

Date: 12 November 2018

Live Work Latrobe

Amendment C105 to the Latrobe Planning Scheme

**Latrobe City Council Submission to Planning Panel
(Part B)**

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1. Summary

1. Latrobe City Council's *Live Work Latrobe* project aims to re-frame and re-consider Latrobe City's assets, land use and development potential to position the City for a prosperous future.
2. The *Live Work Latrobe* project encompasses three distinct, yet complementary land use strategies (including a *Housing Strategy*, *Industrial and Employment Strategy* and *Rural Land Use Strategy*). Together, these strategies represent and support collaborative action being undertaken by government within the region.
3. The *Housing Strategy* provides recommendations that will support a diverse range of housing opportunities and types in order to cater for changing population and housing needs (including social and supported housing), and ensure a long term capacity for growth necessary to our Regional City position.
4. The *Rural Land Use Strategy* recommends a number of actions to protect and enhance rural land assets, biodiversity, amenity to leverage new employment generating uses and development.
5. The *Industrial and Employment Strategy* proposes a new spatial land use framework for industrial land, supported by collaborative action and intervention to unlock industry investment and employment opportunities across Latrobe City.
6. *Urban Design Guidelines* have also been prepared in association with the *Live Work Latrobe* project to provide direction to residential, commercial and industrial building design and streetscapes. These guidelines are proposed to be included as a Reference Document to the Latrobe Planning Scheme.
7. Amendment C105 (the Amendment) to the Latrobe Planning Scheme establishes an integrated spatial framework, policy direction and revised statutory planning provisions in order to achieve the objectives and recommendations of *Live Work Latrobe*.
8. The Amendment affects most land across the municipality and, in some locations, proposes significant changes to existing rules and regulations applying to residential, farming and industrial land.
9. The Amendment proposes to greatly change the Latrobe Planning Scheme to:
 - *Ensure the right locations for new and varied housing types for immediate and long term population housing needs;*
 - *Provide appropriately located land for new and transitioning industries;*
 - *Support current and emerging rural industry investment;*
 - *Leverage the strategic advantages of Latrobe City's built and natural assets to enable investment in new employment sectors and aid economic diversification; and*

- *Promote collaborative action for the provision of essential services and infrastructure to sustain immediate and long term growth.*
10. Notice of the Amendment was given from 22 March 2018 to 11 May 2018. During this time 159 submissions were received (including 35 late submissions).
 11. As at the 3 September 2018 Council considered the 159 submission received to the amendment. This included 26 submissions of support, 9 objections with changes, 35 submissions supporting yet requesting changes, 4 submissions providing comments and 86 submissions of objection.
 12. Following further consultation with submitters a total of 145 submissions remain outstanding as at 5 November 2018. A further 27 submissions are considered to be satisfied by the proposed post exhibition changes.
 13. It is noted that Amendment C105 was prepared and exhibited with ordinance that did not acknowledge changes which were approved by Amendment C97 in October 2017.
 14. The Panel appointed for Amendment C105 has requested that Council provide its Part A submission to all parties to the hearing 5 November 2018.
 15. Latrobe City Council's Part B submission (this submission) is provided to the Planning Panel at the hearing commencing 12 November 2018.
 16. It is noted that the response to submissions does not represent the final adopted position of Latrobe City Council. Council's adopted position will be made following its consideration of recommendations provided by the appointed Planning Panel as required by the Planning and Environment Act 1987.

2. Introduction

17. Latrobe City Council (Council) is the Planning Authority for Amendment C105 to the Latrobe Planning Scheme.
18. Amendment C105 (the Amendment) implements the objectives and recommendations of three distinct, yet complementary strategies land use strategies prepared as part of Latrobe City Council's *Live Work Latrobe* project (including a *Housing Strategy*, *Industrial and Employment Strategy* and *Rural Land Use Strategy*.)
19. These strategies seek to establish a 'whole of city' planning approach in order to respond to both the immediate and predicted population housing needs, industry and employment opportunities and rural land use planning.
20. This is achieved by establishing an integrated municipal-wide land use planning policy framework supported by complementary statutory planning controls that will enable growth, provide certainty for investment and ensure that land is used and developed in a fair, orderly, economic and sustainable way, as required by the objectives of Section 4(1)(a) of the Planning & Environment Act 1987.
21. Notice of the Amendment was given from 22 March 2018 to 11 May 2018. During this time 159 submissions were received (including 35 late submissions).
22. At the Ordinary Council Meeting held 3 September 2018 Council considered submissions to the Amendment and determined to request the Minister for Planning establish a Planning Panel to consider submissions to Amendment C105 and prepare a report (*the full Council resolution is provided with Section 4.4 of Councils Part A Submission*).
23. A summary of submission themes and responses to individual submissions considered by Council at the 3 September ordinary Council meeting are provided as attachments to this submission.
24. The Panel appointed for Amendment C105 has requested that Council provide its 'Part A' submission prior to the commencement of the hearing on 12 November 2018. This was distributed to all parties to the Panel hearing 5 November 2018.

25. Council's Part A Submission to the Panel responded to the request of the Planning Panel and provides
- Background to the Amendment;
 - Chronology of events;
 - Strategic context in which the amendment has been prepared;
 - Strategic assessment (including relevant Ministerial Directions, Planning Practice Notes and prior planning scheme reviews);
 - Notations identifying the new clause numbers where changed by Amendment VC148 provided in a revised Explanatory Report;
 - The planning scheme amendment process including authorisation, public exhibition and consideration of submissions.
26. Council's Part B submission provides Council's response to submissions along with further information to assist the Panel's consideration Amendment C105 to the Latrobe Planning Scheme, and includes:
- A response to the predominant themes raised by submissions;
 - A response to submissions following additional assessment and consultations undertaken prior to the Planning Panel;
 - Further information to selected elements of the Amendment considered relevant to the panel's consideration of submissions;
 - Discussion of changes requested by submissions that are not proposed to be made;
 - Preliminary response to key matters raised in expert evidence;
 - Revised ordinance and planning scheme changes.

3. Key themes raised by submissions

27. Key matters raised during consultations and reflected by submissions include:

- General support to implementation of the Housing Strategy and associated Planning Scheme changes.
- Requests an increase in the maximum height of 12 metres to 13.5 metres being applied in the Residential Growth Zone – Schedule 3, applying to land in Moe.
- Matters regarding coal planning policy and provisions and other extractive resources;
- Concern over amenity issues as a result of the Residential Growth Zone being applied to land north of Mid- Valley Shopping Centre, Morwell;
- Objections to the identification of industry precincts for transition to other uses compatible with adjoining residential land zoning;
- Support and objections to the proposed introduction of Farming Zone – Schedule 1;
- Requests for additional land to be rezoned by the amendment, primarily to either a Farming Zone – Schedule 2 or Rural Living Zone;
- Concern and support to the rezoning of Farming Zone land to a Rural Living Zone west of Churchill;
- Support for the introduction of environmental focused policy, rural and nature based tourism opportunities and establishment of the proposed Strzelecki – Alpine bio-link;
- Concerns regarding increase in rating valuations, reduction in property values and increased difficulty in obtaining banking finance;
- Support and objections to the proposed rezoning of land in Yinnar South from a Rural Living Zone to Farming Zone – Schedule 2 (Mixed Farming).

28. The below tables show those submissions which have been resolved and those which are considered to be satisfied by post exhibition changes proposed to be made to the exhibited amendment.

Submissions which have been Satisfied		
Submission Number	Locality (Township)	Issue / requested change
38 and 38A	Yinnar South	Remain in Rural Living Zone
6 and 6A	Yinnar South	Remain in Rural Living Zone
39	Yinnar South	Remain in Rural Living Zone
116	Yinnar South	Remain in Rural Living Zone
34	Yinnar South	Remain in Rural Living Zone
35	Yinnar South	Remain in Rural Living Zone
50	Municipal Wide	Multiple changes in relation to Clause 21.02, 21.03, 21.09 and Traralgon Framework Plan, Clause 22.02
73	Municipal Wide	Changes Clause 21.03 around gas pipelines
88	Yinnar South	Remain in Rural Living Zone
118A	Municipal Wide	Further Work around Erosion management, Vegetation Protection Overlay, Environmental Significance Overlay
143	Yinnar South	Remain in Rural Living Zone
148	Municipal Wide	Change to Clause 21.03 and Rural Strategy to better recognise environmental values
151	Municipal Wide	Change to Clause 21.10 and Rural Strategy to better recognise environmental values
153	Moe	Changes to the Moe / Newborough Housing Framework Plan and Clause 21.10
Submissions considered to be resolved by post exhibition change		
Submission Number	Locality (Township)	Issues
8	Yinnar South	Remain in Rural Living Zone
18	Yinnar South	Remain in Rural Living Zone
25	Callignee	Request rezoning of land in Callignee
29	Yinnar South	Remain in Rural Living Zone
44	Yinnar South	Remain in Rural Living Zone
45 and 45A	Yinnar South	Remain in Rural Living Zone
52	Municipal Wide	Changes to Traralgon Framework Plan
68	Yinnar South	Remain in Rural Living Zone
87	Yinnar South	Remain in Rural Living Zone
97	Yinnar South	Remain in Rural Living Zone
100	Yinnar South	Remain in Rural Living Zone
103	Yinnar South	Remain in Rural Living Zone
104	Yinnar South	Remain in Rural Living Zone
105	Yinnar South	Remain in Rural Living Zone
106	Yinnar South	Remain in Rural Living Zone
107	Yinnar South	Remain in Rural Living Zone
109	Yinnar South	Remain in Rural Living Zone
110	Yinnar South	Remain in Rural Living Zone
111	Yinnar South	Remain in Rural Living Zone
121	Yinnar South	Remain in Rural Living Zone
122	Yinnar South	Remain in Rural Living Zone
126	Yinnar South	Remain in Rural Living Zone
128	Yinnar South	Remain in Rural Living Zone
129	Yinnar South	Remain in Rural Living Zone
144	Municipal Wide	Changes to Clause 21.07, 22.01 and Industrial and Employment Strategy
149	Yinnar South	Remain in Rural Living Zone
158	Traralgon	Changes to Traralgon Framework Plan and Clause 21.02

29. This section of the Council's submission now provides further discussion of predominant themes raised by submissions, expanded planning comment and Council's response.

30. Further information is provided within attachments to this submission to assist in the Panels consideration of key matters raised by submissions.
31. Attachment 8 provides an overview of changes requested by submissions which have not been made.
32. Attachment 9 outlines post exhibition changes which are proposed to be made, including changes in response to matters raised by submissions.
33. A discussion of predominant themes raised by submissions and Council's response follows.

Theme 1: General support to implementation of the Housing Strategy and associated Planning Scheme changes.	
Place: Municipal wide Related Clause: Clause 21.02.	Submission(s) 2, 21, 37, 147, 152
Council response: No change required.	

34. **Planning Comment:** Comments of support are noted

Theme 2: Object to increased residential density in close proximity to Mid-Valley Shopping Precinct.

Place: Morwell

Current land zoning: General Residential Zone –Schedule 1.

Proposed land zoning: Residential Growth Zone – Schedule 3 (Clause 32.07-3).

Related Clause(s): Objective and Strategies at Clause 21.02-9 and Clause 21.02-10.

Morwell Housing Framework Plan at Clause 21.09-4.

Urban Design, Heritage and Character (Clause 21.06)

Submission(s)

3, 17, 20

Council response: No change required.

The identification of existing residential land located within approximately 400 metres of the Mid Valley Shopping Centre by the exhibited *Morwell Housing Framework Plan* is considered appropriate. The application of Residential Growth Zone – Schedule 3 (Clause 32.07-3) will give effect to the objectives of the *Morwell Housing Framework Plan*.

35. **Planning comment:**

36. Land located within 400 metres of an Activity Centre is identified for 'Substantial Change' by the exhibited Housing Strategy, including land surrounding the Mid Valley Shopping Centre.

37. The proposed Mid Valley 'Substantial change' areas are shown at Image 1.

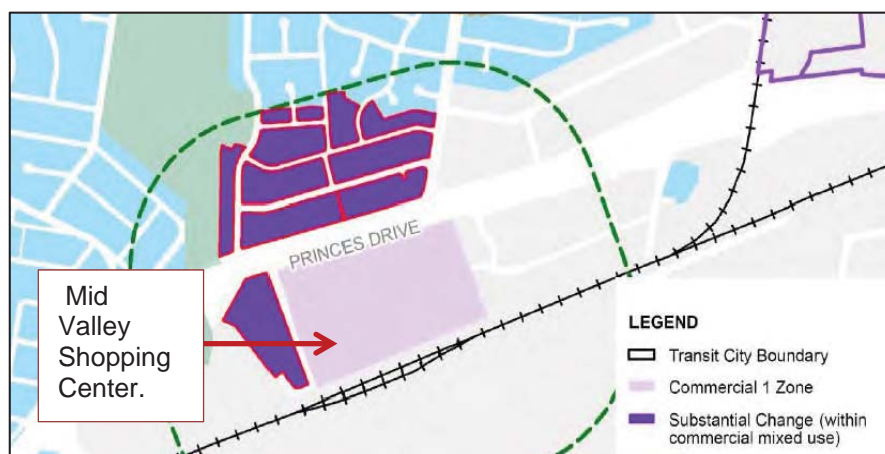


Image 1: Extract from exhibited Morwell Housing Framework Plan.

38. Provided below is aerial imagery showing key features including bus stops, park areas and existing multi- unit housing surrounding the Mid-Valley Shopping Center. Underlying zones are also shown.

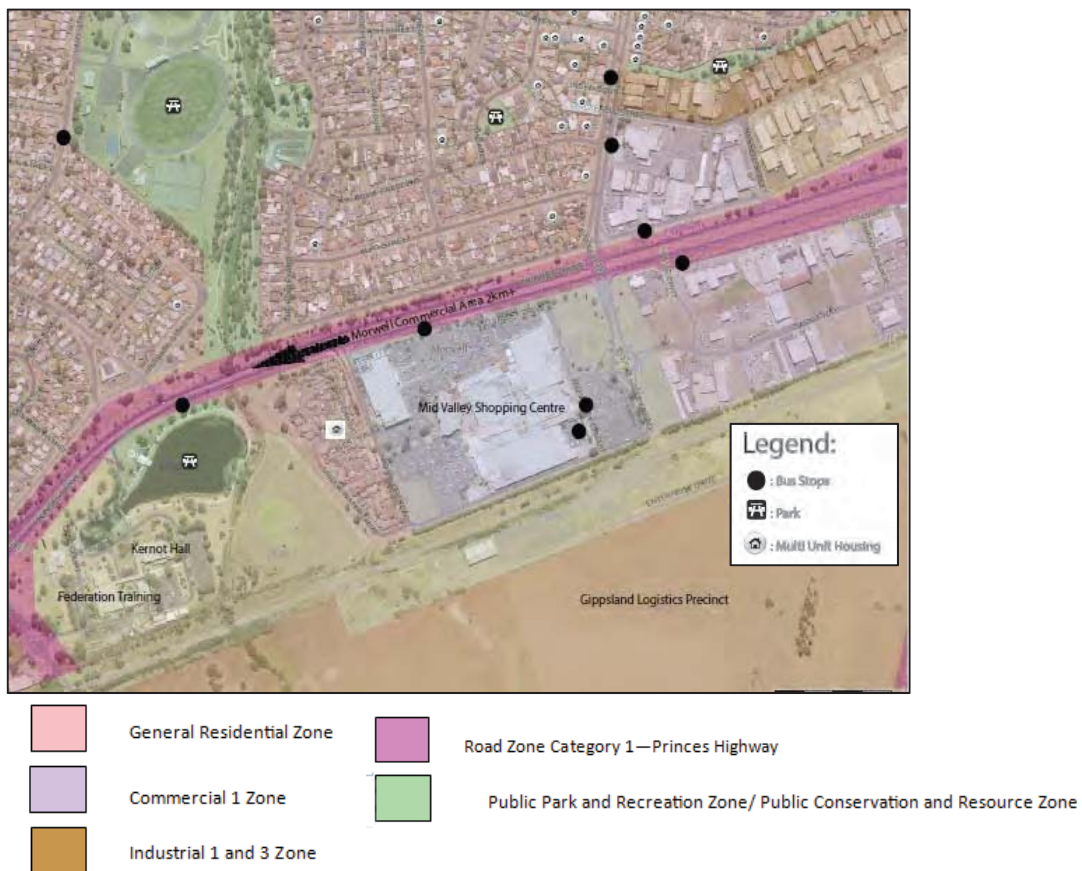


Image 2: Key features surrounding the mid-valley shopping center.

39. Referring to image 2 above, the subject land is located in close proximity to the Mid-Valley shopping precinct, public transport, commercial and light industrial precincts (offering local employment opportunities) to the east. Federation Training TAFE and Kernot Hall is located to the west, along with large areas of passive and active recreation areas.
40. The area immediately to the west of Mid Valley is currently developed with units. A number of unit developments exist to north of the proposed 'Substantial Change' areas identified at Image 1, however are generally 'haphazardly' located.
41. A central objective of the *Housing Strategy* is to provide direction to future medium density development (including townhouse and unit developments), ensuring that they are located in planned locations with good access to activity centres and public transport.

