling from 40 hectares to 80 hectares. A permit can be issued for a dwelling on any size allotment, provided the dwelling is reasonably required for an agricultural use (as directed by the Zone and Policy).</p> <p>The exhibited Clause 22.02 (Rural Dwellings and Subdivision) policy also includes the following objective for land proposed for inclusion in FZ1: <i>“Retain larger lots and avoid the establishment of sensitive land uses within the Farming</i></p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>inconsistent zoning from the land in Baw Baw Shire yet they are on the same title.</p> <ul style="list-style-type: none"> - The entire land within this title should be treated consistently. 	<p><i>Zone – Schedule 1 in order to retain versatility for current and future agriculture investment.”</i></p> <p>Where a dwelling / caretakers residence is required for an agricultural use on the land, such proposals are supported by the exhibited policy (subject to planning permit).</p> <p>Resolution of municipal boundaries traversing private property is a matter beyond the scope of the exhibited amendment.</p> <p>Given the current property sizes of land referenced by the submission, subdivision potential would not be affected by the proposed introduction of FZ1.</p> <p>The proposed FZ1 will introduce a permit requirement for the construction of a dwelling on the portion of property located in Latrobe City.</p>
103	Andrew Giraud & Margaret Slattery	Object	<p>Submission summary:</p> <p>The submission objects to the proposed amendment. Key matters raised include:</p> <ul style="list-style-type: none"> - Back-zoning their property to Farming Zone Schedule 2 will impact on their existing rights as a rural living zone resident and have a negative impact on their property. - The amenities are already in place for a rural living zone (school, community hall, recreation facilities, CFA station and newly upgraded roads). - There are over 150 RLZ lots that are occupied and most are not usable for farming purposes (such as vegetation cover ensuring the land cannot be used commercially). <p>The submitter would like the flexibility in the future to sell their property and RLZ, rather than FZ2 will maximise this. Information suggests that there may be lending issues from</p>	<p>Planning comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning (including the subject land).</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The proposed Farming Zone – Schedule 2 provides support for the construction of dwellings.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			banks or they may charge a higher interest rate for potential buyers.	<p>It is agreed however that existing small lots with limited or no further subdivision be retained in a Rural Living Zone. This includes the property referenced by the submission.</p> <p>Property value and lending services is not a planning consideration.</p>
104	Corrie Pinkster	Object	<p>Submission summary: The submission raises concerns regarding the proposed rezoning of land from a Rural Living Zone to a Farming Zone:</p> <ul style="list-style-type: none"> - The change of the subdivision area increasing to 40Ha under the FZ2. - The character of the area is much more aligned with RLZ. - Feedlots, intensive farming and increased timber uses are allowed and significant degradation of the local environment is likely to occur, possible animal welfare issues, food quality and general character. Rather, in the future encouragement should be given to organic and sustainable farming practices, including more plant based agriculture. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning (including the subject land).</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The proposed Farming Zone – Schedule 2 provides support for the construction of dwellings.</p> <p>It is agreed however that existing small lots with limited or no further subdivision be retained in a Rural Living Zone. This includes the property referenced by the submission.</p>
105	Scott Garden	Object	<p>Submission summary: The submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2.</p> <ul style="list-style-type: none"> - About the impact on their rates if the land was to be rezoned to FZ2. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - The submitter had plans for further subdivision and development to provide for family members in the future (and possibly purchasing neighbouring land to undertake this plan). - A change in the zone would also have impacts on the current loan structure with the bank (as banks consider FZ properties as having working capacity and therefore require a business structured loan). - The rezoning has the potential to devalue the land. 	<p>issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The proposed Farming Zone – Schedule 2 provides support for the construction of dwellings.</p> <p>It is agreed however that existing small lots with limited or no further subdivision be retained in a Rural Living Zone. This includes the property referenced by the submission.</p> <p>Note the consideration of further subdivision opportunity will need to address new policy regarding Bushfire Risk. This may be prohibitive to the creation of additional lots in this location.</p> <p>Property value and lending services is not a planning consideration.</p>
106	Brenda Jelleff	Object	<p>Submission summary:</p> <p>The submission raises a number of concerns including:</p> <ul style="list-style-type: none"> - The impact on their rates if the land was to be rezoned to Farming Zone – Schedule 2. - The submitter had plans for further subdivision and development to provide for family members in the future (and possibly purchasing neighbouring land to undertake this plan). - A change in the zone would also have impacts on the current loan structure with the bank (as banks consider FZ properties as having working capacity and therefore require a business structured loan). 	<p>Planning comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>It is agreed however that existing small lots with limited or no further subdivision be retained in a Rural Living Zone.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>- The rezoning has the potential to devalue the land.</p>	<p>The proposed Farming Zone – Schedule 2 provides support for the construction of dwellings. This includes the property referenced by the submission.</p> <p>Note the consideration of further subdivision opportunity will need to address new policy regarding Bushfire Risk. This may be prohibitive to the creation of additional lots in this location.</p> <p>Property value and lending services is not a planning consideration.</p>
107	Jim and Kerry Peachey	Object	<p>Submission summary: The submitter objects to the rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2. Key points of objection include:</p> <ul style="list-style-type: none"> - Concerns they may not be able to sell the land in the future. - The minimum allotment size will increase to 40Ha yet this is inconsistent with Yinnar South properties. - Concerns that the <i>Rural Land Use Strategy</i> states that there is potential for land to be consolidated with agricultural productivity, and given the established community it should not be consolidated. Will compensation be provided? - The strategy identifies that the FZ2 will support niche farming, however this property would not be able to support or be viable for this type of business. The nature of the property is RLZ. 	<p>Planning comment: The exhibited Rural Land Use Strategy recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2). The proposed Clause 22.02 provides guidance for the construction of dwellings and subdivision within FZ2 areas.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				Council has no plans to acquire or require the consolidation of properties for farming purposes.
108	Jillian Orr	Object	<p>Submission summary: The submitter has stated they object to their land being rezoned to Neighbourhood Residential Zone – Schedule 4.</p> <p>The submitter would like their property to be considered for inclusion within a Residential or Low Density Residential Zone.</p>	<p>Planning comment: The opportunity to consider locations for inclusion within a LDRZ (including the subject land) will be provided during the preparation of the Toongabbie Structure Plan (to commence 2019).</p>
109	Michael Saulle	Object	<p>Submission summary: The submission objects to the proposed rezoning of land in Yinnar South.</p> <p>Key points of objection include:</p> <ul style="list-style-type: none"> - The ability of neighbours to conduct intensive farming practices i.e. Chicken or Pig farms and the impact that would have on my quiet lifestyle. - In the event of loss of my home that rebuilding would not be possible due to restrictions on building on less than 40 hectare. - The ability of potential future buyers of my property to obtain finance due to restriction on bank lending due to farm zoning and the potential this has on the value of property in Yinnar South - The potential for the re-zoning to limit my choices in insurance companies as some do not insure farms. 	<p>Planning comment: The exhibited Rural Land Use Strategy recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2). The proposed Clause 22.02 provides guidance for the construction of dwellings and subdivision within FZ2 areas.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>The following comments are also provided in response to other matters raised:</p> <ul style="list-style-type: none"> - Chicken and Pig related farm uses require certain setbacks

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				<p>to be maintained from dwellings not in the same ownership. Permits are also required for uses depending on the number of animals.</p> <ul style="list-style-type: none"> - In the event buildings are lost, existing use right provisions will commonly apply. Other planning permit exemptions for the replacement of dwellings also apply. - Financial implications, lending services and property insurance are not a planning consideration.
110	Fred Martin	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2. Key points of objection include:</p> <ul style="list-style-type: none"> - Will make property unsellable. - Jeeralang FZ2 is incorrectly identified and described. - It is unviable to revert the area back to Farming Zone. - Yinnar South is a viable well connected community. - Concerns regarding confidence in property investment not knowing if Council might change zoning of land. - Object to rezoning of this area whilst opening up other locations. - Does long term urban growth of settlements consider productive agricultural land? 	<p>Planning comment: The exhibited Rural Land Use Strategy recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2). The proposed Clause 22.02 provides guidance for the construction of dwellings and subdivision within FZ2 areas.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable. With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>In response to additional matters raised by the submission:</p> <ul style="list-style-type: none"> - It is acknowledged that reference to ‘Jeeralang FZ2’ area within the exhibited <i>Rural Land Use Strategy (RLUS)</i> is an error and is to be corrected. - The intent of the strategy and identification of the Yinnar