42. The exhibited *Morwell Housing Framework Plan* is considered to be consistent with the objectives of Clause 16 (Housing) which include the following objectives:

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.

Planning for housing should include providing land for affordable housing.”

43. It is noted that the current land zoning (General Residential Zone – Schedule 1) enables developments up to three storeys in height. The proposed Residential Growth Zone is intended to enable development up to four storeys on lots with a frontage greater than 20 metres to ensure appropriate set-backs; car parking and other requirements can be achieved (see exhibited Clause 32.07-3).

44. This will in many instances first require the consolidation of property titles, as encouraged by exhibited policy at exhibited Clause 21.02-9:

Support site amalgamation and consolidation to maximise opportunities for increased residential yield and integrated development in locations identified for Substantial and Incremental Change.

45. In addition the requirements of Clause 55, the consideration of neighbourhood character and urban design for new development will need to respond to the exhibited Clause 21.06 (Urban Design, Heritage and Character) objectives and strategies including:

21.06-3: 2.1 Facilitate and support the development of diverse and smaller housing types in preferred locations in accordance with the Housing Framework Plans, while retaining streetscape character and recognised heritage values.

21.06-5: Ensure that multi-unit housing is well landscaped, with tree and shrub selection creating a positive visual image.

21.06- 9: Ensuring that the scale and design of development and its impacts on existing amenity are addressed.

46. The exhibited *Urban Design Guidelines* are proposed to be included as a reference document to the Planning Scheme and provide further guidance to assist the design of buildings, provision of setbacks, car parking and landscaping requirements.
47. The identification of existing residential land located within approximately 400 metres of the Mid Valley Shopping Centre by the exhibited *Morwell Housing Framework Plan* is considered appropriate. The application of Residential Growth Zone – Schedule 3 (Clause 32.07-3) will give effect to the objectives of the *Morwell Housing Framework Plan*.

Theme 3 Requests an increase in the maximum height of 12 meters to 13.5 meters being applied.	
<p>Place: Moe</p> <p>Current land zoning: Residential Growth Zone – Schedule 1</p> <p>Proposed land zoning: Residential Growth Zone – Schedule 3 (Clause 32.07-3).</p> <p>Related Clause(s): Objective and Strategies at Clause 21.02-9 and Clause 21.02-10.</p> <p>Moe- Newborough Housing Framework Plan at Clause 21.09-4.</p>	<p>Submission(s)</p> <p>5</p>
<p>Council response:</p> <p>A 12 metre height limitation has been applied in three out of four schedules to the RGZ. Traralgon's RGZ allows for a 15 metre maximum building height. It is considered that a 12 meter height is appropriate and is intended to generally allow for development up to four storeys. Further advice from Council's expert witness is provided to the Panel in response to this matter.</p>	

48. **Planning comment:**
49. The land is currently located within a Residential Growth Zone – Schedule 1 (Transit Cities). No maximum building height is currently identified.
50. In response to the submission, it was intended to include as a decision guideline, the ability for discretion in the application of the maximum building height (i.e. to accommodate plant and other equipment).

51. Further assessment was undertaken to confirm what degree of discretion is available within the zone and includes:
- *A building may exceed the maximum building height specified in a schedule to this zone if: It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building*
 - *There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.*
 - *It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.*
 - *It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.*
52. In relation to the subject land, the above elements do not apply. The ability for such variation is also unlikely to apply to most new developments given the current built form of locations to which the Residential Growth Zone Schedules are to be applied.
53. Council had initially prepared the proposed Schedule 3 to the Residential Growth Zone (submitted with Council's request for authorisation to exhibit) with a reference to maximum building height of four storeys.
54. Consultation with DELWP Statutory Systems team was required by a condition of authorisation to exhibit Amendment C105. During this process a number of revisions were requested by DELWP at which time the direction was to apply a numerical representation for the maximum building height, at which time reference to 12 meters was included.
55. The height of 12 meters was intended to enable development up to four storeys in height, whereby a single storey would generally equate to 3 meters.
56. Further review and advice provided by Council's expert is to be considered by the planning panel, which recommends minor increases in the maximum building height.
57. Council will therefore seek the advice of Panel in relation to this matter.

Theme 4: Objections to the rezoning of land from a General Residential Zone to a Neighbourhood Residential Zone – Schedule 4.

Place: Morwell

Current land zoning: General Residential Zone – Schedule 1 (32.08-1)

Proposed land zoning: Neighbourhood Residential Zone (Clause 32.09-4).

Clause(s):

Objective and Strategies at Clause 21.02-9 and Clause 21.02-10.
Morwell Housing Framework Plan at Clause 21.09-4.

Submission(s)

69, 79

Council response:

Further assessment of this precinct and a site inspection of the Hazelwood Mine northern batter have been undertaken. Following advice from Department of Economic Development, Jobs, Transport and Resources (DEDJTR) has also been sought regarding identified risks associated with the Hazelwood mine (including mine fire).

From this assessment and advice, it is considered necessary to defer increased housing density south of Commercial Road Morwell. This is to be achieved by applying the Neighbourhood Residential Zone – Schedule 4 (Clause 32.09-4).

58. **Planning Comment:**

59. It is proposed to rezone this precinct from a General Residential Zone (GRZ) to the exhibited Neighbourhood Residential Zone – Schedule 4 (NRZ4).

60. Residential zoned land to south of Commercial Road, Morwell is shown for future *‘Incremental Change’* on the exhibited Housing Framework. This opportunity is to be deferred until fire risk matters are resolved as follows:

Exhibited Clause 21.09-5:

Discourage increased housing densities south of Commercial Road (Area 13), until the completion of rehabilitation works to northern batter of the Hazelwood mine.

61. The above direction is represented on the exhibited *Morwell Housing Framework Plan* as a grey hatched area (see image 3). Note the underlying colour indicates 'incremental change' to be achieved in the future.



Image 3: Extract from exhibited Morwell Housing Framework Plan.

62. This policy direction was included during preparation of the exhibited Amendment C105 in response to the Hazelwood Mine fire event 2014 (subsequent inquiry) and discussions with the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).
63. The discouragement of significant increases in housing density is also consistent with previous advice provided by Department of State Development Business and Innovation (DSDBI), provided during the application of the new residential zones in 2014 implemented by Amendment C84.
64. In their submission to the Planning Panel dated 30 April 2014 DSDBI objected to the Residential Growth Zone being applied to the full extent of the Transit City boundary, south of Commercial Road (shown in black outline at image 3).
65. An extract from this submission is provided below.

Earth Resources Regulation (ERR) of the Department of State Development, Business and Innovation (DSDBI) is responsible for the regulation of Victoria's mining and extractive industries.

ERR has concerns about the proposed replacement of the Residential 1 Zone in Morwell centre with the Residential Growth Zone. The replacement zoning lies, in parts, within 360 metres of the Hazelwood Mine licence boundary.

Hazelwood Mine is an open cut, brown coal operation which is licenced (MIN5004) under the *Mineral Resources (Sustainable Development) Act 1990*. There are a number of recent events in the regulation of MIN5004 which DSDBI believes are significant factors to consider in any decision to further intensify development as proposed.

In 2011 the northern batters of the Hazelwood Mine experienced movement which resulted in cracks on the surface of the Princes Freeway and the immediately adjoining area.

Extensive works were subsequently done to ensure that movement did not continue including real time movement monitoring within the mine and along the Princes Freeway at Morwell and the remediation of the Morwell main drain.

In February 2014 grass fires around Morwell entered Hazelwood Mine resulting in extensive fires becoming established along northern and southern batter and the mine floor. A judicial 'Board of Inquiry' into the fires has commenced with findings expected in August this year which reflects the level of concern associated with this event.

The potential for adverse impacts as a result of movement, within the immediate area of the mine, and events such as fire is significantly increased due to the proximity of community to the mine boundary. Although mine stability is being actively managed it should be recognised that the mine can potentially influence the immediately surrounding area.

An increase in development density, in the area south of Commercial Road, effectively raises the potential consequences associated with the mine's influence.

Image 5: Extract from DSDBI correspondence to Planning Panel to Amendment C84 (30 April 2014).

66. The need to protect the urban areas from amenity and adverse impacts associated with the coal industry is recognised in the Latrobe Planning Scheme through the Environmental Significant Overlay – Schedule 1 (ESO1).

The purpose of the ESO1 is as follows:

"The coal industry is of national and State importance due to its use as the primary energy source for the electricity generating industry in Victoria. The impact on the environment is radical. Buffers protect those elements of the Coal Buffers Policy Area such as urban settlements from the impact of the radical change to the environment from the coal industry."

67. The intended extent of the ESO1 (being 1 kilometer) immediately south of the Morwell urban area is significantly compromised, as shown in the below image 6.



Image 6: Environmental Significance Overlay – Schedule 1 (ESO1) south of Morwell

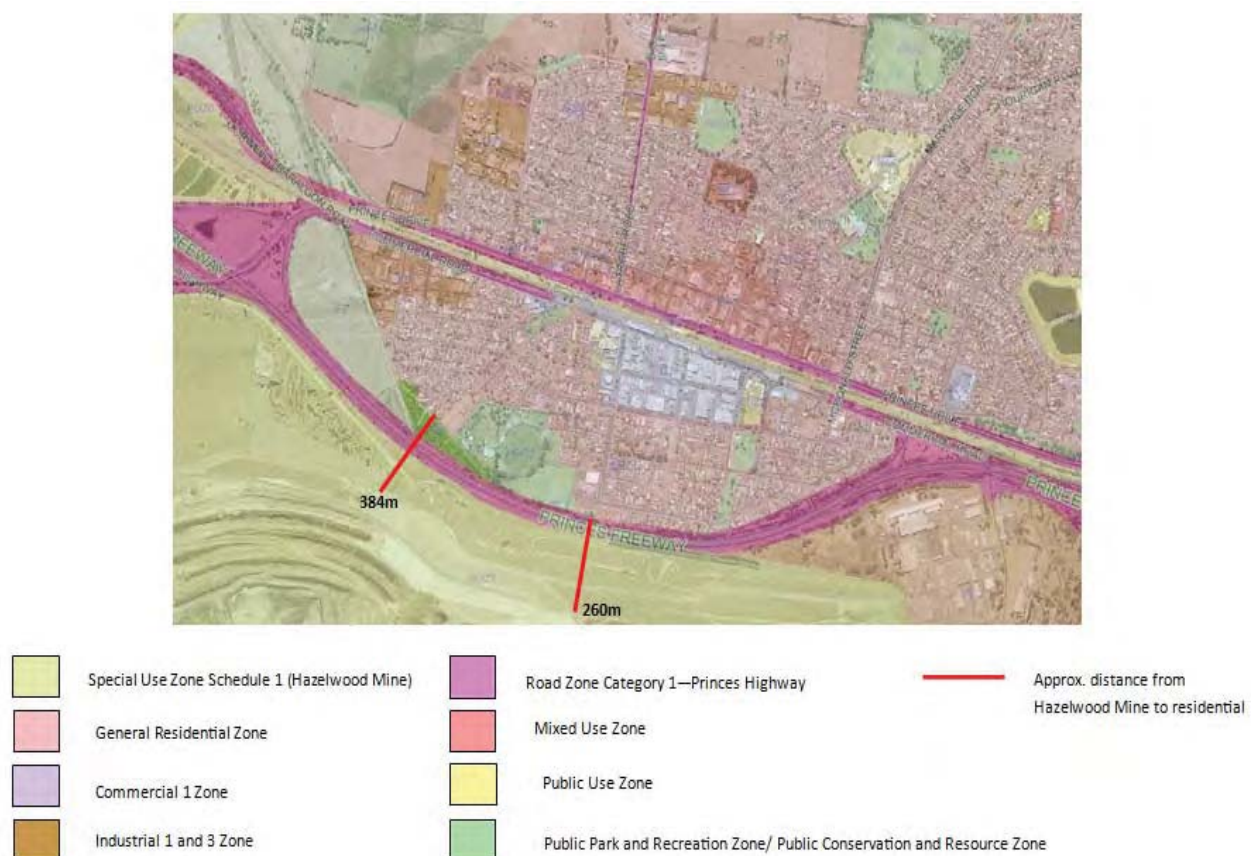


Image 7: Zone map and aerial imagery of Morwell – showing estimated proximity of the urban area to the crest of the Hazelwood mine (northern batter).

68. Further to the above, it is noted that inquiries into the Hazelwood mine fire found that that buffer distances established for mining operations are not effective in managing impacts on the community associated with fire in these circumstances (Hazelwood Mine Fire Inquiry, 2014 and Hazelwood Mine Fire Inquiry, 2015)
69. A site inspection of northern batter was undertaken by Council officers 26 September 2018 facilitated by the current mine operator. This showed that extensive work has been undertaken to the northern face of the Hazelwood mine area, as shown in the below image. Large areas of exposed coal were also observed.



Image 8: Rehabilitation works undertaken to the Hazelwood mine (northern batter).

70. Council sought advice from DEDJTR 26 September 2018 regarding the status of the Hazelwood mine rehabilitation in the context of the exhibited *Morwell Housing Framework Plan* and matters raised by submission 69 and 79.
71. DEDJTR later advised that rehabilitation of the Hazelwood Mine or its batters is classed as not completed, stating:
- Work is underway to better understand stability issues for the Latrobe Valley and the mines through the following organisations:*
- *Latrobe Valley Regional Rehabilitation Strategy (LVRRS),*
 - *the Integrated Mines Research Group (lead by the three coal mines); and,*
 - *the Geotechnical and Hydrogeological Engineering Research Group (Federation University Australia)*
72. Options are currently being explored for the filling of the mine void with water. Further work is required to understand the impact of this on the mine batter and adjoining urban areas to the north of the mine. This work is currently being undertaken by the LVRRS.

73. Responding to the above advice, the opportunity to significantly increase housing density south of Commercial Road should be deferred until mine fire risk and related matters of mine rehabilitation are resolved.

Theme 5: Support the implementation of the Industrial and Employment Strategy and associated Planning Scheme changes.	
Place: Municipal wide Current land zoning: Industrial 1, 2 and 3 Zones currently apply across the municipality. Proposed land zoning: No changes to current industrial land zones are exhibited by the amendment. Clause(s): Clause 21.07 – Economic Development <i>Industrial Framework Plan</i> at Clause 21.07-7.	Submission(s) 152, 156
Council response: No change required.	

74. **Planning Comment:** Comments of support from Gippsland Water and Australian Paper Maryvale are noted.

75.

Theme 6: Request change to coal overlay provisions to enable development and / or subdivision of land.	
Place: Morwell (north) Andrew Street, Hazelwood North Firmins Lane, Yinnar South. Current land zoning: Farming Zone. Proposed land zoning: Farming Zone – Schedule 1. Clause(s): Clause 21.07 – Economic Development <i>Industrial Framework Plan</i> at Clause 21.07-7. Clause 21.05-8 – Coal Resources Clause 21.05-11 – Objective and Strategies Clause 21.05-12 – Objectives and Strategies	Submission(s) 1, 1A, 19, 135, 137
Council response: No change required. Whilst each of the <i>Live Work Latrobe</i> land use strategies acknowledge these overlays, and in some instances seek their removal (i.e. existing Industrial Zoned land south of Morwell); changes to coal related policy and planning controls as requested by the listed submissions is considered to be beyond the scope of the exhibited amendment and is contradiction to authorisation conditions.	

76. **Planning Comment:**

77. The significance of coal resources within the Latrobe Valley have long been recognised. In 1978 State Government introduced the *Brown Coal Interim Development Order* (IDO), which restricted land use and development on land over brown coal reserves.
78. The *Land over Coal and Buffer Area Study* (1988) later fulfilled one of many tasks required to implement the policies contained in the *Latrobe Region Framework for the Future Report* (1987). While this document is now 30 years old, it continues to be a reference document within the State Planning Policy Framework (SPPF) - *Clause 14.03 Resource Exploration and Extraction* (PPF 14.03 – Earth and energy resources), and seeks to protect the ability for coal within identified areas to be won with minimal impacts from the previous land use or from surrounding land uses.
79. Submissions listed above, refer to land located within both the Environmental Significance Overlay – Schedule 1 (ESO1) and State Resource Overlay – Schedule 1 (SRO1), the location of submitters is shown below:

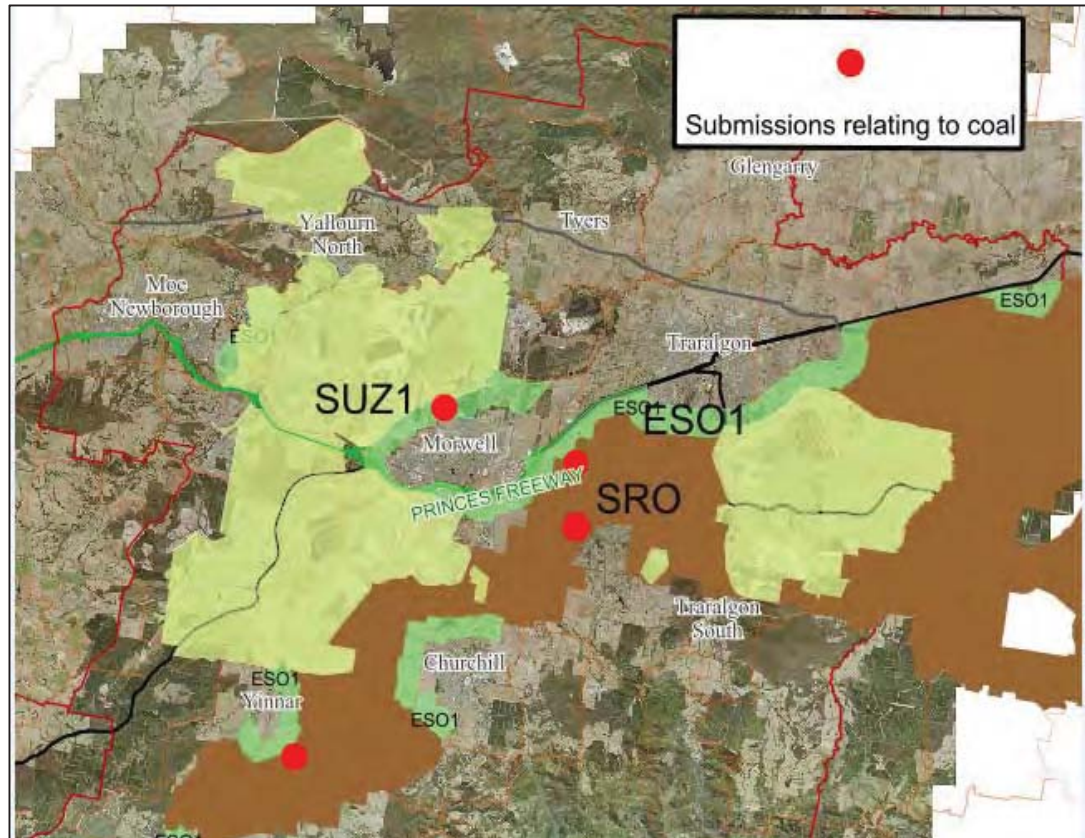


Image 9: Special Use Zone, State Resource Overlay and Environmental Significance Overlays – showing location of related submissions.

80. These overlays recognise and seek to protect the current and future utilisation of coal resources by generally discouraging more intensive uses in order to reduce future hindrances to extraction of the underlying coal resource. The objectives of each being:

State Resource Overlay: "In order to ensure the medium to long term extraction and use of the coal resource for power generation, building, works and subdivision of land over the resource should be of a type that will not inhibit, by way of community significance or cost of removal, the eventual productive use of that resource.

81. *Environmental Significant Overlay: Buffers protect those elements of the Coal Buffers Policy Area such as urban settlements from the impact of the radical change to the environment from the coal industry.*

82. Existing Clause 21.05-8 includes extensive discussion of the importance of coal resources and associated land management considerations.

83. Clause 21.05- 11 provide further direction to ensure that the use and development of land overlying the coal resources does not compromise its eventual utilisation.

84. Clause 21.05-12 provides the following direction:

To ensure that the use and development of land overlying the coal resources recognises the need to conserve and utilise the coal resource in the context of overall resources, having regard to social, environmental, physical and economic considerations in order to ensure a high quality of life for residents.

85. Prior advice from Department of Environment, Land Water and Planning (DELWP) confirms that any changes would not be supported without the consent of Department of Economic Development, Jobs, Transport and Resources (DEDJTR). This position is reflected within the conditions of authorisation to exhibit Amendment C105,

86. Previous permit applications and the experience of potential investors and landowners indicate that finding uses which meet these requirements of current planning policy for the protection of coal is difficult. It is acknowledged that this particularly challenging for land owners who are located on land within the identified coal resource areas, but who have limited certainty as to the timing of extraction.

87. DEDJTR are currently reviewing coal related policies and associated overlay controls, with Stage 1 changes recently gazetted by Amendment C111 to the Latrobe Planning Scheme 27 September 2018.
88. Further changes to the extent of current policy or coal related overlays will be directed by Stage 2 of the DEDJTR review. Council will remain an active participant in inquiries and investigations into coal resource planning undertaken by this process.
89. The above mentioned submissions have been referred DEDJTR for their consideration.

Theme 7: Objection to policy encouraging the transition of industrial land south of the Traralgon Activity Centre (Janette Street) and north of Morwell (Latrobe Road).

Place: Janette Street, Traralgon and Latrobe Road Morwell.
Current land zone: Industrial Zone 1 (Janette St) and General Residential Zone (Latrobe Rd).
Proposed land zone: No change.
Clause(s): Clause 21.07 – Economic Development
Industrial Framework Plan at Clause 21.07-7.
 Clause 21.02-10 - Substantial Change Areas
 Clause 21.09-6 - Traralgon
 Clause 21.09-5 - Morwell

Submission(s)
 80, 159

Council response:

Council supports the ongoing operation of industry on land referred to by the Submissions, as is afforded under the existing use rights at Clause 62.

It considered appropriate however to also identify long term policy and strategies to locate future industry investment in suitably positioned locations, as identified by the exhibited *Industrial Framework Plan* at Clause 21.-7-1.

A compounding consideration is the limited available land for residential development in the long term (resulting from floodplain areas, coal and industry buffers), in comparison to significant areas of available, suitably located industrial zoned land within the municipality.

90. **Planning Comment:**

91. The identification of industrial transition areas identified by the exhibited *Industrial and Employment Strategy* is considered necessary and appropriate in the context of establishing medium to long term strategic planning direction that will inform future industry investment.

92. This Industrial and Employment Strategy seeks to refocus and rationalise industrial land across the City. It identifies new locations for industry to maximise the efficient use of resource and amenity buffers as well as access to physical and transport infrastructure.

93. The Strategy also identifies locations where industry has become incompatible with surrounding sensitive land uses and transition is required. The Strategy seeks to ensure that industrial land throughout Latrobe City is investment and development ready, that it realises its future role as a food processing and manufacturing hub for the Gippsland food bowl, a service centre for the surrounding region and to create a hub of State significance for heavy industry.

94. Of particular relevant to Submission 80 and 159, the strategy provides the following commentary (see page 24):

“Over time many of the existing industrial areas throughout the municipality have experienced residential encroachment. There are also examples of neglected industrial areas.

Where appropriate this Strategy seeks to encourage the transition of older, declining industrial estates over time through rezoning to allow urban renewal in areas close to community infrastructure and services. It identifies other actions to improve the appearance and amenity of the City’s older industrial areas.”

95. The strategy states that the *Industry Framework Plan: outlines actions for addressing fragmented and inconsistent land uses which reflect past investments and development outcomes.*

96. The Framework Plan identifies that there are significant opportunities to leverage existing industrial land areas north and south of Morwell, utilising their associated buffers areas, to develop a long term and dedicated home for heavy industry. This could occur through the attraction of new industries and relocation of existing operations.

97. This policy direction is considered necessary in order to achieve current urban development policy objectives established within the Latrobe Planning Scheme, and prevent future amenity conflict, as is directed by current planning policy included within the Planning Scheme.

98. This aligns with Clause 17.03-2S (Industrial development siting):

“Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.

Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.”

99. Clause 21.02-2 of the current Planning Scheme includes the following directions:

“Provide buffers between industrial and existing and potential sensitive use areas where residential amenity is impacted.”

100. The identification of those areas recommended for future transition by the exhibited amendment are currently identified for future investigation and transition in the current Traralgon and Morwell Structure Plans at Clause 21.09; subject to the completion of an *Industrial and Employment Strategy*.

101. This exhibited *Industrial and Employment Strategy* provides an assessment of all existing industry precincts, including those recommended for transition. Discussion of land at Janette Street (Sibelco) is provided at pages 48 – 49. Discussion of Morwell industrial areas is provided at page 56.

102. In relation to Submission 80, exhibited Clause 21.09-6 amends the existing strategy to say:

Residential

Investigate the transition of land uses in TTSP Area 8a to uses that better leverage the proximity to the Traralgon Activity Centre, including residential and mixed use developments.

Industrial

Encourage the early transition of industrial land uses in the southern parts of the Transit City Precinct (Area 8a) to enable the conversion of land to uses that will benefit from the close proximity to the Traralgon Activity Centre.

103. Clause 21.02-10 inserts a new Clause 21.0210 which includes the following strategy relevant to the submission:

Discourage housing intensification south of Shakespeare Street Traralgon, until existing industrial development located to the south (Area 8 within the Traralgon Township Structure Plan) transitions to more compatible uses.

104. The inclusion of direction is considered necessary to avoid future increases in amenity concerns associated with existing residential development opportunity (including land presently located in a Residential Growth Zone) and the likely future conflict with the subject Janette Street industry precinct.

105. In relation to the Submission 159, exhibited Clause 21.09-5 includes the following strategy:

Investigate future land uses and zoning in MTSP Area 2 and 8 for transition to uses compatible with the site, surrounds, town entrance position and local amenity expectations.

106. It is noted that the land at 80 Latrobe Road, is presently located within a General Residential Zone.

107. Considering the immediate and likely future potential amenity concerns due to the close proximity of existing residential land and future growth opportunities identified by the Morwell and Traralgon Structure Plans, it is considered both appropriate and necessary that the future transition of the subject industry precincts be identified within the Planning Scheme.

108. Acknowledging the existing rights afforded to existing industries, this policy direction is considered critical in directing future industry investment to alternate locations as outlined by the exhibited *Industrial Framework Plan*.

109. The preferred industry precincts are considered to respond to the objectives and strategies at Clause 17.03-2S.

110. Additional information is provided to submission 80 (Sibelco-Traralgon) and Submission 159 (AKZ Reinforcing – Morwell) at Attachments 1 and 2.

Theme 8: Support and comments to the implementation of the Rural Land Use Strategy.	
<p>Place: Municipal wide.</p> <p>Current land zoning: Farming Zone.</p> <p>Proposed land zoning: Farming Zone – Schedule 1 and 2. Public Conservation and Resource Zone.</p> <p>Clause(s): The objectives the <i>Rural Land Use Strategy</i> are embedded throughout Clause 21, land rezoning or introduction of schedules. The overall effect of these changes is generally represented by the exhibited <i>Rural Framework Plan</i> at Clause 21.05- 2.</p>	<p>Submission(s)</p> <p>52, 58, 61, 64, 135</p>
<p>Council response: No change required.</p>	

111. **Planning Comment:** Comments of support are noted.

Theme 9: Support application of Farming Zone – Schedule 2 in the locations exhibited (including Callignee, Yallourn North and Moe South).	
<p>Place: Callignee, Yallourn North and Moe South. <i>Note: Submissions referring to Yinnar South are discussed separately at Theme 17 and 18 below.</i></p> <p>Current land zoning: Farming Zone.</p> <p>Proposed land zoning: Farming Zone – Schedule 2. (Clause 35.07-2).</p> <p>Related Clause(s): Rural Dwelling and Subdivision in the Farming Zone – Clause 22.02 The location of proposed Farming Zone – Schedule 2 precincts are shown on the <i>Rural Framework Plan</i> at Clause 21.05- 2.</p>	<p>Submission(s)</p> <p>26, 32, 63,65, 77, 78, 86, 89, 90, 119,141, 142, 146</p>
<p>Council response: No change required.</p>	

112. **Planning Comment:** Comments of support are noted.

Theme 10: Object to the application of Farming Zone – Schedule 2 in Callignee.

Place: Callignee

Current land zoning: Farming Zone.

Proposed land zoning: Farming Zone – Schedule 2 (Clause 35.07-2).

Clause(s):

Rural Dwelling and Subdivision in the Farming Zone – Clause 22.02

The location of exhibited Farming Zone – Schedule 2 precincts are shown on the *Rural Framework Plan* at Clause 21.05- 2.

Submission(s)

98, 125

Council response: The Callignee precinct was not considered to be suited for inclusion within the proposed Farming Zone – Schedule 1 (commercial agriculture), rather the precinct represents a closer alignment with the proposed Farming Zone – Schedule 2 (Mixed Farming).

In response to matters raised regarding bushfire risk, Council has completed further assessments provided at Attachment 5. It is proposed to amend exhibited Clause 22.02 to ensure consideration of bushfire risk.

113. **Planning Comment:** It is considered that the application of Farming Zone – Schedule 2 in Callignee is appropriate. This was determined considering a range of factors including existing development, subdivision pattern and land use opportunity.
114. The exhibited *Rural Land Use Strategy* 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, acknowledging that identified precincts may support non-traditional farming investment and development.
115. The minimum subdivision area and lot size in which a permit is required for a dwelling is maintained.
116. The proposed Amendment is considered to deliver a good planning outcome in terms of enabling new investment and certainty for rural land use and development, providing direction for diversification of agricultural enterprise and providing net benefit to the Latrobe City community.

117. The above point is considered particularly relevant to land use and development within the Callignee precinct, considering the following:
- 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.
 - Supporting consistent and improved land management outcomes across the precinct (in particular small lot management, maintenance, possible improved biodiversity outcomes, and reduced fire risk from consistent land management / maintenance).
 - Providing greater 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.
 - Consideration and assessment of bushfire risk for particular uses and development is afforded by the Bushfire Management Overlay (BMO) remains unchanged on the land (including the classification under which Bushfire Risk is assessed). This includes the requirements of Clause 52.47.
118. The precinct was not considered to be suited for inclusion within the proposed Farming Zone – Schedule 1 (commercial agriculture), rather the precinct represents a closer alignment with the proposed Farming Zone – Schedule 2 (Mixed Farming).
119. Key features of the precinct considering land use and development pattern are provided at image 10 and 11.

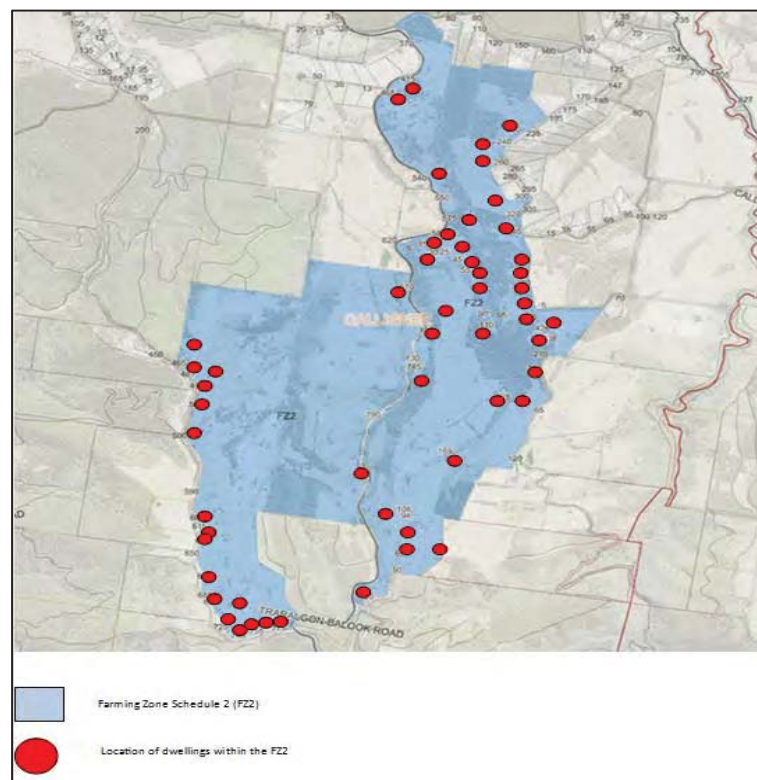


Image 10: Exhibited Callignee Farming Zone – Schedule 2 precinct with dwelling locations.