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				<p>South for back-zoning to Farming Zone – Schedule 2 is shown on the corresponding map included within the exhibited <i>RLUS (Figure 25, pg. 69)</i>.</p> <ul style="list-style-type: none"> - Financial implications, lending services and property insurance are not a planning consideration. - Council has certain responsibilities as the planning authority to provide guidance to the zoning of land. This may include at times, the back-zoning of land. - Structure Plans provide direction for the growth of main town settlement areas. These are provided within the Latrobe Planning Scheme. The review of these plans is beyond the scope of the exhibited amendment.
111	Kate Rogalsky	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2 (FZ2). Key points of objection include:</p> <ul style="list-style-type: none"> - Reducing the value of property and pool of prospective purchases of the property due to reduced borrowing ability for Farming Zoned land. - Being on a 5 acre lot that is heavily treed, very steep and with poor soil quality, there is very limited ability to turn it into a viable commercial venture. - Unsure as to why smaller farmlets are included in the proposed re-zoning. 	<p>Planning comment: The exhibited Rural Land Use Strategy recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2). The proposed Clause 22.02 provides guidance for the construction of dwellings and subdivision within FZ2 areas.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				<p>The following comments are also provided in response to additional matters raised by the submission:</p> <ul style="list-style-type: none"> - It is agreed that smaller properties where there is limited or no further subdivision opportunity should be retained within a Rural Living Zone. - The proposed application of FZ2 on the property does not require a farming use to occur. - Financial implications and lending services is not a planning consideration.
112	Elizabeth Mery	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2. Key points of objection include:</p> <ul style="list-style-type: none"> - Does not believe the area to be surrounded by State Forest or Timber Plantations. - Does not consider the area to be isolated, with limited road access or to have a higher fire risk than other Rural Living Zone locations. - Properties should not be devalued as a result of proposed planning scheme changes. - Proposed zone change will effect saleability of land. - Why should Latrobe City property values decrease? 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2). The proposed Clause 22.02 provides guidance for the construction of dwellings and subdivision within FZ2 areas.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>In response to specific matters raised by the submission:</p> <ul style="list-style-type: none"> - It is agreed that many existing Rural Living Zone locations

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				<p>are prone to fire risk. Large lots existing within Yinnar South under current zoning arrangements would enable further intensification of dwellings and subdivision (subject to planning permit). This is considered to increase the degree of risk to life and property.</p> <p>- Financial implications and lending services is not a planning consideration.</p>
113	Tracey Anton (Toongabbie Township Committee)	Comment	<p>Submission summary: The submission provides comments and raises a series of questions including:</p> <ul style="list-style-type: none"> - Will these become the network roads for access to new subdivisions? - Will existing home owners be expected to contribute to the costs of opening these roads? - How may this affect a potential buyer becoming aware that the property does not have working connections for water or sewerage? - Therefore, what obligations would be imposed on the buyer for septic specifications and the cost thereof? - Questions increasing subdivision opportunity in locations that were impacted by the 2006 bushfire which affected the township. 	<p>Planning comment: In response to a range of factors (including changed requirements for the consideration of bushfire risk introduced by Amendment VC140), it is recommended that the progression of Rural Living land re-zonings within Toongabbie be deferred pending:</p> <ul style="list-style-type: none"> - The preparation of a Toongabbie Structure Plan (commencing 2019). - Further investigation of bushfire planning policy changes and implications for new development opportunities within the Toongabbie township and surrounds. <p>Consideration of road, sewer and other infrastructure services available within the town will be further considered as part of the preparation of a Structure Plan. This will include consideration of shared contributions for key infrastructure (where necessary).</p> <p>Gippsland Water advice has previously indicated, limited to no capacity within the current sewer infrastructure available within the town.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