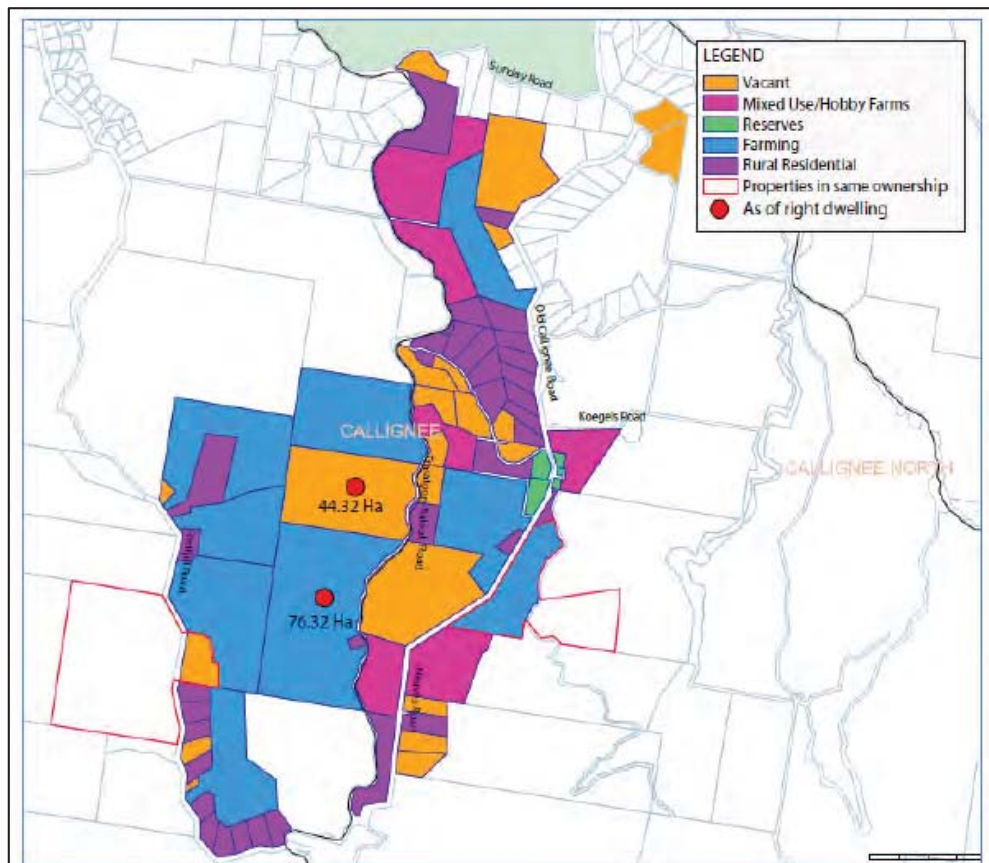


Image 11: Exhibited Callignee Farming Zone – Schedule 2 precinct showing current land use.

120. Provided below is a response to key matters raised by the submissions in relation to the proposed Farming Zone – Schedule 2 (FZ2):
- FZ2 is appropriate for the Callignee district, reflects current land use and provides for agriculture at a range of scales and compatible tourism uses.
 - FZ2 provides for a range of scales of agriculture, consistent with current land use, and is not intended to result in a rural residential outcome.
 - FZ2 areas represent those areas to be retained with the current minimum lot size of 40 hectares for subdivision and permit requirement for a dwelling.
 - The land is not considered to be the best in the shire. There are pockets of good quality land but the area lacks access to a reliable irrigation supply and if, as the Submission 125 points out, the dams do not hold water, there is limited scope for developing an irrigated enterprise.
 - While the Callignee precinct has areas of significant land fragmentation, the area may continue to support agriculture businesses, however this precinct is not considered to be an area where new commercial, broad or intensive

scale business will establish due to lot size, topography, limited water availability and established settlement pattern.

- Existing and future outcomes in the precinct are likely to support a mix of agricultural scales (commercial, hobby, large and small).
- The proposed Clause 22.02 (Rural Dwelling and Subdivision Policy) in relation to FZ2 locations, focuses on those lots less than 40ha; ensuring that development is consistent with identified strategies and compatible with surrounding uses to avoid land use conflict (including consideration of existing agriculture).
- Consideration and assessment of bushfire risk for particular uses and development is afforded by the Bushfire Management Overlay (BMO) which applies to the precinct and addresses matters of building design, access and egress. This remains unchanged on the land (including the classification under which Bushfire Risk is assessed). Discussion of bushfire fire related matters is provided specific to the precinct are shown at Appendix 5.
- Landslip is identified by Submission 125 however no evidence was provided. Due to the steep topography in parts of the precinct it is however likely.
- The strategy seeks to promote consolidation of lots and avoid further fragmentation (i.e. FZ1) whilst acknowledging pockets of fragmented rural land and respond appropriately. A cluster of small lots with dwellings are unlikely to be returned to agriculture due to high transaction costs for an agricultural business of purchasing many small lots and removing infrastructure and buildings.
- Excisions is a planning outcome that separates land with a dwelling from a larger parcel, however these are generally not appropriate as the balance lot is usually required to be the minimum set in the schedule (i.e. 40 hectares).
- There is insufficient evidence or justification that the restructuring of the existing settlement area is a desired outcome of the Callignee community.

121. In response to matters raised by Submission 125 regarding the proposed Farming Zone – Schedule 1 (FZ1), the following response is provided:

- The discouragement of further subdivision and development of dwellings not required for agriculture within the exhibited FZ1 is considered to be

appropriate, and responds positively to the position presented by the submission for the need to protect future agriculture investment opportunity.

- The proposed minimum lot size of 100 hectares does not relate to farm size but to ensuring Council has ability to assess whether a dwelling is genuinely required for an agricultural purpose and responds to the trend of increasing farm sizes.
- Proposed local policy at Clause 22.02 will increase Councils capacity to ensure that future development is compatible with agriculture and minimizing quasi rural residential outcomes in the Farming Zone – Schedule 1.

122. Further discussion and assessment of the proposed Farming Zone – Schedule 1 and 2 locations is provided at Appendix 7. This includes information referring to topography, soil type and environmental values.

Theme 11: Requests application of Farming Zone – Schedule 2 to land not exhibited by the amendment.	
<p>Place: Koornalla, Toongabbie (north), Glengarry (North), Tyers</p> <p>Current land zoning: Farming Zone.</p> <p>Proposed land zoning: To be determined as part of separate future planning scheme amendment.</p> <p>Clause(s): Rural Dwelling and Subdivision in the Farming Zone – Clause 22.02 Farming Zone – Schedule 2 (Clause 35.07-2). The location of new proposed Farming Zone – Schedule 2 precincts is shown on the revised <i>Rural Framework Plan</i> at Clause 21.05- 2 and are described within the revised draft <i>Rural Land Use Strategy (November 2018)</i>.</p>	<p>Submission(s)</p> <p>7,63, 64, 70, 71, 76, 77, 78, 81, 119, 124, 125, 134, 135, 136, 138, 141, 142</p>
<p>Council Response: Amend the exhibited <i>Rural Land Use Strategy</i> and <i>Rural Framework Plan</i> to identify locations for investigation and possible inclusion within the Farming Zone – Schedule 2. Locations requested by submissions 7, 135 and 136 were not included for future investigation, due to the presence of coal related planning overlays. These submissions have been referred to DEDJTR.</p>	

123. **Planning comment:**
124. A number of submissions request that the Farming Zone – Schedule 2 be applied to land not exhibited by the amendment. The majority of these submissions point towards the inclusion of the Koornalla township, recognising the existing subdivision, development pattern and land use.
125. It is considered that the rezoning of new precincts to the Farming Zone – Schedule 2 is beyond the scope of the exhibited amendment and therefore would need to be assessed and progressed by a separate planning scheme amendment and exhibited accordingly.
126. Proposed locations identified by Submissions that are to be further assessed are shown on the revised draft *Rural Framework Plan* which is proposed to be included within the Planning Scheme as a post exhibition change. This comprises two locations being the 'Cowwarr Special Water Catchment' area and 'Koornalla' precinct (see pages 94 and 95 of the revised draft *Rural Land Use Strategy*).
127. Locations requested by Submissions 7 and 135 were not included for future investigation, due to the presence of coal related planning overlays. These submissions have been referred to DEDJTR.

Theme 12: Support application of Rural Living Zone to locations exhibited by the amendment (including Churchill, Moe South and Toongabbie).

Place: Churchill, Moe South, Toongabbie

Current land zoning: Farming Zone.

Proposed land zoning: Rural Living Zone (recommended to be deferred).

Clause(s):

Rural Living Zone – Clause 35.03 (Schedule 1 and 2).

Exhibited Rural Framework Plan at Clause 21.05- 2.

Submission(s)

9 & 9A, 12, 14, 15, 16, 22, 75, 132.

Council response: Defer the rezoning of land to rural living as exhibited.

Following the further assessment of bushfire risk for each of the proposed Rural Living Zoned locations, it is recommended that the inclusion of new Rural Living Zoned land not be progressed by Amendment C105 (see *Assessment of matters relating to Bushfire Risk, Management and Planning* report at Attachment 5).

This recommendation aligns with Council's resolution at the ordinary Council meeting held 3 September 2018 as shown below:

- *That a mid-year budget request is submitted to Council to prioritise the investigation of bushfire risk associated with all proposed Rural Living Zoned areas that were to be introduced as part of the Amendment C105 process but now have to be put on hold due to the introduction of State Government Amendment VC140, including the Moe South area.*
- *Work with the Country Fire Authority, relevant agencies and industry representatives including the Municipal Association of Victoria, to appropriately respond to bushfire risk whilst enabling the growth and development of towns, including the provision of rural living opportunities.*

128. **Planning comment:**

129. In response to policy changes introduced to the Planning Scheme by Amendment VC140 during December 2017, Council sought further independent investigation of bushfire risk for each of the locations, proposed by the amendment, for inclusion within a Rural Living Zone.

130. These assessments are included within *Assessment of matters relating to Bushfire Risk, Management and Planning* report provided at Attachment 5. This report The advised that where proposed Rural Living opportunities were to be enabled, that additional planning scheme responses should be considered (i.e. application of Development Plan Overlay) along with supporting fire risk mitigation measures being formalised by other mechanisms (i.e. *Latrobe City Fire Management Plan*).

131. It intended that the future review of additional rural living opportunities will be progressed with further targeted investigations anticipated to commence 2019. Locations to be considered are shown on the post exhibition *Rural Framework Plan* at Clause 21.05-2 (see post exhibition edits at Attachment 10).

132. Further review of rural living and low density housing opportunities within Toongabbie exhibited by Amendment C105, are to be undertaken with the preparation of a Structure Plan for the township commencing within the current 2018/ 2019 financial year.

133. It is noted that submissions of support may now be considered to objecting submissions due to the proposal to defer the progression of exhibited rezoning of land to a Rural Zone at this time.

Theme 13: Request application of a Rural Living Zone to land not exhibited by the amendment.	
Place: Moe South, Tanjil South, Callignee, Tyers, Traralgon East, Boolarra. Current land zoning: Farming Zone Proposed land zoning: No change to current land zone. Clause(s): Rural Living Zone – Clause 35.03 (Schedule 1 and 2) Revised <i>Rural Framework Plan</i> at Clause 21.05- 2 (see Appendix)	Submission(s) 13, 25, 26, 28, 30, 31, 62, 62A, 99, 120, 123
Council response: Amend the exhibited <i>Rural Framework Plan</i> at Clause 21.05-2 to identify locations for future investigation and possible inclusion within a Rural Living Zone (see revised ordinance Clause 21.05 provided at Attachment 10).	

134. **Planning comment:**

135. Submission 31:

136. The rezoning of the land is not identified by the Rural Land Use Strategy. 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 for further investigation.

137. The revised Rural Framework Plan has been amended to identify the subject land for future investigation and inclusion within a Rural Living Zone. This would enable the creation of an additional 7 lots.

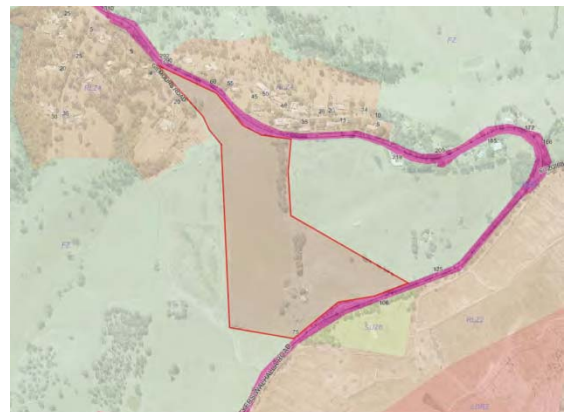


Image 12 :Submission 31 subject property.

138. It is therefore recommended that the exhibited *Rural Framework Plan* be amended to identify the land for investigation and inclusion within a Rural Living Zone.
139. The subject property has been included within the revised Rural Land Use Strategy for future investigation and inclusion within a Rural Living Zone.
140. Submission 62 and 62A (Tyers) :
141. Submission 62: Following further assessment of the subject land requested for inclusion with a Rural Living Zone, the requested rezoning would result in a 'split zone' and therefore is unable to be supported at this time.



Image 13 Submission 62 subject property.



142. *Submission 62A:* Land was previously used for mining and is currently located in a Special Use Zone. 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.
143. Advice from Earth Resources Divisions (DEDJTR) regarding the former quarry site indicated that they do not support the inclusion of the subject land within a Rural Living Zone. The Farming Zone was also discussed as a possible zon to apply to the subject land, due to the large amount of earth works undertaken and earth fill placed on the subject land. Further discussions may need to take place with DTPLI, once they review the above documents, to confirm the most appropriate zone to apply.



Image 14: Submission 62A subject property.

144. Submissions 13, 28 and 30 (Moe South):

145. Due to recent advice of the CFA regarding the consideration of bushfire risk and the requirements of the policy introduced by Amendment VC140, and subsequent investigation of bushfire risk in Moe South (See attachment 5), the requested rezoning of land to a Rural Living Zone by Submissions 13, 28 and 30 is not able to be supported at this time.

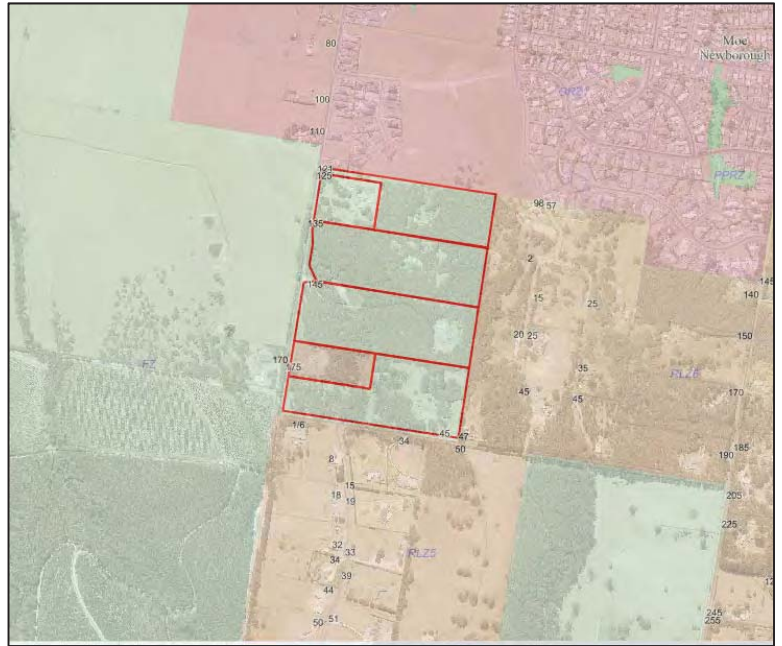


Image 15: Submission 13, 28, 30 subject properties.

146. Submissions 25 and 26 (Callignee):

147. In response to Submissions 25 and 26 (Callignee) the application of the Farming Zone – Schedule 2 is considered appropriate. (Farming Zone – Schedule 2 properties shown in blue).

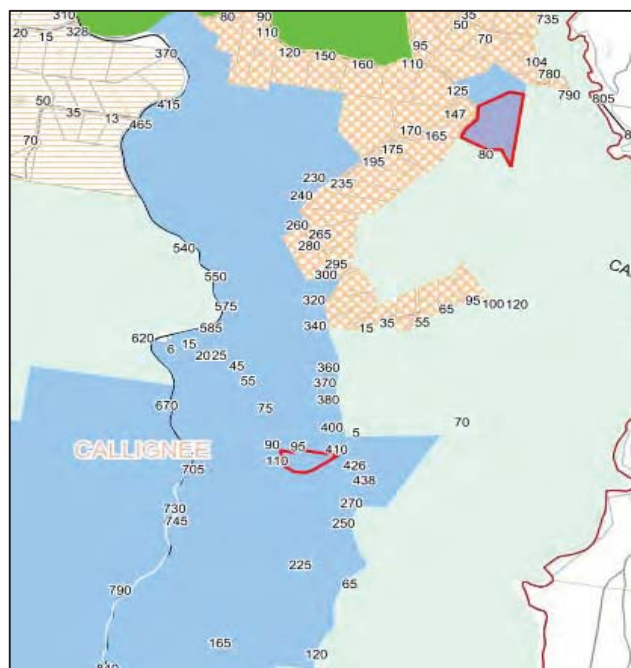


Image 16: Submissions 25 and 26 subject properties within proposed FZ2 precinct.

148. Submission 99:
149. Amendment C105 identifies the subject land for inclusion with a Farming Zone – Schedule 1 (Commercial Agriculture).
150. 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 Framework Plan. This plan identifies the subject land as 'Protected Rural Land.
151. It is not proposed to apply a Rural Living Zone to the subject land. The precinct is also identified as being appropriate for intensive agriculture (see exhibited Clause 22.03).