114	Jamsher Mubaraki	Object	<p>Submission summary: Submission objects to the rezoning of land from Rural Living Zone to Farming Zone – Schedule 2 in the Yinnar South area.</p> <p>To back-zone will take away our existing rights as rural residential and have a negative impact on property.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2 (FZ2). The proposed Clause 22.02 provides guidance for the construction of dwellings and subdivision within FZ2 areas.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p>
115	Renato DiSisto	Object	<p>Submission summary: Submission objects to the identification of new Rural Living development opportunities in the Moe South area.</p> <p>Key points of objection include:</p> <ul style="list-style-type: none"> - Enjoy the peace and quiet of the area and feels that there are sufficient residents currently in the Moe South area. - If development were to go ahead this will impact on municipal rates due to the infrastructure associated with development. 	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> does not identify the land for inclusion in a Rural Living Zone.</p> <p>Considering changes introduced by the State Government to bushfire related planning policy (Amendment VC140); the subject properties will result in an increase in subdivision and development where dwellings are not likely to achieve a Bushfire Attack Level (BAL) below 12.5.</p> <p>Preliminary investigation into fire risk in the Moe South area has commenced in consultation with CFA. Early indications</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				are that the rezoning of land to Rural Living in the Moe South area is not likely to proceed as part of Amendment C105.
116	Ian & Rosemary Heppleston	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2. Key points of objection include:</p> <ul style="list-style-type: none"> - Uncertainty of property values - Concerns regarding possibility of offensive agricultural or industrial uses being enabled. - Small properties should be excluded by the proposed rezoning. - Did not receive official notification of the proposed rezoning. 	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>Notices were provided to all affected properties within the Yinnar South area. Council records indicate a letter was sent to address referenced by the submission. No letters have been received 'return to sender.'</p>
117	Charles Uber, Ph.D	Object	<p>Submission summary: Submission objects to a range of matters, summarised as follows:</p> <ul style="list-style-type: none"> - The removal of the acknowledgement of the Gunaikurnai people in Clause 21.01. - Believes that the vision for Churchill should state that 	<p>Planning comment: The exhibited draft of Clause 21.01 states "<i>Latrobe City is part of the region traditionally owned by the Braiakaulung clan of the Gunaikurnai people.</i>" This remains unchanged from the current Clause 21.01.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>Churchill has a rural atmosphere and residential service centre role similar to Boolarra's vision in Clause 21.09.</p> <ul style="list-style-type: none"> - Concerned about the traffic along collector roads and on bus routes if medium density is encouraged under the residential growth zone. Adequate parking must be provided of two or three spaces per unit. - Believes the Glendonald Road Rural Living Precinct will heavily increase traffic along Glendonald Road to Northways Road which will require road upgrades to provide greater road safety and encourage pedestrian and bicycle traffic. 	<p>Churchill is identified in the settlement hierarchy in the strategy as a supporting network town within the broader Latrobe networked city. As a major population centre it is not appropriate to group Churchill with the same character as a small town. The amendment does not propose changes to the Churchill Structure Plan and as such the comments referring to Areas 4 and 10 are outside the scope of the amendment.</p> <p>The proposed zone change to Residential Growth Zone 4 is to separate the height controls for each of the networked city towns to better respond to the town character.</p> <p>Provision for car parks are located in Clause 52.06 and are not being changed within this amendment.</p> <p>Comments around the existing Rural Living Zone Precinct are noted but as the schedules are being console dated to simplify controls and are not being rezoned this sits outside the scope of the amendment.</p>
118	Susie Zent	Object	<p>Submission summary:</p> <p>Submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2. Key points of objection include:</p> <ul style="list-style-type: none"> - Confusion regarding reference to 'Jeeralang' and not Yinnar South. - Removal of 'as of right' development opportunity for dwellings. - Adverse impacts resulting from as of right farm uses. - Requests that natural amenities be protected, including creek frontages and natural bush land. 	<p>Planning Comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification.
118A	Susie Zent on behalf of the Friend of Gippsland Bush Inc.	Support with changes	<p>Submission summary: Submission provides expanded discussion of key biodiversity values within Latrobe City and the importance of their protection. Key areas of support include:</p> <ul style="list-style-type: none"> - The establishment of a Strzelecki-Alpine Bio-link. Also encourages the extension of this proposal to include bio-links / corridors extending from the Corel and Links to Wilson’s Promontory. - Application of Public Conservation and Resource Zone (PCRZ). Supports proposed revisions to the Clause 21.03 discussion of biodiversity. Notes other threatened habitats and species not listed. <p>Requested changes include:</p> <ul style="list-style-type: none"> - Requests that the Planning Scheme include reference to the application of the PCRZ to all areas of the Cores and Links Catchment Area, once handed back to community. - Urges council to consider an Environmental Significance Overlay or Vegetation Protection Overlay is applied to the College Creek Catchment area. - Request that roadside reserves on Budgeree Road be afforded the highest level of protection Environmental and or Vegetation Overlays. - Latrobe City has natural assets which should be promoted and could provide opportunities for Nature based eco – tourism, Bed and Breakfast Accommodation, mountain trail 	<p>Planning comment: Comments of support are noted.</p> <p>In response to requested changes, following a preliminary review of supporting references it is considered that these changes may be either undertaken as part of the exhibited amendment or alternatively identified within the Further Strategic work program at Clause 21.10.</p> <p>Where a change to the exhibited Amendment C105 is deemed appropriate, this will be undertaken in consultation with key stakeholders and relevant land managers.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>bike riding, boutique niche farms.</p> <p>Submission provides expanded discussion regarding the significance of the Strzelecki Koala population, to which Latrobe City is a 'major stronghold'; noting key population locations including Morwell National Park, Jeeralang, Billy's Creek, Jumbuk Road and land in the vicinity of Whitelaws Track, Gilberts Road and Vaggs track Yinnar South.</p> <p>Reference to the historic agreement reached between Australian Paper and FOGB in March 1998 known as the 8 point agreement is also provided, stating that the areas that were to be set aside as nature reserves still have no permanent protection.</p> <p>Submission provides several reference documents provided to Council in support of the matters outlined.</p>	
119	Raymond Just	Support with changes	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Suggests that certain areas in Koornalla could be suited to FZ2 as well.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the <i>Rural Framework Plan</i> to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
120	Geoffrey, Suzanne & David Somerville	Object and request change	<p>Submission summary: Submission objects to the exhibited Amendment C105.</p> <p>The basis for the objection is that Council is seeking to apply</p>	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> does not identify the land for inclusion in a Rural Living Zone.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>Rural Living Zone Schedule 3 (6 hectare minimum subdivision area) to the subject site and not Schedule 1 (2 hectare minimum subdivision area).</p> <p>Submission states that smaller lots will be better managed and will result in appropriate bushfire management which will benefit the existing dwellings, the overall locality and all lots adjacent to the subject site.</p>	<p>In response to changes introduced by the State Government to bushfire related planning policy (Amendment VC140); subdivision and development is not supported where a Bushfire Attack Level (BAL) greater than 12.5 is likely.</p> <p>Preliminary investigation into fire risk in the Moe South area has commenced in consultation with CFA. Early indications are that the rezoning of land to Rural Living in the Moe South area is not likely to proceed.</p> <p>The requested rezoning of the subject land to a Rural Living Zone – Schedule 1 is therefore not able to be supported as part of the current amendment.</p> <p>It is recommended that the subject property be considered for inclusion within Farming Zone – Schedule 2.</p>
121	Malcolm & Jonathan Moore	Object	<p>Submission summary:</p> <p>Submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2. Key points of objection include:</p> <ul style="list-style-type: none"> - Property is not suitable for inclusion in a Farming Zone – Schedule 2 due to its small size, location, size and natural vegetation cover. - Property will decrease in value. - Proposed zone will make it harder to be able to build on the land. - Large number of small properties should in the area. 	<p>Planning Comment:</p> <p>The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the smaller property referenced by the submission. The ability of the property to be developed with a dwelling will be subject to a future planning permit application.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>In relation to the larger property referenced by the submission, noting the extent of high value vegetation and bushfire risk on the property and surrounds, it is considered that the further subdivision of land is not likely to be achieved (or appropriate); contrary to the expectations that the current Rural Living Zone classification may indicate.</p> <p>Under the current zoning arrangements, further subdivision and the development of a dwelling on the land will be subject to a planning permit under the Bushfire Management Overlay (BMO) and likely requirements for vegetation removal.</p> <p>The exhibited Farming Zone – Schedule 2 provides support to the construction of a dwelling (along with consideration of other provisions of the planning scheme). Further subdivision below 40 hectares is not be supported by the proposed Farming Zone – Schedule 2. It is considered appropriate to proceed with the proposed zoning of the land.</p>
122	Maxwell & Deborah Tavner	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2. Key points of objection include:</p> <ul style="list-style-type: none"> - Property will decrease in value. - It is unreasonable to change certain areas in Yinnar South where small lots already exist or farms are transitioning to small lots. - Does not agree with fire risk in the precinct. - Considers road access to be suitable. - Farming Zoned land often becomes degraded, unsightly and havens for vermin. - Does not want precedence to be given to agriculture over rural living amenity. 	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2. Large parcels within the precinct were previously identified within the 2002 Rural Living Study for back-zoning.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			- Concerns regarding restrictions and regulations that benefit large companies.	retain the Rural Living Zone classification. This includes the property referenced by the submission.
123	Tristan Stewart & Peta MacGregor	Support with changes	<p>Submission summary: Submission requests that the property be rezoned to a Rural Living Zone and believes that the property was previously Rural Living Zone before its current zoning of Farming Zone. Submitter believes that the Farming Zone is unjust as the property is surrounded by similar sized properties and adjoins a rural living precinct.</p> <p>Property was affected by the 2009 Delburn bushfires and believes the area having been cleared of vegetation and is at a lower bushfire risk.</p> <p>Rates have been affected by the zoning of the land which has devalued the property.</p> <p>Supports the Bio-link. Believes it is worthwhile protecting and conserving the Strzelecki koalas and that it is inspired and long overdue.</p>	<p>Planning comment: Land was zoned Rural B Zone for Rural Residential in 1977. In the New Format Planning Scheme of 2000, the Land is zoned Rural Zone which was translated to the current Farming Zone. No further zone changes have occurred since 2000.</p> <p>While the Amendment did not exhibit the site as Rural Living rather as Farming Zone 1, the rezoning to a Rural Living Zone is considered appropriate because the lot is 2 Hectares, it cannot be further subdivided and cannot be consolidated with other farming land due to it being surrounded by small lots developed with dwellings.</p> <p>It is considered appropriate to amend the exhibited Rural Framework Plan to identify the subject property and surrounds for future investigation and possible inclusion within a Rural Living Zone or Farming Zone – Schedule 2.</p> <p>Comments of support for the establishment of a potential Bio-link are noted.</p>
124	Jon & Bec McNaught	Support with changes	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Suggests that certain areas in Koornalla could be suited to FZ2 as well.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				Consider amending the Rural Framework Plan to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.
125	Stuart Strachan	Object	<p>Submission summary: Submission focuses on land to the south of the Traralgon South township (Callignee), providing an expanded assessment of issues considered relevant to the area. Key matters raised include:</p> <ul style="list-style-type: none"> - Introduction of Farming Zone –Schedule 2 in the Callignee district is a poor use of land. - The land is the best agricultural land in Latrobe City, which is in short. - Submission outlines land development constraints including landslip. - Allotments should be returned to dedicated agriculture over a period of time. - Acknowledges some financial loss on the capital investment that may result to landowners, which is not a consideration of planning. - Land is primarily used for agricultural production. - Residential development should be discouraged or prevented in areas of high bushfire risk. - Proposed Farming Zone – Schedule 1 appears to be an unnecessarily large minimum size for an as of right dwelling or subdivision. - Disallowing any questionable development which could reasonably become residential use is essential. - Callignee district can return to being a strong contributor to the Latrobe Valley economy. But only if agricultural land use is strongly protected from residential development. - Provision of infrastructure is insufficient reason to justify change. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> identifies the Callignee area for inclusion within the Farming Zone-Schedule 2 (FZ2), where mixed use farming, niche or hobby farming and rural tourism opportunities may be supported alongside rural living land. It is acknowledged that precincts may support non-traditional farming investment and development.</p> <p>Application of the FZ2 in Callignee is considered appropriate for the following reasons:</p> <ul style="list-style-type: none"> - Existing development pattern and land uses undertaken in the area. - The attractive landscape setting and location on tourist route to the Grand Ridge Road, and Tarra Bulga National Park. - Achieve consistent and improved land management outcomes across the precinct (in particular small lot management, maintenance, possible improved biodiversity outcomes). - Providing greater to certainty to land use types likely to be supported. - Within the FZ2, small scale rural tourism opportunities are also supported as outlined by the exhibited Clause 22.03. - The minimum subdivision area and lot size in which a permit is required for a dwelling is unchanged. <p>Consideration and assessment of bushfire risk for particular uses and development is afforded by the Bushfire</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				<p>Management Overlay (BMO) which applies to the precinct. This remains unchanged on the land (including the classification under which Bushfire Risk is assessed).</p> <p>The discouragement of further subdivision and development of dwellings not required for agriculture within the exhibited Farming Zone – Schedule 1 is appropriate, and is considered to respond positively to the position presented by the submission.</p>
126	Submitter details removed by request.	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from a Rural Living Zone to Farming Zone – Schedule 2.</p> <p>Key points of objection include:</p> <ul style="list-style-type: none"> - Yinnar South was not part of the initial proposal. - Effect on resale value of property. - Amendment will negatively impact owners of larger properties who wish to subdivide land. - Requests that comments included in submission are only published. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>In response to additional matters raised, the following comments are provided:</p> <ul style="list-style-type: none"> - The identification of Yinnar South for back-zoning is shown on the map provided at Figure 25, page 69 of the exhibited <i>Rural Land Use Strategy</i>. It is acknowledged that the place description corresponding with the map at Figure 25 of the area is an error to be corrected. - Property value is not a planning consideration.

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<ul style="list-style-type: none"> - The application of the proposed Farming Zone – Schedule 2 will introduce a minimum subdivision area of 40 hectares. This will increase the minimum lot size. - All submission must be made available for viewing. Personal information will be redacted.
127	Jonathon Pasquill,	Object	<p>Submission summary: The submission objects to any proposed changes to current rural zone applying to the land.</p> <p>Notes the appeal of the area being the rural nature of it and that the area is unsuited for residential development.</p> <p>Refers to current use of the land as a boarding cattery.</p>	<p>Planning comment: The schedule to the Rural Living Zone is proposed to be changed to Schedule 1 (minimum subdivision area of 2 hectares). The minimum subdivision area is therefore unchanged.</p> <p>This change is a result from a consolidation of the existing 6 schedules into 3.</p> <p>It is noted that the current policy within the Latrobe Planning Scheme identifies the land for long term residential development. This policy is unchanged by the exhibited amendment.</p>
128	Damien Shaw	Object	<p>Submission summary: Submission objects to back-zoning Rural Living Zone to Farming Zone – Schedule 2 in Yinnar South area.</p> <p>Key points of objection include:</p> <ul style="list-style-type: none"> - Decrease property value and borrowing of potential purchasers of land. - Rates will increase as a result of the proposed change in zone. - Subdivision opportunity will be removed along with ability to build on smaller land parcels. - Large vehicles / trucks will be able to use roads without restriction, increasing risk for residents. - Possibility for intensive agriculture including piggeries, feed lots or calf rearing facilities. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - The amendment will prevent subdivision and prevent land owners being able to build on smaller blocks. 	<p>The following comments are also provided in response to additional matters raised by the submission:</p> <p>Unless there is a signed load limit or vehicle limit, the only restriction on any road relates to B-doubles. Articulated vehicles can use any road without a permit. B-doubles can only use arterial roads (VicRoads) and any designated Council B-double routes. The re-zoning of land will not change this.</p>
129	Sarah Sterrick	Object	<p>Submission summary: The submission objects to the proposed rezoning of land from a Rural Living Zone to Farming Zone – Schedule 2.</p> <p>Key points of objection include:</p> <ul style="list-style-type: none"> - Decrease property value and borrowing of potential purchasers of land. - Rates will increase as a result of the proposed change in zone. - Subdivision opportunity will be removed along with ability to build on smaller land parcels. - Roads are in desperate need of repair. Large vehicles and trucks will be able to use roads without restriction, increasing risk for residents. - Possibility for intensive agriculture including piggeries, feed lots or calf rearing facilities. - Community would greatly benefit from further development. 	<p>Planning Comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p> <p>The following comments are also provided in response to additional matters raised by the submission:</p> <ul style="list-style-type: none"> - Unless there is a signed load limit or vehicle limit, the only restriction on any road relates to B-doubles. Articulated vehicles can use any road without a permit. B-doubles can only use arterial roads (VicRoads) and any designated Council B-double routes. The re-zoning of land will not change this.