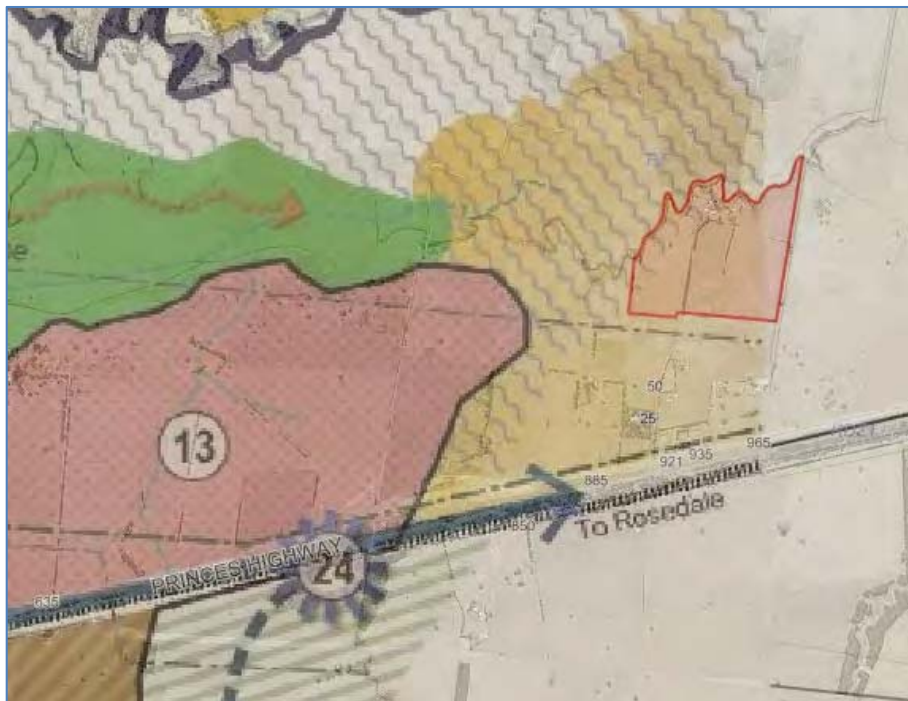


Image 17: Submissions 99 subject property showing Traralgon Urban boundary and area identified as being '*protected rural land*.'

152. Submission 120:

153. The exhibited Amendment proposed to include the subject land within a Rural Living Zone – Schedule 3 (minimum lot size 6 hectares). The submission requests that the land be included within Schedule 1 (minimum lot size 2 hectares).

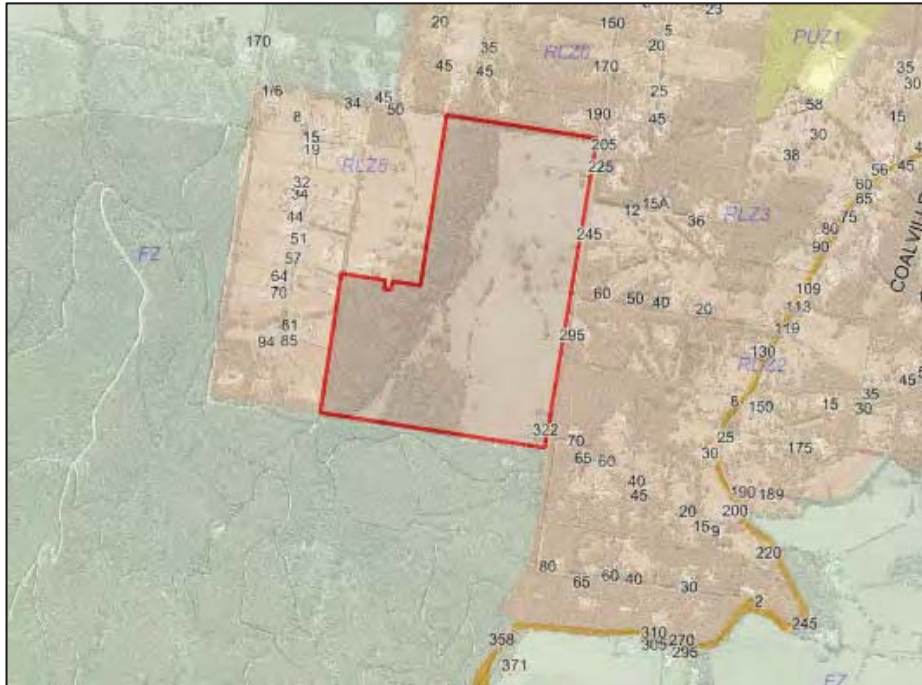


Image 18: Submissions 99 subject property showing Traralgon Urban boundary and area identified as being 'protected rural land.'

154. In response to changes introduced by the State Government to bushfire related planning policy (Amendment VC140), completion of Bushfire risk assessment for the proposed Rural Living Precinct and recent advice of the CFA, the rezoning of the subject land to a Rural Living Zone – Schedule 1 is not able to be supported as part of the current amendment.

155. It is proposed to retain the current Farming Zone arrangement on the property, which is best reflected by the Farming Zone - Schedule 2.

156. Submission 123:

157. Land shown at image 19 was previously zoned *Rural B Zone* for Rural Residential development 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.

158. 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.

159. 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.



Image 19: Submissions 99 subject property showing Traralgon Urban boundary and area identified as being '*protected rural land*.'

160. Due to the residential development in this location being unlikely to adversely impact agricultural productivity in the surrounding area.
161. The subject land has been included within the revised Rural Land Use Strategy for future investigation an inclusion within a Rural Living Zone.

Theme 14: Object to the application of Rural Living Zone as exhibited by the amendment (including Churchill, Moe South and Toongabbie).

Place: Churchill, Moe South and Toongabbie Current land zoning: Farming Zone Proposed Land zoning: Rural Living Zone (recommended to be deferred). Clause(s): Exhibited Rural Framework Plan at Clause 21.05- 2.	Submission(s) 4, 23, 82, 96, 108, 115, 130, 133
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Council response: Following the further assessment of bushfire risk for each of the proposed Rural Living Zoned locations and further consultation with CFA, it is recommended that the inclusion of new Rural Living Zoned land not be progressed by Amendment C105.

162. **Planning comment:**
163. Preliminary assessments indicate that the proposed Rural Living Zoned areas exhibited for Churchill may be supported. However, landowners within the precinct are generally not supportive of the proposed change.
164. In regard to all exhibited locations proposed for inclusion within a Rural Living Zone, it is now recommended that this be deferred pending further investigation into bushfire risk and consultation with landowners and CFA (as per Council resolution of the 3 September 2018).

Theme 15: Support to the application of Farming Zone – Schedule 1.

Place: Municipal Wide (rural areas). Current land zoning: Farming Zone Proposed Land zoning: Farming Zone – Schedule 1 Clause(s): Exhibited Rural Framework Plan at Clause 21.05- 2.	Submission(s) 64, 154, 155
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Council response: No change required.

165. **Planning comment:**
166. Comments of support are noted.
167. Note Submission 64 provides requests changes to the location of Farming Zone- Schedule 2 (namely applied to 'outer areas').
168. Further discussion of the proposed Farming Zone – Schedule 1 is provided at Attachment 7.

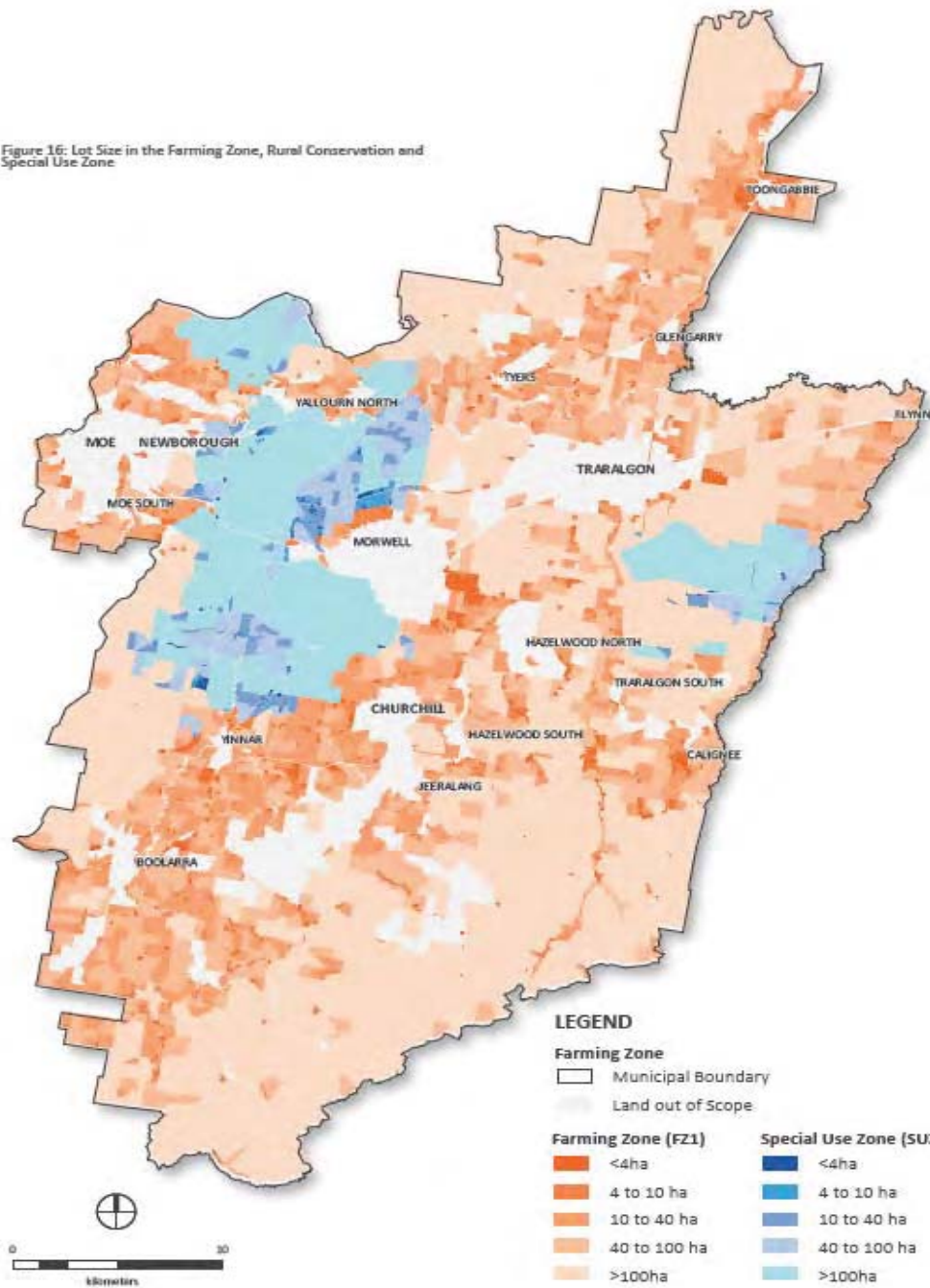
Theme 16: Objects to the application of Farming Zone – Schedule 1.	
Place: Municipal wide (rural areas). Current land zoning: Farming Zone Proposed Land zoning: Farming Zone – Schedule 1 Clause(s): Exhibited Rural Framework Plan at Clause 21.05- 2.	Submission(s) 64, 67, 96, 102, 125, 140
<p>Council response: The preservation of land for agricultural uses is a key objective of the exhibited <i>Rural Land Use Strategy</i> which seeks to provide clear direction to Council and the community regarding locations where productive agricultural land is located, should be protected and commercial agriculture is to be the primary land use.</p> <p>It is considered that the application of Farming Zone – Schedule 1 will support this objective.</p>	

169. **Planning comment:**
170. As agriculture has historically made a small contribution to the City's economy, the protection of rural land for agriculture has not previously been a primary concern. The preservation of rural land has therefore occurred more often from the need to retain buffer areas from heavy industry and preservation of coal reserves. This strategy proposes to provide greater recognition and protection of agriculture, aiding efforts to diversify the local and regional economy.

171. The exhibited *Rural Land Use Strategy* states: *Agriculture is a relatively small, but vibrant element of the Latrobe City economy, containing areas of valuable or high class agricultural land. This, coupled with the possible expansion of irrigation, underpins the continued importance of agriculture to the local economy and landscape. Live Work Latrobe identifies locations where commercial scale agriculture, including intensive agriculture, can be sustained and protected as the primary land use in the future by protecting such areas from encroachment and fragmentation.*
172. The *Rural Land Use Strategy* (RLUS) seeks to provide clear direction to Council and the community regarding locations where productive agricultural land is located, should be protected and commercial agriculture is to be the primary land use.
173. Policy which clearly establishes the protection of agricultural land is also important to give business confidence to invest now and for the long term.
174. The policy context in which agriculture related policy changes (including the application of Farming Zone – Schedule 1) is proposed is provided at Section 3.1 of the exhibited *Rural Land Use Strategy*.
175. The *Rural Land Use Strategy* (page 25) identifies a number of key strengths that underpin future growth opportunities in agriculture, including:
- *Strategically Gippsland is well located to access national and international markets via road, rail and air*
 - *Fertile soils, a moderate climate, high rainfall and access to supplementary water resources provide a strong foundation for food production*
 - *Gippsland is considered to be less severely affected by climate change than other Australian regions and its resilience to climate change is strengthened with access to supplementary water resources.*
 - *Gippsland is already home to a diverse range of renowned products and production systems which help the food system be sustainable and resilient*
176. State policy requires protection of productive farmland that is of local or regional strategic significance. Productive agricultural land generally has one or more of the following characteristics:
- *Suitable soil type;*

- *Suitable climatic conditions;*
 - *Suitable agricultural infrastructure, in particular irrigation and drainage systems; and*
 - *Pattern of subdivision favourable for sustainable agricultural production.*
177. Significance also takes into consideration a particular agricultural industry's contribution to the local or regional economy
178. The Rural Land Use Strategy identifies agriculturally significant land. Productive agricultural land has been identified based on a technical assessment of:
- *Agricultural capability (as defined at Table 4 and illustrated at Figure 12)*
 - *Lot sizes suited to productive agriculture*
 - *Access to irrigation water sources*
179. Areas of Class 2 or Class 3 agricultural quality, held in properties of more than 40 hectares with access to irrigation (surface diversion) from the Latrobe River are considered to be 'high quality agricultural areas' (RLUS pg 29).
180. A key objective is to address land fragmentation. Historic subdivision policies have resulted in fragmentation of rural land and a significant legacy of small rural lots, being lots less than 4 ha.
181. Current land fragmentation is represented below (Source: Figure 16, page 33 of the *Rural Land Use Strategy*).

Figure 16: Lot Size in the Farming Zone, Rural Conservation and Special Use Zone.



182. A review of dwelling and subdivision planning permit approvals in the Farming Zone found that many new dwellings being constructed in the Farming Zone are not for a farming purpose (*Rural Land Use Strategy*, page 31).
183. In response to concerns raised by submitters regarding land value and implications for future borrowings, the value of land is one of a number of factors that banks consider in farm finance. The value of the land, established by a valuer, depends on how the land is classified.

184. Generally, land is valued as a rural lifestyle block generally when:
- Has a land area of 75 hectares or less; and
 - Has a building entitlement or a single approved dwelling; and
 - Is incapable of sustaining a gross income in excess of \$30,000 per annum; and
 - Is not being run as a commercial operation.

(Source: <https://www.homeloanexperts.com.au/property-types/acreage-loan/>).

185. For properties, which do not meet this definition then the land is valued against a much wider set of criteria, of which the dwelling/subdivision potential is just one consideration.

186. The application of Farming Zone – Schedule 1 is considered necessary to provided further protection of rural areas for existing and future agricultural land uses and responds the trend of increasing farm size, as stated in the Productivity Commission Research Report – *Trends in Australian Agriculture (2005)*:

“Farms are much fewer and larger than twenty years ago. Production is increasingly concentrated on larger farms, accentuating the dual nature of the sector (with a few large commercial farms accounting for the majority of output and many farms accounting for a small share of output.”

187. This trend of increasing farm size is also represented in the below image:

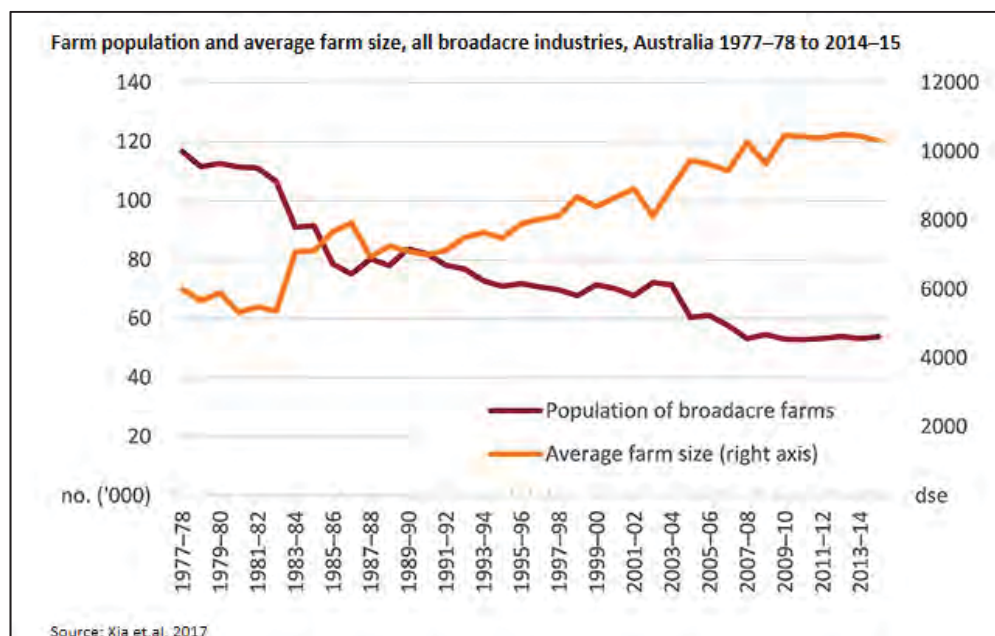


Image 20: Average Farm size Australia (source: Australian Government Department of Agriculture and Water Resources (ABARES)).

188. Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) has *“found that the number of large farms has increased while the number of small and medium farms has declined. This may be because large farms benefit from economies of size, where the average cost per unit of output declines as the size of the operation increases because fixed costs are spread more thinly.”*
- (Source: <http://www.agriculture.gov.au/abares/research/topics/productivity/productivity-drivers#farm--size>).
189. In response to increasing farm size and identified opportunities for the expansion of the agriculture sector, and with this, the need to prevent further land fragmentation and development of dwellings not required for agriculture; it is proposed to introduce Schedule 1 to the Farming Zone (FZ1).
190. FZ1 increases the subdivision area to 80 hectares and permit requirement for a dwelling from 40 hectares to 100 hectares.
191. The proposed minimum lot size of 100 hectares does not relate to farm size but to ensuring Council has ability to assess whether a dwelling is genuinely required for an agricultural purpose and responds to the trend of increasing farm sizes. 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).
192. Proposed local policy at Clause 22.02 (Rural Dwellings and Subdivision) will increase Councils capacity to ensure that future development is compatible with agriculture and minimizing quasi rural residential outcomes in the FZ.
193. The exhibited Clause 22.02 policy also includes the following objective for land proposed for inclusion in FZ1: *“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.”*
194. Expanded discussion of Farming Zone – Schedule 1 is provided within the exhibited *Rural Land Use Strategy* and discussed at Appendix 7.

Theme 17: Supports rezoning of land in Yinnar South from Rural Living Zone to Farming Zone (in whole or in part).	
Place: Yinnar South Current land zoning: Rural Living Zone. Proposed Land zoning: Farming Zone – Schedule 2 (note small lots proposed to be retained in Rural Living Zone as post exhibition change) Clause(s): Exhibited Rural Framework Plan at Clause 21.05- 2.	Submission(s) 6A, 10, 74, 88, 143, 154, 155
Council response: Comments of support are noted.	

195. **Planning comment:** Comments of support are noted.
196. Submissions of support were primarily received from landowners of larger properties within the precinct who are actively farming. HVP Plantations and Country Fire Authority (CFA) have also provided support to the proposed back zoning of the precinct.
197. Expanded discussion regarding Yinnar South is provided at Appendix 3.

Theme 18: Objects to rezoning of land in Yinnar South from Rural Living Zone to Farming Zone (in whole or in part).	
Place: Yinnar South Current land zoning: Rural Living Zone. Proposed Land zoning: Farming Zone – Schedule 2 (note small lots are proposed to be retained in Rural Living Zone as post exhibition change) Clause(s): Exhibited Rural Framework Plan at Clause 21.05- 2. Rural Dwelling and Subdivision in the Farming Zone (Clause 22.02)	Submission(s) 18, 24, 29, 34, 35, 38, 39, 41, 42, 43, 44, 45, 47, 48, 68, 83, 84, 85, 87, 91, 92, 93, 94, 97, 100, 103, 104, 105, 106, 107, 109, 110, 111, 114, 116, 118, 190, 121, 122, 126, 128, 129, 131, 149
Council response: Following a review of submissions and site inspections, it is 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.	

198. **Planning Comment:**

199. The proposed Farming Zone - Schedule 2 is intended to recognise a diverse range of rural uses including niche and mixed farming, tourism and hobby farms in locations compatible with existing infrastructure investment, biodiversity values, land holding patterns and adjacent land use.
200. In this way, the application of the Farming Zone – Schedule was considered to represent land use and development pattern within the precinct.
201. The primary planning scheme change proposed is therefore the removal of further subdivision of large properties (and subsequent development of additional rural living dwellings) within the precinct.
202. Following a review of submissions and site inspections, it is 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 is shown at Image 21. The revised planning zone map is provided at Image 22.

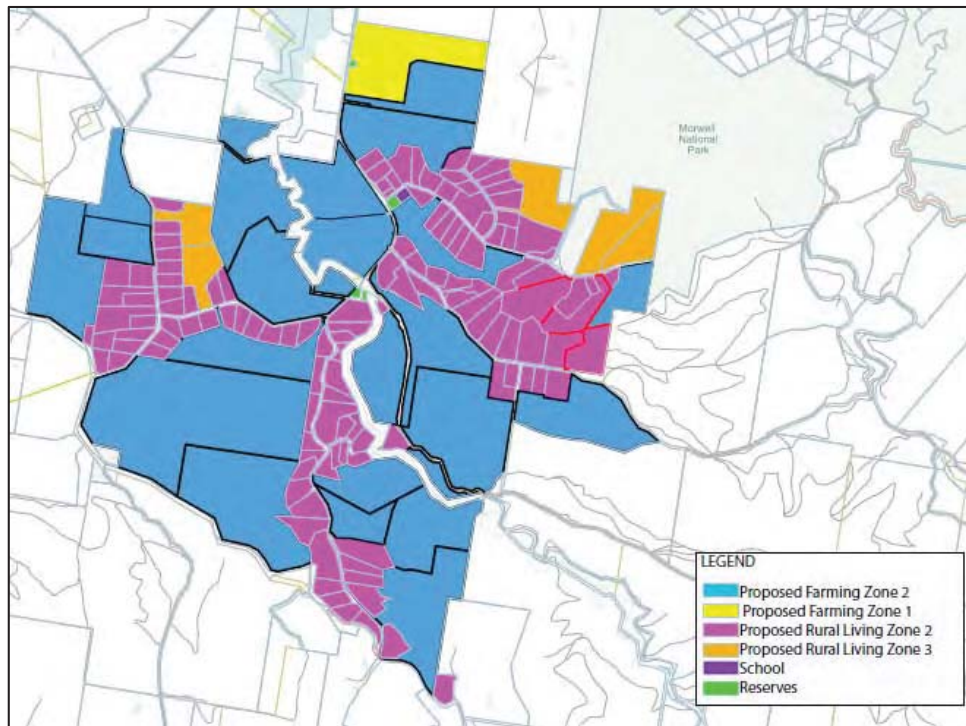


Image 21: Proposed revisions to exhibited land zoning to be applied to Yinnar South.

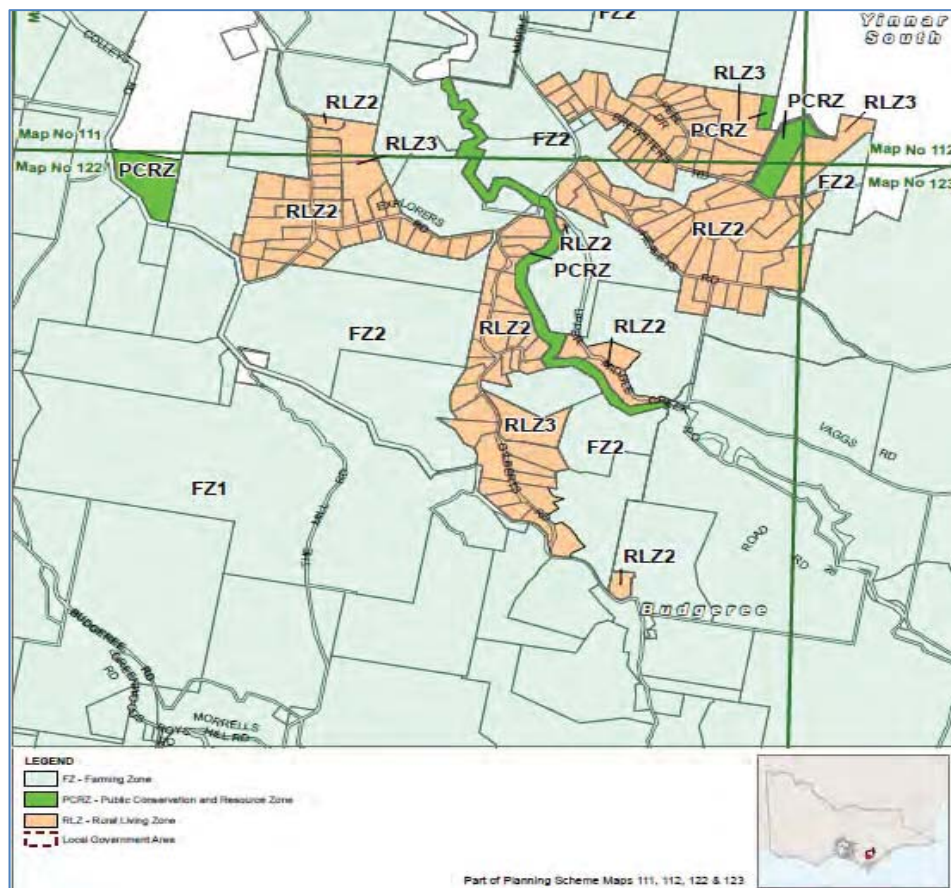


Image 22: Revised planning scheme zone map showing proposed change to exhibited extent of the Farming Zone – Schedule 2.

203. Expanded discussion of the proposed Farming Zone – Schedule 2 is provided at Attachment 7.
114. Expanded discussion regarding Yinnar South is provided at Appendix 3.

Theme 19: Support greater recognition and support for rural and nature based tourism opportunities.	
Place: Rural areas and natural environments. Clause(s): Clause 21.03-5 Significant Environments and Landscapes Rural Tourism in the Farming Zone – Clause 21.03	Submission(s) 11, 118, 148
Council response: Comments of support are noted.	

204. **Planning Comment:**

205. The 2014 Latrobe Planning Scheme Review identified the need to support and promote rural tourism, as did the Stage 1 Background Report.

206. The exhibited *Rural Land Use Strategy* (Section 7.2 Environment and Landscape) states:

“Latrobe’s natural environment significantly contributes to local identity, the municipality’s attractiveness as a place to live and work as well as providing a range of recreation opportunities for locals and visitors.”

207. This Rural Land Use Strategy proposes that a Rural Tourism local planning policy be prepared in order to assist in balancing agricultural, environmental and amenity values in the assessment of tourism-related planning permit applications.

208. Relevant State, Regional and Local policy promoting a ‘visitor economy’ is outlined at Section 6.1. of the *Rural Land Use Strategy*.

Theme 20: Support inclusion of policy and directions for greater recognition of Latrobe City's biodiversity values including proposed establishment of the Strzelecki – Alpine bio link.	
Place: Rural areas and natural environments. <i>Strzelecki- Alpine biolink extends from the southern part of the municipality , extending through the western part of the municipality to the southern fall of the Alpine ranges.</i> Clause(s): Clause 21.03-9 Biodiversity Exhibited Rural Framework Plan Clause 21.05-2.	Submission(s) 27, 49, 52, 66, 150, 148, 118, 151
Council response: Comments of support are noted.	

209. **Planning Comment:**

210. The exhibited *Rural Land Use Strategy* found that within Latrobe City there are 22 Ecological Vegetation Classes that are classified as Rare, Endangered or Vulnerable in the Strzelecki Ranges and Gippsland Plain, Highlands – Southern Fall or Gippsland Plain bioregions.
211. There are also a number of rare and threatened plant communities specially protected under the Flora & Fauna Guarantee Act 1988, including Central Gippsland Plains Grassland in the Latrobe Valley, Cool Temperate Rainforest in protected gullies in the Strzelecki Ranges and Forest Red Gum Grassy Woodland which occurs within the valley floor.
212. The amendment introduces specific policy at Clause 21.03-9 to recognise, protect and enhance biodiversity values.
213. This includes a strategy to:
- “Support and facilitate the creation of a bio link from the Strzelecki Ranges bioregion to the Southern Fall bioregion through research, the subsequent use of planning tools, and landowner and community support.”*
214. Pre-feasibility investigations are currently being undertaken resourced by the Federation University internship program. This has included consultation with a range of key land managers and other stakeholders; which has revealed broad support for the initiative.
215. The completion of this research is expected January 2019.

<p>Theme 21: Further assessment of Bushfire Risk required.</p> <p>Place: Municipal wide.</p> <p>Clause(s): Submission refers to a broad range of elements exhibited by the Amendment.</p>	<p>Submission(s)</p> <p>155</p>
<p>Council response:</p> <p>In response to policy changes introduced to the Planning Scheme by Amendment VC140 December 2017 Council sought further independent investigation of bushfire risk for each of the amendment. This has included the completion of detailed Bushfire Risk Assessment being completed for the exhibited Rural Living precincts, Farming Zone – Schedule 2</p> <p>In consultation with CFA, a number of post exhibition changes are now proposed t to the amendment.</p>	

216. **Planning Comment:**

217. Post exhibition changes to the exhibited ordinance in response to matters regarding bushfire risk are included at Attachment X.

218. These changes are also summarised by the *Assessment of Bushfire Risk, Management and Planning* report included at Attachment 5.

<p>Theme 21: Coal provisions, future residential land designation Traralgon East and recognition of extractive resources.</p> <p>Place: Municipal wide.</p> <p>Clause(s): Submission refers to a broad range of elements exhibited by the Amendment, including coal reserves, mine voids and extractive industry interest areas at exhibited Clause 21.05-17. Traralgon Structure Plan at exhibited Clause 21.09.</p>	<p>Submission(s)</p> <p>60</p>
<p>Council response:</p> <p>Council continues to work closely both DELWP and DEDJTR on a range land use planning related matters regarding earth resources located within Latrobe City. The amendment is not considered to compromise or alter future resource extraction.</p>	

219. **Planning comment:**

220. The Submission provides comments on the Amendment and highlights a range of matters for information including:

- Coal provisions and mapping are currently being reviewed by the Department. The submission advises that Council's responses to submissions regarding coal related policy and provisions within the planning scheme should be similarly neutral so as not to pre-empt the Review's outcome.
- Refers to the identification of land east of Minniedale 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.

221. Extensive consultation with DEDJTR including representatives of the Earth Resources Divisions was undertaken during the preparing of the Live Work Latrobe land use strategies.

222. DEDJTR were represented on the Key Stakeholder Group overseeing the preparation of the strategies (Stage 2 Live Work Latrobe). The support of DEDJTR to this process is recognised and appreciated.

223. Comments provided by the DEDJTR submission have been considered, with the following response provided.

- 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.
- The urban boundary of Traralgon is unchanged by the amendment. The identification of land for future residential development is considered to avoid possible future amenity conflicts, whilst directing new industry investment to locations as identified by the Industrial Framework Plan included at exhibited Clause 21.07.

- The minimum lot size for subdivision and the construction of dwellings is not altered by the amendment. The variation of the Schedule to enable dwellings to be constructed within 50 meters of each other, along with policy to support the clustering of development within close proximity to road frontages is considered to further support the objective of avoiding future conflict with possible future resource industries and mining.
- 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 have been provided to DEDJTR for their consideration as part of Stage 2 of their review of current planning provisions related to the coal resource.

224. Additional discussion of *Extractive Industry Interest Areas* and the exhibited amendment is provided at Appendix 4.

4. Additional matters raised by submissions

225. Submissions not included in the above discussion of themes were previously summarised and responded to within Attachment 2 to the Council report (agenda item 0.6) at the Ordinary Council meeting held 3 September 2018.

226. It is noted that a number of changes to this initial response have since been made and are reflected in this submission.

227. To assist the panel, extracts from the above mentioned Council Report Attachment 2 are now provided for those objecting submissions not discussed in the above themes. This includes minor variations to the planning comment where a technical correction has been since been identified.

228. Note: Submissions which are provided a response within the table of Post Exhibition edits at Appendix 9 are not included in the below table.