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

130	Kevin & Patricia Hourigan	Object	<p>Submission Summary: The submission requests that their land remain within a Farming Zone.</p> <p>Land is subject to flooding and unsuitable to build on.</p>	<p>Planning comment: The subject land is considered appropriate for a Rural Living Zone, given proximity to main township area and the existing Rural Living zoned land to the east. Preliminary assessments of bushfire risk also indicate support for the proposed rezoning.</p> <p>However, given the submitters objection the proposed rezoning of the subject property to a Rural Living Zone, and the likelihood that a subdivision will not proceed, this may distort land supply and therefore prevent other locations from being rezoned to enable supply.</p> <p>Council has received a number of submissions from landowners within the proposed Rural Living precinct who are opposed to the proposed rezoning.</p> <p>In response to submission received regarding this precinct, it is considered that the Farming Zone – Schedule 1 be considered for the subject land (and broader precinct).</p>
131	Norman & Julie Albutt	Object	<p>Submission summary: Submission objects to the proposed rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2. Primary points of objections include:</p> <ul style="list-style-type: none"> - Yinnar South precinct has been zoned for Rural Living since the 1970's. - Yinnar South does not meet the objectives of the Farming Zone to protect viable farming land. - Rural Land Use Strategy identifies a deficit in rural living opportunity. - Area is not surrounded by steep terrain and timber plantations. 	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the precinct for inclusion within Farming Zone – Schedule 2.</p> <p>The proposed re-zoning of this area is in response to location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The current RLZ classification presents opportunities for</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - Area is provided with good road access. - Disagree that Yinnar South is isolated with existing infrastructure including primary school, community hall, fire station, tennis courts and public reserve. - Does not have high degree of bushfire risk and there is no history of bushfire. - The number of large lots in the precinct is overstated. - Niche farming opportunities could be enabled without the proposed zone change. - Currently planning on further subdivision of property. - The proposed back-zoning of land is poorly researched. 	<p>intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable. It is also noted that existing agricultural uses occurring on larger land parcels may be considered to be a non-conforming use in the Rural Living Zone or require a planning permit.</p> <p>The subject property and surrounds were considered by a Rural Living Study completed in 2002 and progressed by planning scheme amendment C7 in 2003. The 2002 study and planning panel that considered Amendment C7 both recommended that the subject land be rezoned to a Rural Zone (Farming Zone equivalent). At the time this report was prepared, it was unclear as to why these recommendations were not enacted.</p> <p>In response to additional matters raised, see below:</p> <ul style="list-style-type: none"> - Agricultural areas within Yinnar South are considered to be viable. - It is agreed that a deficit in available rural living zoned land supply exists. This demand however must be considered against a variety of matters, including the newly introduced provisions regarding bushfire risk. The primary opportunity to consider such matters is during planning scheme amendments and / or subdivision. - It is considered that bushfire risk varies across the precinct and is subject to both direct bushfire risk and a landscape risk resulting from ember attack. - Significant increases in the number of dwellings in the precinct may be enabled by further and incremental subdivision. This is likely to result in conflict with continued agricultural uses within the precinct and local forestry operations. - It is agreed that niche farming opportunities are not
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SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>limited to the Yinnar South precinct.</p> <ul style="list-style-type: none"> - Preliminary review of Council records indicates two previous subdivision proposals. - The submission notes multiple titles existing on the land. It is noted that development of these properties with a dwelling may be considered (subject to a planning permit) under the proposed Farming Zone – Schedule 2. <p>It is considered that the application of Farming Zone – Schedule 2 is appropriate.</p>
132	Hugh Thompson	Support with changes	<p>Submission summary:</p> <p>Submission notes request for further information regarding the rezoning of land to allow limited subdivision of 5 acre allotments.</p> <p>Submission objects to the application of a Development Plan Overlay – Schedule 8.</p> <p>Subjection seeks further information and discussion regarding proposed amendment.</p>	<p>Planning comment:</p> <p>Submission supports limited subdivision opportunity on the land to enable the creation of 5 acre allotments.</p> <p>As requested in the submission, further discussion with the submitter has taken place to explain the purpose and implications of the proposed rezoning of land to a Rural Living Zone – Schedule 1.</p> <p>The submitter’s primary concern was in relation to the likely rateable increase in the value of land should the property be rezoned.</p> <p>Given the surrounding landowners have opposed the rezoning of land to a Rural Living Zone, the rezoning of a single property parcel to Rural Living is likely to result in future conflict with agricultural uses likely to continue on surrounding land.</p> <p>It is however considered that a ‘precinct’ based rezoning of the land is preferred and therefore the rezoning of land to Rural Living is to be deferred.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				It is appropriate to include the identification of the precinct for future Rural Living Zone opportunity on the exhibited Rural Framework Plan.
133	Des Farley	Object	<p>Submission summary: Submission provides comment regarding the need to keep good farming land in agriculture and not allow it to be subdivided into small lots.</p> <p>Subdivision of land in steeper, elevated areas with lesser type country is supported.</p> <p>There has been too much good agricultural land subdivided already into hobby farms.</p>	<p>Planning comment: The discouragement of further subdivision and development of dwellings not required for agriculture is a primary objective of the exhibited <i>Rural Land Use Strategy</i>.</p> <p>The exhibited Clause 22.02 (Rural Dwellings and Subdivision) policy also includes the following objective “<i>Retain larger lots and avoid the establishment of sensitive land uses within the Farming Zone – Schedule 1 in order to retain versatility for current and future agriculture investment.</i>”</p> <p>New Rural Living precincts exhibited by Amendment C105 are not likely to progress as part of the current amendment, due to submissions received by affected landowners and changed requirements for the consideration of bushfire risk.</p>
134	Ralph Brown	Object and request change.	<p>Submission summary: Submission requests the subject land be changed to Farming Zone – Schedule 2, referencing prior investment in infrastructure to service the subdivision of Taylors Road, Browns Road and Settlers Road, Koornalla in 1985.</p> <p>Lot 10 is the only remaining block without a dwelling on Taylors Road.</p> <p>Having the land developed will enhance the area, keeps the land clean and reduces the risk of fuel building up that has the potential for fires.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the Rural Framework Plan to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			This would also support the biodiversity and conservation within area. Improved community outcomes are also realised.	
135	Deirdre Groves	Support and request change.	<p>Submission summary: Submission discusses the rippling effects of the Hazelwood Power Station closure, including friends and members of the family now contemplating leaving the region for work.</p> <p>There is a need to unlock new investment and growth opportunities, big and small, to benefit the community and local businesses.</p> <p>Initially purchased property with intention to build a dwelling and establish a business which could be expanded over time. Unfortunately the previous zoning and overlay did not favourably support this. The coal and resource overlays have been barriers to business investment.</p> <p>Identifies a wish to enable the creation of a niche farm and associated business on the land. Farming Zone – Schedule 2 and the proposed policy at Clause 22.02 would open up options and new opportunities for business on rural land and enable the construction of a dwelling. In order to adequately perform business duties or have any livestock on the property, a dwelling would be required.</p> <p>The submission provides further discussion of proposed business ventures proposed on the land.</p>	<p>Planning comment: The requested inclusion of the subject property is not identified by the exhibited <i>Rural Land Use Strategy</i>.</p> <p>The SRO1 relates to the protection of underlying coal resources and will not be removed from the property without the consent of Department Economic Development Jobs, Transport and Resources (DEDJTR).</p> <p>Whilst SRO1 remains in place, rezoning would enable intensification of farming and other related uses which are contrary to the purpose of the overlay.</p> <p>Recommend referral of submission to DEDJTR for consideration as part of their review of coal related planning provisions within the Latrobe Planning Scheme.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

136	Bronwyn Woodward	Object	<p>Submission summary: Submission requests that the subject properties are located within a Farming Zone – Schedule 2.</p>	<p>Planning comment: The exhibited <i>Rural Land Use Strategy</i> recommends the land be located within a Farming Zone – Schedule 1.</p> <p>The SRO1 relates to the protection of underlying coal resources and will not be removed from the property without the consent of Department Economic Development Jobs, Transport and Resources (DEDJTR).</p> <p>Whilst SRO1 remains in place, rezoning would enable intensification of farming and other related uses which are contrary to the purpose of the overlay.</p> <p>The Industrial Zoned land south of Morwell is identified as being a Heavy industry / large format industrial location on the exhibited <i>Industrial Framework Plan</i> and with the exhibited <i>Industrial and Employment Land Use Strategy</i>.</p> <p>Given the subject properties are situated within close proximity to and adjoining existing Industrial Zoned land to the east, the requested change is not considered appropriate.</p>
137	Jim Mandikos, Mandikos Haulage	Support	<p>Submission summary: Submission supports the removal of the coal overlay from the Firmins Lane area.</p> <p>This will enhance the economics and sustainable growth of the district, by bringing in industry other than coal.</p> <p>Employment is needed in the area. This will give real opportunity to people are struggling, providing more work</p>	<p>Planning comment: Comments of support are noted.</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

			options. This will give Traralgon and Morwell an economic boost.	
138	Robert Lade	Support with changes	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Suggests that certain areas in Koornalla could be suited to FZ2 as well.</p>	<p>Land description: Refers to the Koornalla area.</p> <p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the <i>Rural Framework Plan</i> to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
139	Adrian Calabrese	Object	<p>Submission summary: The submission requests the rezoning of land to the east of Traralgon from a Rural Living Zone to a Low Density Residential Zone.</p> <p>The submission notes that the likely transition of the area for residential purposes is not likely to be achieved due to existing development and subdivision of the precinct.</p>	<p>Planning comment: The exhibited amendment does not identify a change to the current zoning of the subject land and surrounds.</p> <p>The current Traralgon – Morwell Growth Framework Plan included in the Planning Scheme identifies the long-term transition of the precinct for future residential development. The density of development in this precinct is intended to be standard residential density and not low density.</p> <p>The Traralgon – Morwell Growth Framework Plan leading objective is to ensure that planning decisions do not prejudice the ultimate long term growth potential of Traralgon. The Traralgon Growth Area Review – Background Report (2013), provides the following commentary relevant</p>

**SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)**

				to the submission: <i>“It’s often easier to readjust and rezone large parcels of land with limited ownership. Retaining large lots and avoiding subdivision will provide maximum opportunity for residential development. It is considered that sites suitable for re-adjustment are typically located in the inner precincts, along the highway frontages, and on the fringe of the urban areas.”</i>
140	Damien Rieniets,	Object	<p>Submission summary: Submission objects to the new proposed classification of Farming Zone – Schedule 1 and 2. Key matters raised by the submission include:</p> <ul style="list-style-type: none"> - The minimum lot size of 40 hectare to 80 hectare minimum and 100 hectare with residence will have a very negative effect on our local farming communities. - The farming demographic of the Gippsland region and Latrobe with its high rain fall lends itself to high production per hectare. - Change will restrict new entrants into the market. - 100 acres lots will be worth considerable less and have an enormous impact of myself and family and the broader farming community as banks use the holdings as security. - Dairy operation will suffer as labour required to run these operations need labour components (all applications in the last 20 yrs. have required housing on farm). - Farming family and community will be reduced as next generation will not be able to complete an incremental retirement “slowly” will have a great impact to family structure. - Decision will favour the corporate type farming operations. 	<p>Planning comment: The exhibited Clause 22.02 (Rural Dwellings and Subdivision) policy also includes the following objective for land proposed for inclusion in FZ1: <i>“Retain larger lots and avoid the establishment of sensitive land uses within the Farming Zone – Schedule 1 in order to retain versatility for current and future agriculture investment.”</i></p> <p>The discouragement of further subdivision and development of dwellings not required for agriculture is a primary objective of the exhibited Farming Zone – Schedule 1 (FZ1).</p> <p>The proposed introduction of the Farming Zone – Schedule 1 is considered to secure the long term productive use of land for agriculture. To achieve this, the exhibited FZ1 increases the subdivision area to 100 hectares and lifts the permit requirement for a dwelling from 40 hectares to 80 hectares.</p> <p>A permit can be issued for a dwelling / caretakers residence on any size allotment within the Farming Zone, provided the dwelling is reasonably required for an agricultural use (as directed by the Zone and Policy). Dwellings not required for agriculture are discouraged. The primary change therefore is</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - Other neighbouring shires have chosen not to implement this. - Amendment has not addressed farming issues in great detail within our Latrobe region. 	<p>the introduction of a permit requirement.</p> <p>The discouragement of further fragmentation of large farming lots is a primary policy objective of the exhibited amendment. Provisions have been included to guide dwelling excision and subdivision within the exhibited Clause 22.02.</p> <p>The ability of dependent family members remaining on farm are provided for by dependent unit provisions included within the scheme, for which no planning permit is required.</p> <p>Council is not aware of similar Rural Land Use Strategies being completed in neighbouring municipalities.</p> <p>An assessment of farming related matters within Latrobe City is provided in the exhibited <i>Rural Land Use Strategy</i>.</p> <p>In response to matters raised by the submission, it is not proposed to change the exhibited Amendment prior to consideration by a planning panel.</p>
141	Peter Olorenshaw	Support	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Notes the personal hardship encountered by landowners in the area seeking to build.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>The exhibited <i>Rural Land Use Strategy</i> does not identify the application of FZ2 to small lots located in the Koornalla district.</p> <p>Consider amending the <i>Rural Framework Plan</i> to identify existing small lots within Koornalla for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

142	Ron Radford, Lynford Park Blondes	Support with changes	<p>Submission summary: Supports Farming Zone – Schedule 2 (FZ2) being applied in the Callignee area.</p> <p>Notes the personal hardship encountered by landowners in the area seeking to build.</p> <p>Requests that further smaller land parcels within the surrounding area be included within FZ2. Notes the area is good farming land.</p>	<p>Planning Comment: Comments of support are noted.</p> <p>Consider amending the exhibited <i>Rural Framework Plan</i> and Clause 21.10 to identify locations for future investigation and possible inclusion within the Farming Zone – Schedule 2.</p>
143	Eric & Annette Deppeler	Object with Changes	<p>Submission summary: The submission requests changes to the proposed rezoning of land in Yinnar South, as follows:</p> <ul style="list-style-type: none"> - Apply the Farming Zone – Schedule 1 to the two parcels of land currently zoned Farming and Rural Living Zone (Block 1 and 2). - Support inclusion of blocks 3 and 4 in the proposed Farming Zone – Schedule 2 (currently zoned Rural Living). <p>Other key matters outlined in the submission include:</p> <ul style="list-style-type: none"> - Much of the area has already been subdivided. - Wish to protect good farming land which is fast diminishing. - Submission notes an anomaly regarding limitations to the removal of vegetation on farming property, where as in Rural Living areas similar restrictions do not apply. - Outlines land that is currently located in a Rural Living Zone as being highly productive for agriculture. - More consideration should be given to planning and building permits on land next to productive farming land. <p>Highlights the difficulties in adhering to stringent biosecurity rules under Livestock Assurance programs. Adjacent property activities could potentially interfere with new controls.</p>	<p>Planning comment: Comments relating to the importance of protecting agricultural land for future generations are noted.</p> <p>The submission provides support to the rezoning of land from a Rural Living Zone to Farming Zone Schedule 1 and 2.</p> <p>The requested changes by the submission are supported and considered to further secure the protection of productive agricultural land.</p> <p>The avoidance of conflict which results from sensitive uses being located in locations of agricultural are noted, and align with the objectives of the exhibited <i>Rural Land Use Strategy</i>.</p> <p>It is agreed that smaller lots within the Yinnar South which have previously been developed and have limited or no further subdivision opportunity be retained in a Rural Living Zone.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

144	Stephen Lansdell, Environment Protection Authority (EPA) Victoria	Support with changes	<p>Submission summary: Environment Protection Authority (EPA) supports the intent of the strategy, in particular the recognition of industry buffers and management of potentially contaminated land. Reference to the issue of sensitive uses encroaching on industry is highlighted in a number of recent reports, as listed in the submission.</p> <p>Considerable work is now being undertaken to address shortcomings within the planning system at a State level.</p> <p>Key areas of support to components of the exhibited amendment are highlighted by the submission.</p> <p>The risk of encroachment is heightened in the Latrobe municipality given the diverse industrial land uses with the potential for offsite amenity impacts, including health and amenity of people in areas surrounding industrial operations through air emissions such as odour, dust and noise.</p> <p>Considers that the risks of residential encroachment on industry and environmental risks could be strengthened in 21.04 Environmental Risks.</p> <p>EPA recommends Council consider including an additional decision guideline under clause 22.01-4 Intensive Agriculture as follows: <i>"Whether the proposed use meets the separation distances of permitted or existing agricultural uses, as required under appropriate government codes of practice, the Environment Protection Authority's Recommended Separation Distances for Industrial Residual Air Emissions (as amended) separation distances of an intensive agriculture land use."</i></p>	<p>Planning comment: Comments of support and offer of assistance in the achievement of the objectives outlined by the exhibited strategies are noted.</p> <p>The advice of EPA and suggested additions are considered appropriate and align with the objectives of Amendment C105.</p> <p>Further consultation with EPA will be undertaken to further review and amend the exhibited Clause 21.04, for consideration by Council.</p> <p>It is appropriate to reference EPA as a partner organisation within the exhibited Industrial and Employment Strategy.</p>
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SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			EPA requests that it too be included as a partner organisation to a range of actions listed in the exhibited <i>Industrial and Employment Strategy</i> .	
145	Peter Dorward	Object with comments	<p>Submission summary: Submission discusses a number of elements primarily regarding the recommendations of the exhibited <i>Housing Strategy</i>. Key matters include:</p> <ul style="list-style-type: none"> - Questions the necessity of introducing front fence controls. - Requirement for increased setback in front of garages seems harsh. - More than half the houses in Byron Street and Moore Street have no setback at all. - Refers to incongruous requirement for permeability of surfaces. 	<p>Planning comment: The exhibited Housing Strategy includes a range of recommendations to guide the location, type and form of housing development and redevelopment.</p> <p>In response to the matters raised by the submission, the following comments are provided.</p> <ul style="list-style-type: none"> - The need for permit requirement for a fence over 1 metre in height is considered appropriate for a number of reasons including, community safety and the appearance of streets. - Increased setbacks in front of garages are considered necessary to ensure vehicles do not overhang footpaths. - The guidelines will be applied retrospectively as land is re-developed. The combined setbacks and character of existing development is also considered in applying the schedule to the zone. - Permeable surfaces reduce the impact on local stormwater infrastructure. <p>It is proposed to revise the height requirement for a planning permit for a front fence from 1 metre to 1.2 metres.</p>
146	Anita Charles	Support	<p>Submission summary: Submission notes support for the application of Farming Zone –Schedule 2 in the Callignee area.</p>	<p>Planning comment: Comments of support are noted.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>This will give certainty to owners and prospective builders on small acreages.</p> <p>Having 5 and 10 acre blocks occupied and maintained greatly reduces the fire risk for all of us and brings new community members in to fill roles on our Hall Committee and CFA.</p>	
147	Margaret Gaulton	Support	<p>Submission summary:</p> <p>Supports the preparation of a future amendment to develop a Yallourn North Structure Plan.</p> <p>Requests that the Yallourn North Action Group Inc. and the Yallourn North & District Historical Society Inc. be consulted during the preparation of a structure plan for the town.</p> <p>Provides support and comments to a range of areas exhibited by the amendment, including:</p> <ul style="list-style-type: none"> - Consolidation of development around the Local Activity Centre. - Improving connectivity between towns. - Provision of on-street parking (including indented parking) - Preservation of outward views from Yallourn North. - Enhancing amenity and buffer with mine areas. - Promotion of facilities and services. - Natural forest areas surrounding the town be further investigated, for improved management and protection, including support to the propose bio-link. - Leveraging support from local university and Field Naturalists Clubs. - Mines and quarries near Yallourn North not suited to waste disposal. - Planning should preclude plantation forestry in close proximity to built-up areas. 	<p>Planning comment:</p> <p>Comments of support to the exhibited amendment are noted.</p> <p>The commencement of a Yallourn North Structure Plan is scheduled for commencement early 2019.</p> <p>Comments regarding the utilisation of coal resources, mine rehabilitation and the location of coal resources are beyond the scope of the exhibited amendment.</p> <p>Recommend referral of submission to Department Economic Development Jobs Transport and Resources (DEDJTR) for consideration as part of their review of coal related planning provisions within the Latrobe Planning Scheme.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<ul style="list-style-type: none"> - Further review of heritage sites and structures in small towns is required, including Yallourn North. - Strongly support consolidation of exiting CBD areas. - Concerns regarding use of water to fill mine voids. - Need for cooperation and adequate recognition of utilisation of coal resources. - Inaccuracies in the identification of coal resources on the Gippsland Coalfields map. 	
148	Philip Rayment, Latrobe Valley Field Naturalists Club	Support	<p>Submission summary: Supports the establishment of a Strzelecki-Alpine Bio-link, in conjunction with neighbouring shires (South Gippsland and Baw Baw Shire Councils) and supports the state government's plan for mine site rehabilitation. As these are long term projects, it is important to enhance other bio-links within Latrobe City.</p> <p>While the draft amendment documents mention the importance of protecting remnant road side vegetation, however more emphasis should be placed on the role of riparian zones as bio-links (such as Latrobe River).</p> <p>Other possible bio-link corridors include the Morwell – Traralgon and the Traralgon – Rosedale corridors.</p> <p>Section 7.2 of the RLUS should be amended to include a strategy to protect vulnerable Greater Glider (evidence of them in certain areas near Mirboo North. Supports the emphasis on tourism/passive rec, balanced against farming and ag (Grand Strzelecki Track a good example).</p>	<p>Planning comment: Comments of support are noted.</p> <p>Suggested revisions to the exhibited amendment, including consideration and recognition of Greater Glider populations and the role of riparian corridors are considered appropriate.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			Native vegetation is stated at being 22% of pre-European settlement levels; this number is significantly less for some EVC's in the area and environmental strategies should be appropriately prioritised.	
149	W Scherell	Object with changes	<p>Submission summary: Submission objects to the rezoning of land from a Rural Living Zone to Farming Zone – Schedule 2.</p> <p>Submission notes that should the rezoning proceed, that a larger deposit will likely be required for purchase of land.</p> <p>Submission notes support for smaller lots being retained in a Rural Living Zone.</p>	<p>Planning comment: The re-zoning of this area is a result of location specific issues which vary across the precinct. These include access, topography, bushfire risk, proximity to plantation forestry/ state forest, existing farm uses undertaken on land and large areas of high value native vegetation.</p> <p>The area currently presents opportunities for intensification of development which is not considered appropriate, and in some instances, is not considered practicably achievable.</p> <p>With regard to smaller lots with limited or no further subdivision opportunity, it is considered appropriate to retain the Rural Living Zone classification. This includes the property referenced by the submission.</p>
150	Karen Ahlgren	Support	<p>Submission summary: Supports the potential bio-link proposal. Protecting areas of natural vegetation to provide access and movement for wildlife is a commendable plan. Areas around Mirboo, Moe South, Lake Narracan, Yallourn North is suitable for this purpose.</p>	<p>Planning comment: Comments of support are noted.</p>
151	Department of Environment,	Support with changes	<p>Submission summary: The exhibited Clause 21 should be updated to better reflect</p>	<p>Land description Submission refers to the structure of the exhibited</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