TABLE 1: OTHER MATTERS**(Submissions not referenced at Section 2 of Council's Part B Submission).**

Submission Number and type	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 do not represent the adopted position of Council. Council's adopted position will be made following its consideration of recommendations of the Planning Panel as required by the <i>Planning and Environment Act 1987</i>).	Change to exhibited amendment
37 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 Industrial and Employment Strategy.</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>	No
40 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 also not be supported).</p> <p>Concerns that removal of the covenant will affect the amenity of the area (increased traffic, additional</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> <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</p>	No

	<p>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>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>	
<p>51</p> <p>Support with Changes</p>	<p>Submission summary: 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</i> 	<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, with corresponding policy included at Clause 21.09-4.</p> <p>Amendment C105 does not alter the urban boundary of</p>	No

	<p><i>buffers to separate conflicting land uses, avoid encroachment problems, help manage health, safety and amenity impacts, and ensure integration with EPA regulatory requirements.”</i></p> <p>4. The amendment should allow for flexibility to respond to the Latrobe Valley Regional Rehabilitation Study.</p>	<p>Traralgon. Neither does the amendment re-zone land within 2000 metres of the mine area.</p> <p>The amendment is considered to respond to the EPA inquiry recommendation (referenced by Submission 40) by introducing the <i>Industrial Framework Plan</i> at Clause 21.07. This identifies key locations to direct future industry investment, including the identification of industry locations that should be transitioned overtime to avoid existing and future amenity impacts.</p>	
<p>51</p> <p>Support with Changes</p>	<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> <p>5. 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.</p> <p>6. AGL maintains that a precautionary approach should be taken to development around AGL Loy Yang mine to ensure adequate and substantial buffers are maintained</p>	<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</p>	No

	<p>between the mine and residential/road development.</p> <p>7. 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></p> <p>8. The amendment should allow for flexibility to respond to the Latrobe Valley Regional Rehabilitation Study.</p>	<p>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>	
<p>53</p> <p>Support with Changes</p>	<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>The submission supports opportunities identified by the <i>Industrial Framework Plan</i> and <i>Morwell – Traralgon Corridor</i> project. The</p>	<p>Planning comment: The land is presently zoned Farming and is proposed to be located in Farming Zone – Schedule 1.</p> <p>The Industrial Framework Plan (included in the exhibited Industrial and Employment Strategy) 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 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>	No

	submission however notes that the retention of the Farming Zone on the land is contrary to these objectives.	Timeframes in which land is rezoned will be dependent on an assessment of demand and supply.	
54 Comment	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.	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. 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. It is therefore recommended that Council defer rezoning of this Rural Living precinct pending: - Further exploration of bushfire planning policy requirements. - Preparation of the Toongabbie Structure Plan (commencing 2019)	Yes Defer rezoning of land to a Rural Living Zone pending: - Further exploration of bushfire planning policy requirements. - Preparation of the Toongabbie Structure Plan (commencing 2019).
55 Comment	Submission summary: Requests that the Amendment provides clarification that there is no restriction (within the exhibited Rural Living Zone) to keeping of livestock in the proposed Rural Living Zone (including but not limited to chickens, geese, ducks, sheep, cattle and horses).	Planning comment: The keeping of cows, horses, geese are 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. Boarding refers to land uses such as kennels and	Yes Defer rezoning of this Rural Living precinct pending: - Further exploration of bushfire planning policy requirements.

		<p>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 ongoing.</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). 	<p>- Preparation of the Toongabbie Structure Plan (commencing</p>
<p>58</p> <p>Support with Changes</p>	<p>Submission summary: Commends the project, however requests land being included within a Rural Living Zone.</p>	<p>Planning comment: 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 as required by recent Amendment VC140.</p>	<p>No</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>	
<p>59</p> <p>Request Change</p>	<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>	<p>Yes</p> <p>Undertake a further assessment of proposed Rural Living Precincts as part of a separate and future Rural Living Study, (to be included on the Further Strategic Work program at Clause 21.10).</p>
<p>79</p> <p>Object</p>	<p>Submission summary: 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 Morwell is not defined. - 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 	<p>Planning Comment: <i>Note: Matters regarding the proposed application of the Neighbourhood Residential Zone to land south of Commercial Road 1 are discussed within Council's Part B Submission (see Theme.</i></p> <p>The effect of the exhibited amendment in relation to the value of property is not a planning consideration.</p>	

	<p>land, property will be unsaleable.</p> <ul style="list-style-type: none"> - 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>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: <i>"Identify locations and apply the Environmental Audit Overlay, considering sites including former landfill sites, fuel depots or industry locations identified for transition."</i></p> <p>The use of land for commercial opportunities enabled under the General Residential Zone (which currently applies to the subject land) are unchanged by the proposed Neighbourhood Residential Zone (i.e. table of uses within these zones are identical).</p>	
<p>95</p> <p>Support with changes</p>	<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> <p>This will be considered during the preparation of a <i>Yallourn North Small Town</i></p>	<p>No</p> <p>Consider submission as part of the preparation of the Yallourn North Small Town Structure Plan (to commence 2019).</p>

		<i>Structure Plan</i> , identified for commencement during the 2018 – 19 financial year.	
101	<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 <i>Traralgon – Morwell Growth Framework Plan</i> 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 <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>	No

5. Preliminary response to expert evidence

229. Council obtained Expert Statements in support of Submission 80 from the Panel Wednesday 7 November 2018.
230. These statements were subsequently reviewed by Council officers including: Coordinator Economic Development, Coordinator Urban Growth, Coordinator Strategic Planning, Manager Planning Services and Coordinator Health Services and Senior Strategic Planner.
231. The below response represents Council's preliminary comments only, due to the reduced timeframe in which Council was provided to respond. Further review of the Expert Statements may therefore be undertaken and provided at the hearing, subject to the approval of the Panel Chair.
232. **Environmental Noise Assessment prepared by SLR 30 October 2018:**
- The report notes that the area of 'non-compliance' expands should the existing Mixed Use Zone (MUZ) be rezoned to a residential zone. The MUZ sits within the residential suite of zones, with residential uses (dwelling) being a Section 1 use. Accommodation is listed as a Section 2 Use. Development types are not constrained by a height or density limitation under the MUZ.
 - Section 4.1 discussion of an acceptable noise threshold for the nearby residential area of Curran Street is not clear (figures range from 47 – 48). Table 2 at page 12 appears to be inconsistent with the assessment at Table 1.
 - Section 6 notes that *"The value of these measurements was limited due to the prevailing wind conditions on the night which were not favourable in all directions, and that truck movements were not present during our measurements"*. It is unclear as to why the study proceeded during unfavourable conditions and was not undertaken whilst truck movements (including loading / unloading) were occurring.
 - Despite the report not being undertaken during unfavourable conditions, areas of non-compliance were still identified in Harney Place and Curran Street (which is presently located in a Residential Growth Zone and General Residential Zone). It is considered that should the assessment of noise be undertaken during favourable conditions, that it is likely that the extent of non-compliance would increase.

- It is unclear as to whether day time noise compliance has been assessed or if this is required of the current site operation.

233. **Town Planning Expert Evidence prepared by Ratio October 2018:**

- The request for extension of time of the current planning permit for upgrades at the plant (referenced by the submission) has been issued.
- Clause 13 of the Planning Scheme states *"Planning should aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity conflicts"*
- Existing approved Council policy direction for the future transition of the subject industrial precinct is considered to respond to this policy direction, given the extent of long established sensitive uses adjoining the precinct.
- The exhibited policy, including *the Industrial Framework Plan* at Clause 21.07 provides direction to the preferred location of future industry investment that is well located, serviced and separated from sensitive uses. This is considered to directly respond to Clause 17.03-1S which states:

"Identify land for industrial development in urban growth areas where:
 - *Good access for employees, freight and road transport is available.*
 - *Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses."*
- The Industrial Framework Plan at Clause 21.07 identifies the subject industrial precinct within a '*Transition Area*'.
- It is agreed that Council cannot 'force' businesses to relocate, it is however appropriate that Council consider and identify strategic policy to avoid future amenity conflict which may arise within the broader precinct. It is appropriate that Council policy identify actions to rectify a known conflict in land use, whilst acknowledging the existing use rights of industry and the nearby residents.
- The exhibited amendment is not considered to prejudice industry in so far as existing use rights are established at Clause 63.

234. **Sibelco Statement – Operations Manager**

- Professional Qualifications of the Expert Witness are not provided.
- The Buchan quarry has an approved license for 31 years. Operations beyond this timeframe are not confirmed. Within this timeframe it is likely that there will be an increasing need and viability for further infill and urban consolidation targeting locations with good access to services and infrastructure available from the Traralgon Activity Centre.
- No permit was issued for the use of the site for current operations due to the existing rights that were in place.
- At the time Sibelco purchased the current site in 1993 the proximity of the existing residential area was obvious. It appears that despite Sibelco's long term plans for significant expansion on the subject land (and associated increase in the frequency of truck movements); that little consideration to their known off-site amenity impacts to surrounding residents was given at the time of land purchase. The subject site presents significantly different characteristics to the former Sibelco plant located in Lilydale.
- It is not clear if Sibelco have previously sought advice regarding available assistance for relocation to support planned expansion in a location not constrained by nearby sensitive uses (for example: opportunities for lease hold on large areas of undeveloped Industry 2 Zoned land owned by Australian Paper Maryvale - indicated as being a major client of Sibelco).
- The reference to sourcing Lime products from New South Wales (NSW) is not understood or considered a likely scenario. This seemingly suggests that Sibelco would first then transport raw material from Buchan to the NSW plant.
- It is acknowledged that Sibelco *'takes its responsibility for its environment impacts seriously, and it maintains an amicable relationship with the neighbouring community.'*

In meeting these obligations it is understood that this responsibility significantly curtails current operations at the site (for which no cost implication is provided). Other industries which may locate in the precinct may not share this same degree of responsibility or accept limitations to their operations in order to reduce off site amenity impacts. The exhibited policy addresses this risk.

- A preliminary assessment of financial expenditure at the plant indicates a shortfall of \$8.025M. Calculated expenditure provided appears to equal \$875,000.

- Planned expansion would bring the plant to an estimated 122,000 tonnes per annum. This brings the plant close to the threshold of 150,000 which would nominally see a required separation from sensitive uses of 1 kilometer (a doubling of the current prescribed 500m buffer). Such expansion may be considered to go beyond what may be reasonably considered within the existing use provisions afforded to the land.

235. **Amendment C105 to the Latrobe Planning Scheme – Essential Economics October 2018.**

- The statement relies on financial information from former Sibelco employee. No evidence of independent interrogation of these figures is provided in the assessment, rather costs are simply extrapolated to 2018 dollars.
- It is not clear if the cost of relocation includes the relocation of existing plant or the construction of new plant.
- The statement notes that the intention of Sibelco has long been to expand its operation of the site. This appears to be with limited to no acknowledgment of the obvious restrictions to the operation of the site due to off-site amenity impacts.
- No assessment of the cost implications of restricted operation of the site is provided, for the immediate or longer term.
- The statement notes that the former Lilydale plant has been closed and has been sold for residential development. This may suggest that the operation of a lime plant is not prohibitive to future residential development due to land contamination. The associated remediation costs of the Lilydale site are not expanded upon.
- The identified transition of the industry precinct to uses compatible with the surrounding residential amenity is not in itself reliant on the subject industry zoned land necessarily being developed for sensitive uses. Rather the policy directs the transition of this precinct to uses compatible with existing and forecast residential development opportunity which is able to be achieved on land surrounding the industry precinct.
- Reasoning for transitioning of the industry precinct is also considered necessary as a preventative strategy for further Industrial developments, including those listed as a Section 1 Use and are likely to result in further

conflict with surrounding amenity expectations and existing use rights of nearby residents.

- It is an incorrect assessment that residential development has encroached on the Sibelco sites buffers, given established buffers have never been achieved in the history of the industry precinct (as demonstrated in the expanded assessment provided at Attachment 1 to Council's submission).
- The exhibited policy direction established in recommendations included within the *Industrial and Employment Strategy* are considered to provide strategic policy direction that will resolve existing industry residential conflict of the precinct.
- The reference to sourcing lime products from New South Wales is not understood or considered a likely scenario; considering the existing use rights of the Sibelco site. Further this suggests the transport of raw material from Buchan to NSW.
- Greenfield development within Latrobe City is demonstrably not in all instances cost effective, due to significant infrastructure costs. Further, Traralgon (and other main towns) opportunity for prolonged urban expansion is significantly constrained by coal reserves, floodplains and other buffers established by the airfield and Australian Paper Maryvale to the west.
- There are a number of recent examples of approved and developed residential infill developments occurring south of rail line including single and multi-unit developments being approved – with a maximum of 40 dwelling apartment development being approved within the 500m threshold (Queens Parade).
- The current permit issued for the expansion of the plant provides certainty to the continued operation of the site, as does the existing use rights afforded to the site.
- The exhibited amendment provides a future policy direction for the precinct, that will inform future industry investments proposed within the precinct, by directing those industries requiring necessary buffers to locate in identified locations (namely within the identified *Heavy Industry Precinct* south of Morwell).

236. **Expert Witness Statement – Peter J. Ramsay and Associates November 2018:**

- The statement notes that no independent investigation of the site was undertaken.
- The Statement notes that: *“Sibelco is strongly opposed to any proposal that promotes the conversion of its Traralgon site and surrounding areas to residential or other sensitive land uses”*. This statement appears to be misunderstood given the long established residential uses surrounding the site.
- The Statement provides: *“For the purpose of the Publication 1518 the agent of change is the proponent of any future residential development within the recommended separation from the existing Sibelco Premises.”* In this instance it is noted that residential development was present prior to the site first being established for industry. It may be considered in this instance that the agent of change is Sibelco.
- The Statement explains: *“Publication 1518 provides guidance on the criteria that should be considered when assessing the appropriateness of a site-specific variation to a recommended buffer.”* No indication as to whether a variation to the recommended buffer of 500m of the site is appropriate for current or planned operations.
- No rezoning of land is necessary for residential development to occur (i.e. as of right uses exist and are permit exempt within the Mixed Use Zone, Residential Growth Zone and General Residential Zoned land adjoining the industry precinct.
- The statement refers to a variation first being required to the recommended separation distance. This statement is unclear given existing development surrounding the site within the recommended 500m buffer.
- It is noted that the requirement for a 500m buffer was not likely required prior to the purchase of the land by Sibelco and resultant ‘scaling up’ of operations on the land which have since occurred.
- The Statement notes the limitations and implications of current curfews. This is considered to demonstrate the existing conflict of current operation with the surrounding residential amenity.

- The statement notes that if production capacity at the Sibelco Premises exceeds 150,000 tonnes per year, the recommended buffer would be 1000 m. This would see the nominated buffer extending to encapsulate the majority of the Traralgon Activity Centre and a large number of residential properties. This assessment indicates that the long term capability of the site to support a significant increase in operations is not likely achievable without detriment to a large number of residents.

This is not a matter of encroachment of sensitive uses, rather an increase in the extent of residential properties, residents (and other sensitive uses including schools) that would be likely impacted should such expansion occur.

- Given current planned expansion would result in up to 122,000 tonnes per annum, it may be considered that an extended buffer distance to avoid negative impacts from Industrial Residual Air Emissions (IRAE), would be appropriate yet unachievable on the subject land. No assessment of planned expansion and resultant impacts on air quality of the surrounding area is provided.
- The statement refers to dispersion modelling predicting that particulate emissions from the plant would not exceed the design criteria under normal conditions. The impact of unfavourable conditions (or plant failure) is therefore assumed to result in operations exceeding SEPP AQM. This is acknowledged in the statement.
- The statement concludes that a buffer distance of 500 meters should be applied around the facility. This is not achievable given the existing settlement pattern. The statement states:

“It is not practical to implement improvements to further mitigate the risk to sensitive receptors due to IRAEs from the operation of the facility within the recommended buffer.

In the event of conflict with future residents, the operator of the facility will be faced with a choice between ceasing the operation of the facility at the Premises or purchase of affected residential land within the recommended separation distance.”

- Considering that the residents surrounding the site are *existing* and not *‘future’* as stated, the advice of the expert statement raises concerns to the

present impacts of IRAE's to nearby residents and indicates the likely inability of current operations to comply with EPA recommendations for separation of such facilities.

- These impacts and risks would reasonably be expected to increase with planned expansions.

6. Conclusion

237. Latrobe City Council's Live Work Latrobe project aims to re-frame and reconsider Latrobe City's assets, land use and development potential to position the City for a prosperous future.

238. The Live Work Latrobe project encompasses three distinct, yet complementary land use strategies (including a Housing Strategy, Industrial and Employment Strategy and Rural Land Use Strategy). Together, these strategies represent and support collaborative action being undertaken by government within the region.

239. These strategies seek to establish a 'whole of city', municipal-wide approach to land use planning that provide the basis for statutory planning controls and a framework for growth and new investment. Exhibited Amendment C105 is considered to give effect to the objectives and recommendations of each of the *Live Work Latrobe* Land Use Strategies.

240. The Amendment directly responds to identified 'strategic gaps' identified within the *2014 Planning Scheme Review*. This review concluded that the completion of projects including and *Industrial and Employment Strategy, Housing Strategy and Rural Land Use Strategy* were considered to be 'City-shaping' type projects, explaining that:

"...decisions to delay or not undertake these important strategic planning projects can have significant consequences for a municipality; and that,

"The inherent risk of delaying important strategic projects means that the City may miss out on future opportunities because of a failure to plan and facilitate. Accordingly, Council should regard these important strategic projects as being critical to the City's long term development."

(Source: 2014 Latrobe Planning Scheme Review, Keaney Planning / Glossop town planning).