	Land, Water and Planning. (DELWP)		<p>the changes made to Clause 12.01 – Biodiversity.</p> <p>Updates should include referencing <i>Protecting Victoria’s Environment - Biodiversity 2037; Guidelines for the removal, destruction or lopping of native vegetation.</i></p> <p>Figure 16 and 17 in the <i>Rural Land Use Strategy</i> state in the heading that it includes Rural Conservation Zone but is not reflected on the maps.</p> <p>Review 7.1 Policy Context – needs to be strengthened in light of VC138 which was gazetted on 12 December 2017.</p>	<p>amendment within the planning scheme.</p> <p>Planning comment: Comments of support are noted.</p> <p>Minor revisions in structure of policy are considered to be appropriate.</p> <p>Council officers will continue to liaise with the Department regarding proposed adjustments to the exhibited Clause 21 policy for consideration by Council.</p>
152	Paul Young, Gippsland Water	Support	<p>Submission summary: Submission notes that Gippsland Water has no objection to the exhibited Amendment C105.</p>	<p>Planning comment: Comments are noted.</p> <p>Gippsland Water has been engaged throughout the preparation of each strategy exhibited by Amendment C105.</p>
153	Sue Abbott, Latrobe Valley Drafting	Support with changes	<p>Submission summary: Newborough area is a sought after region due to aging demographics. A 200 metre radius around the Rutherglen Road precinct would cripple the opportunity for aging residents wanting smaller parcels with newer buildings (less maintenance, higher efficiency is popular with over 55 demographics. Extending the radius around the LAC to enable Monash Road to be included would allow the opportunity and redevelopment of larger lots in this area. This is the same for the Boolarra Avenue shops. Possibility to join these two precincts as they have similar demographics with a 5-10 minute walk between the two.</p>	<p>Planning comment: The exhibited Housing Strategy identifies land within 200 metre of the Newborough Neighbourhood Activity Centre (NAC) for incremental change in in housing form and density.</p> <p>Acknowledging the function and wide street width afforded by Monash Road, and its connecting function between the NAC and the Local Activity Centre to the north east, it may be appropriate to retain a General Residential Zone to this area an amend the exhibited Housing Framework Plan to identify this land as ‘incremental change.’</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				Changes to the exhibited amendment in this way will likely require further notification to affected properties. The ability to proceed with the requested change may therefore be subject to further exhibition. The advice of the Planning Panel will be sought regarding the submission.
154	Victorian Farmers Federation (VFF) Lisa Gervasoni Acting Manager Policy Senior Policy Advisor – Land Management and Planning	Support with changes	<p>Submission summary: The VFF is supportive of planning controls which encourage the growth /expansion / intensification of agricultural uses. Points of clarification and key matters raised by the submission are as follows:</p> <ul style="list-style-type: none"> - Dwellings on land not linked to agriculture, on small lots and excisions often lead to conflict and impact on agricultural practice even when industry and regulatory standards are being exceeded by the farmer. The critical consideration must be that the land is zoned for agriculture and any use / development that has the potential to impact on agriculture should be discouraged. - Supports increase in minimum subdivision area and development (referring to exhibited Farming Zone – Schedule 1 (FZ1)). - Seeks clarification to the locations proposed for inclusion within Farming Zone – Schedule 2 (FZ2), regarding proximity to intensive commodities and biosecurity distances of 3- 5km. - Asks whether a restructure overlay was considered in these locations. - Seeks clarification of points included within the exhibited Clause 22.02 and asks that elements be further strengthened including discouragement of dwellings, distances to commodities and guidance for assessment on impact to current and future agriculture. - Excision of dwellings in the Farm Zone never deliver a ‘no 	<p>Planning comment: Comments of support to the exhibited amendment are noted.</p> <p>The exhibited amendment is considered to respond positively to the VFF ‘Right to Farm’ policy.</p> <p>The submission provides a number of suggested revisions to the exhibited amendment. It is intended to work with the VFF to further understand their advice and prepare agreed changes to the exhibited amendment for consideration by Council.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>detriment' outcome.</p> <p>- Raises concerns with the exhibited Clause 22.03 (Rural Tourism) and suggests changes.</p>	
155	<p>Country Fire Authority (CFA)</p> <p>Anne Coxan Land Use Planning Coordinator</p>	<p>Object and request changes</p>	<p>Submission summary:</p> <p>The submission recognises that an extensive amount of work has been undertaken in the development of this amendment and its associated documents.</p> <p>However, the bushfire policy context and impact of bushfire hazard and risk on the proposed changes has not been fully resolved or considered at this point in time. Without a more comprehensive assessment of bushfire risk and analysis of the proposed policy against Clauses 10.1 and 13.05 of the Latrobe Planning Scheme and other planning bushfire considerations, CFA has not formed any definitive views on the amendment.</p> <p>CFA has a number of particular concerns with the current amendment and has identified areas where further work is recommended to be undertaken to better incorporate and address bushfire considerations. CFA appreciates that Council has already begun work to address some of the broader concerns that were raised during those discussions.</p> <p>The submission welcomes the opportunity to continue to work with Council to ensure relevant bushfire material is developed and appropriate alterations are made to planning policy to better incorporate the issues raised by CFA.</p>	<p>Planning comment:</p> <p>The Amendment considers a range of environmental risks including bushfire risk, the risk of coal mine fires and the associated constraints to particular future land uses and development required to minimise any potential risk to life and property. The views of the regional CFA were also sought and have assisted in formulating the Amendment.</p> <p>However in response to recent changes introduced by the State Government to bushfire related planning policy by Amendment VC140 further investigation and review of the implications of this policy is now required in consultation with CFA.</p> <p>A key area of concern raised by the submission refers to proposed Rural Living Zone locations. In response it is recommended that the progression of new Rural Living Precincts not be progressed by Amendment C105.</p> <p>Comments in relation to the biodiversity and potential establishment of a biolink are not considered to be contradictory to fire management. This position is based on prior discussion with the CFA Vegetation Management Officer regarding this initiative, and review of prior reports issued by CFA including the <i>'Fire Ecology – Guide to Environmentally Sustainable Bushfire Management in Rural Victoria (2011)</i>. CFA is to be invited to participate as a key stakeholder in the further exploration of initiatives to recognise and enhance the potential Strzelecki- Alpine Biolink. Discussion with the CFA Vegetation Management</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

				<p>Officer regarding this initiative has commenced.</p> <p>The Amendment includes recommendations for future housing and other development to low risk locations and considers how development in medium risk locations may be undertaken. This includes discouraging higher housing densities in urban areas covered by the Bushfire Management Overlay or in locations which may be subject to the impacts of mine fire.</p> <p>Possible changes to the exhibited amendment are to be further considered in consultation with the CFA, for future consideration by Council.</p>
156	<p>Australian Paper</p> <p>Rohan Wilks Environment Manager</p>	Support	<p>Submission summary: Australian Paper has reviewed the C105 (incorporating the key recommendations of the Live Work Latrobe Project).</p> <p>The submission notes that the amendment is consistent with the long term future direction of the Maryvale Mill.</p> <p>Australian Paper is also satisfied with the level of consultation by Council in relation to the amendment and accordingly approves of the amendment.</p>	<p>Planning comment: Comments of support are noted.</p>
157	<p>Tract Consultants (on behalf of the Manthos Family land)</p>	Object and request changes	<p>Submission summary: The Manthos family wishes to congratulate Latrobe City Council in providing guidance on the future growth and development of Latrobe City by attempting to provide greater certainty for future housing, agricultural and industrial investment; and that the preparation and</p>	<p>Planning comment: Amendment C105 does not propose to change the existing zone and overlay regime that applies to the subject land. However the Amendment does introduce policy that affect the future development potential of the land.</p> <p>This includes directions for the preservation of large Farming</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>adoption of the three Live Work Latrobe Strategies has been in progress for some time.</p> <p>Key matters of objection raised by the submission are as follows:</p> <ul style="list-style-type: none"> - The amendment unduly restricts future employment opportunities for the subject site. - Land use policy associated with the C105 agriculture and coal categorisations for the Site unduly restricts future employment opportunities for the Site and local region. - Submission seeks that the land be designated in policy and Reference Documents as a Future employment and residential investigation area subject to a review of the coal provisions for central Gippsland. 	<p>Zoned land, and opportunities for Intensive Agriculture leveraging from the generous buffers afforded to the subject land.</p> <p>Given the presence of the State Resource Overlay – Schedule 1 (SRO1) and Environmental Significance Overlay – Schedule 1 (ESO1) applying to the land; the identification of the subject land for uses that are likely to conflict with the objectives of these overlays could not be progressed without the expressed consent of Department of Economic Development Jobs, Transport and Resources (DEDJTR).</p> <p>The inclusion of policy directions requested by the submission also indicate an intensification of land development which is considered to be contrary to the purpose of these overlays and related policy currently included within the Latrobe Planning Scheme.</p> <p>Considering the above, it is recommend referral of submission to DEDJTR for consideration as part of their review of coal related planning provisions within the Latrobe Planning Scheme.</p>
158	Steven Peter	Object	<p>Submission summary:</p> <p>The submission objects to the proposed rezoning of the subject land from GRZ1 to Neighbourhood Residential Zone – Schedule 4 (NRZ4) for the following reasons:</p> <p>A medium density development under the GRZ1 is possible at the site providing it meets the requirements of Clause 55 of the Scheme. Under the NRZ4 zoning, medium density would not be possible.</p> <p>Currently there is no truly defined pattern of use in the surrounding area to justify the proposed NZR4 zoning.</p>	<p>Planning comment:</p> <p>It is agreed that the subject land does present opportunities which may be considered beyond the exhibited Neighbourhood Residential Zone.</p> <p>Appropriate response to recognise such opportunities (including medium density housing opportunities) will be provided to Council for consideration and inclusion within the exhibited amendment.</p>

SUMMARY OF SUBMISSIONS FOR CONSIDERATION
AMENDMENT C105 – DRAFT V.1 (2 July 2018)

			<p>The site is not part of the residential estate to the north; it is entirely separated by a reserve with no road access through to the residential estate.</p> <p>This site is currently surrounded by a reserve to the immediate North, a Motel to the immediate East, a Medium Density Approved Subdivision to the East of the Motel, a BP Service Station to the South East, a Car Park to the South, a Funeral Director to the South, a recently constructed Commercial Building, being the New Masonic Lodge to the immediate South and a Public Golf Course to the immediate West. None of these uses set the scene for the proposed NRZ4 zoning.</p> <p>Retaining the existing GRZ1 zoning would allow as many residents as possible to benefit from the sites central location.</p>	
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