241. Latrobe City Council responded proactively to the recommendations of the 2014 Planning Scheme Review, later commencing the Live Work Latrobe project in 2015. This commitment of Council has remained, with each of the Live Work Latrobe land use strategies being completed during 2017 and later exhibited by planning scheme Amendment C105 commencing March 2018.
242. Amendment C105 and the submissions received are now provided to the Planning Panel for consideration; along with number of post exhibition changes prepared in response to matters raised by submissions and further assessments which have since been completed.
243. The Amendment is considered to aid the further development and maturation of Latrobe City as Gippsland's Regional City by ensuring long term capacity for housing, support varied and locally sustaining employment, services for the region and infrastructure for growth.
244. The proposed amendment is considered to be consistent with the objectives of the State Planning Policy Framework and Local Planning Policy Framework contained within the Latrobe Planning Scheme.
245. Council appreciates the opportunity to present to the planning panel this important initiative for the municipality and broader *Economic Growth Zone* and look forward to receiving the panel's forthcoming recommendations.
246. This completes Latrobe City Council's Part B Submission to the Planning Panel.



Nathan Misiurka
Latrobe City Council



Lorrae Dukes
Latrobe City Council

Attachment 1: Additional information to Submission 80 (Sibelco)

Submission 80: Objection to policy encouraging the transition of industrial land south of Traralgon CBD.

Place: Dundar Rd/Jeanette Street Traralgon
Current land zone: Industrial 1 Zone
Proposed land zone: No change.
Clause(s): Clause 21.07 – Economic Development
Industrial Framework Plan at Clause 21.07-7.
Clause 21.02-10 - Substantial Change Areas
Clause 21.09-6 - Traralgon

Council response: Council supports the ongoing operation of industry on land referred to by the Submissions, as is afforded under the existing use rights at Clause 62.

It considered appropriate however to also identify long term policy and strategies to locate future industry investment in suitably positioned locations, as is identified by the exhibited land use strategies and Industrial Framework Plan at Clause 21.-7-1.

It is considered that whilst a residential development outcome may not be realised on the subject site, other uses could be achieved that are compatible with the future approved residential development to the north, south and west of the site.

1. Submission summary and context:

Sibelco is strongly opposed to any proposal that promotes the conversion of its Traralgon site and environs to residential or any other sensitive use. The main reasons for opposition are outlined below:

1. Sibelco intends to remain operating in its current location for the long term given that its Buchan limestone resource has an expected lifespan of some 100 years. Additionally significant capital investment in the plant and the cost of relocating it elsewhere.
2. The site is clearly not underutilised and benefits from the buffers provided by the surrounding industrial and rural zoned land.
3. Further additional residential encroachment will further reduce the buffers around the Sibelco plant. This will lead to substantially increased potential for adverse amenity impacts on these residences and create ongoing residential / industrial interface problems. It would be more appropriate to protect Sibelco's buffers by encouraging

the surrounding land to be developed by non-sensitive uses such as service industries with low potential for generating adverse off-site impacts.

4. Practicality of residential conversion – prior to any conversion to residential use, environmental auditing will need to demonstrate that these sites are suitable for sensitive land uses. If there is contamination, this will result in substantial costs in bringing the land to market, or indeed it may prove to be impractical to remediate the site.
5. Flaws in current policy (specifically the Traralgon Inner South Precinct Masterplan) in that it does not recognise the reality of the Sibelco site and its current planning permit for upgrading the plant.

It should be noted that TISP was endorsed 11 July 2011. Sibelco lodged their Permit in August 2011. They did advise of the upgrades in their submission to the TISP project at this time.

Amendment C105 identifies the industry precinct to the south of the site for long term transition for residential and other compatible uses in line with the amenity expectations of the area.

2. Site context:

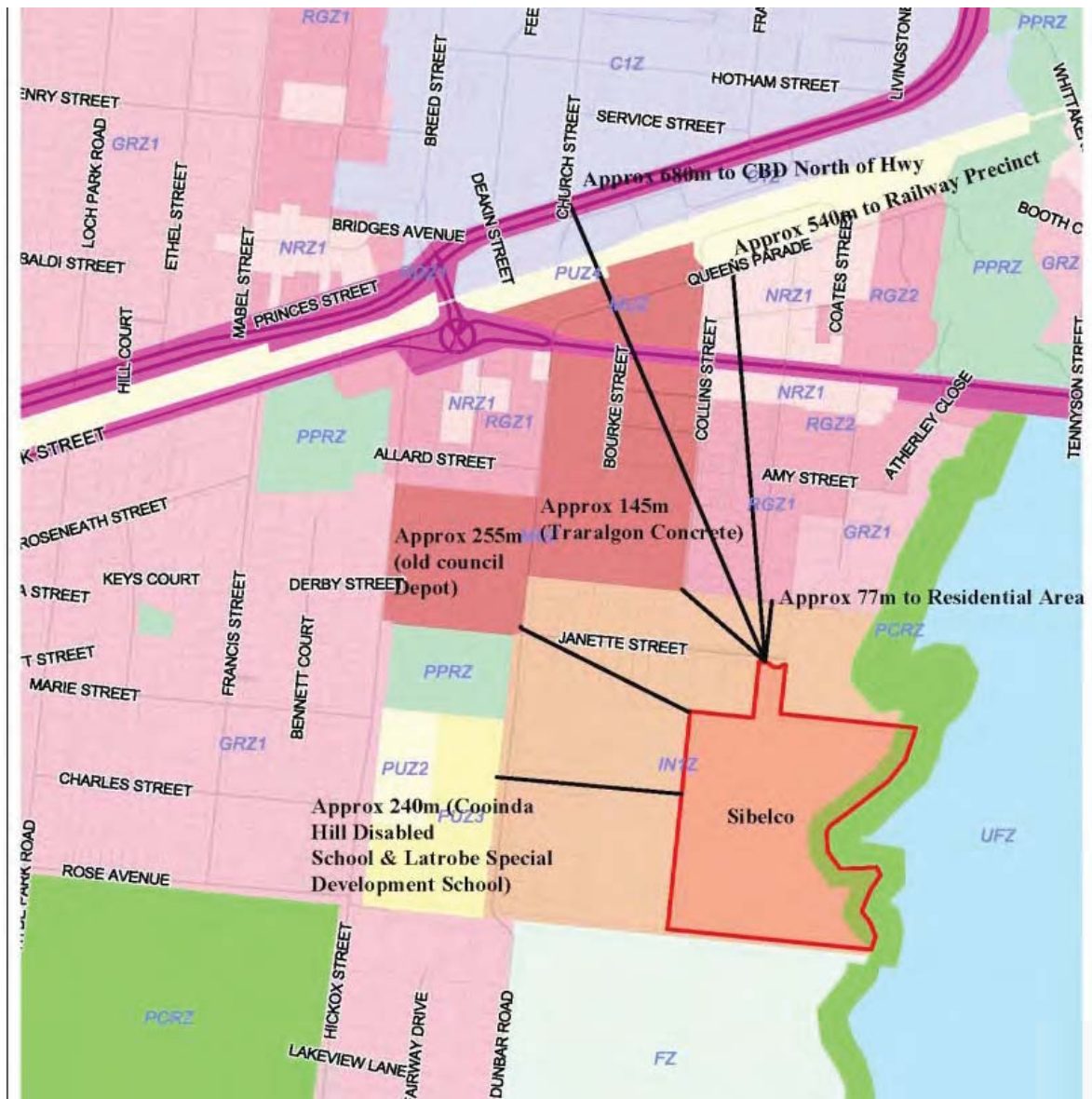
Sibelco own land at 28 Janette Street, Traralgon which is located approximately 700m south of the main Traralgon commercial precinct (see figure 1 – Site Plan below). The site is approximately 7.76 hectares in size. The land is zoned Industrial 1 Zone and is effected on the eastern boundary by the Flood Overlay and Land Subject to Inundation Overlay. The site is surrounded by residential land to the north, public land to the east (Traralgon Creek), farming land to the south and industrial land to the west.

The land is approx. 77m to the residential area to the north, 250m to developing residential land to the south west, 540m to the Traralgon Train Station and approx. 680m to the Traralgon CBD (North of the Highway). There are two specialist schools located approx. 240 to the west.

The site has operated as a carbonate (lime) processing and manufacturing facility since 1993 (owned then by David Mitchell Limited). Sibelco purchased the property in November 2002 and continued the operation of the facility. Prior to this the site was used for the production of cement products (operation commenced in approx. 1950). The continued use of the land is operating under historical use arrangements.

The plant operates 24 hours a day, seven days a week and is currently producing approximately 200 tonnes of saleable product per day (*according to Sibelco's C105 Submission*), a combination of both calcium carbonate and calcium oxide (quicklime). It is licensed by the Environment Protection Authority under Section 20 Licence No. 74667.

Figure 1 Site Plan and surrounding land use





(Image: Sibelco site 2017)

During the preparation of the Industrial and Employment Strategy, a site inspection was undertaken 8 February 2017 of the Sibelco site with representatives from Council's Planning and Economic development team, Planisphere consultancy, Sibelco Lime and their representative, Focus Consultants.



(Image: Site meeting held 8 February 2017).

Following further assessment of the site and its operations it is acknowledged that Sibelco is a 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.

3. Background to Policy Development for the South of Traralgon

Council has developed policy to support development in and around the CBD of the Traralgon since around 2002. Traralgon having the highest population growth, has meant that a lot of the policy development has been centred around Traralgon. Traralgon is highly constrained due to land use buffers such as coal and flooding. Additionally a large area of land set aside for residential growth in Traralgon was removed due to the proposed Traralgon Bypass. At around 2009 land supply was estimated to be approximately 6 years, consequently, there was a priority need for new areas for residential development, including the land to the south of the CBD which is in close proximity to public transport facilities and the Primary Activity Centre of Traralgon.

An overview of policy prepared between 2002 and 2018 is listed within the table below:

Table 1 Policy developed between 2002 and 2018:

Policy Developed	Year	Year Adopted
Latrobe Transit Centred Precincts	2002	2004/2006
Latrobe Structure Plans	2004	2007
Amendment C62 (MSS Review plus Transit Cities and Structure Plans)	2007	2009
Traralgon Inner South Precinct (TISP)	2008	2011
Traralgon Growth Areas Review (TGAR)	2009	2013
Amendment C84 (New Residential Zones)	2013	2014
Amendment C87 (TGAR)	2013	2017
Amendment C105 (Live Work Latrobe Housing, Rural Living & Industrial Strategies)	2015	Current

Two other projects have been undertaken the Traralgon Station Precinct Master Plan (TSPM) 2011 and the Amendment C106 Part 2 - Traralgon Activity Centre Plan (TACP) 2018. Although these two studies did not include the land owned by Sibelco, they provide additional context to the existing policy direction to the southern area of Traralgon.

Sibelco has been actively involved with the above policy development and have made submissions to project/amendments and have been heard through panel processes.

A detailed description of the above policy listed in Table 1, and how each relates to the Sibelco site and prior participation (including submissions and panel information) can be found at Appendix 1 to this response.

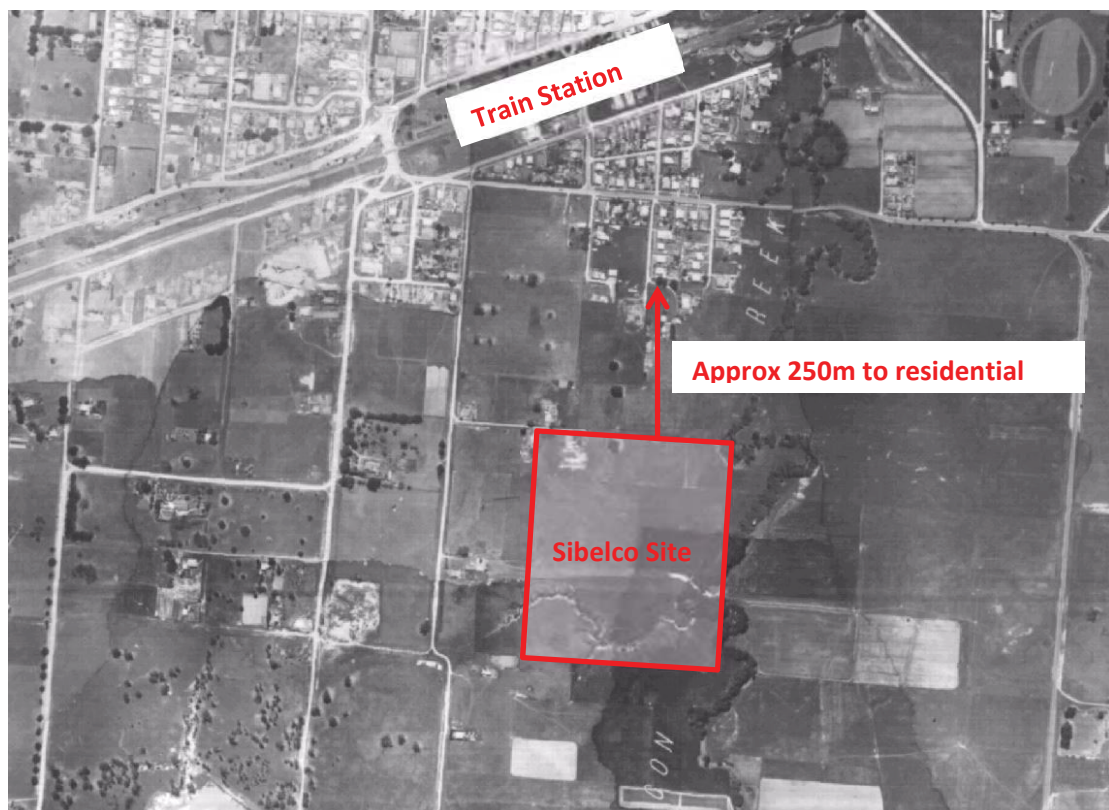
4. Historical Land Use to the South of the CBD

Records suggest that operations commenced on the Sibelco site (for cement products) in approx. 1950, thus the continued use of the land is operating under historical use arrangements.

It is noted that the buffer distance applicable to an industry such as Sibelco under EPA AQ2/86 and Clause 53.10 (old 52.10) of the VPPs as being 500m (based on annual output and its equivalence to cement manufacturing).

As can be seen from the aerial imagery, there has long been limited separation between the residential and industrial land zoning. Residential development had already occurred within 250m to the north (within a residential zone) prior to the establishment of the concrete plant in 1950 (see Figure 2 over page).

Figure 2 - Traralgon 1946



This residential growth continued into the 1980's, 1990's and then again in 2004 with new residential development taking place to the north. A school was also developed approx. 240m to the west of the plant (see Figure 3 and 4 below).

Figure 3 - Traralgon Mid 1980's



Figure 4 - Traralgon 2017



5. New Residential Development

The residential subdivision to the south-west was approved in 1996 (permit 96/0265/PS).

The new residential land to the north (Harney Place - 11 lot residential subdivision) was lodged with Council in January 2003. Notice of the application was given in April 2003. Sibelco (at the time David Mitchel (Vic) Pty Ltd – Unimin was in the process of purchasing the facility) lodged an objection to the proposal outlining the possible amenity impacts to the purchasers of the new lots (mainly, traffic, noise, air and visual). They requested a formal notation be developed covering the amenity issues outlined. A section 173 Agreement was drafted outlining that:

- a) *The land is adjacent to an established industrial area.*
- b) *That residential land adjacent to industrial uses may experience a reduced level of amenity in comparison to other residential areas.*

The Environment Protection Authority (EPA) made a late submission on 5 May 2003 advising that they had been made aware of the proposal and had concerns that locating additional residential development near Sibelco site would lead to more complaints. Advising Council that there has been a “considerable amount of dust and noise complaints from industry located in the adjoining estate”. Additionally they recommended including conditions

in the permit to prepare a 173 Agreement that would provide for tangible outcomes for mitigating the amenity reducing impacts, such as double glazing, acoustic door seals, sound barriers etc. They saw the application of a 173 Agreement as “*an opportunity to further assist with the possible impact of noise on the residence by including noise controls into the dwellings and estate*”.

A revised 173 Agreement was produced which included the above but also added additional requirements at the request of David Mitchel (Vic) Pty Ltd and the EPA for a 2.4m wood acoustic fence and a 5m landscaping buffer to properties along the southern boundary. Additionally all dwelling were to be provided with double glazed windows and external acoustic door seals.

Unimin confirmed on the 30 June 2003 that they were satisfied with the conditions on the permit and the draft 173 Agreement. The permit was subsequently issued on the 10 July 2003.

Since 2003 there has been additional residential development within the existing residential area south of the CBD. Figure 5 below shows approved residential development and subdivisions (infill) to date.

Figure 5 - Approved residential development and subdivisions



6. Current Planning Permits

On the 11 August 2011 Sibelco lodged a planning permit application for various buildings and works to be undertaken and constructed as part of a proposed \$25 million upgrade of the plant. The works included (but not limited to) the upgrade to Kiln 1 and the recommissioning of Kiln 2 and the relocation of the discharge stack (including a new best practice dust collector and off gas cooler), install hydration plant and robotic packaging unit, construct new buildings reclad some existing buildings.

Council received one objection to the application, which stated the application was in breach of land use zoning and that the applicant has wrongly applied 'existing use rights' to allow the continuing operation and expansion of the plant. On 5th March 2012, Latrobe City Council granted Planning Permit No. 2011/272, concluding that following a detailed analysis of the proposal, the subject site has existing use rights, which can intensify provided there is no material change in the type of activities occurring onsite. In this case the production capacity is changing with no material change in use. Additionally the recent land release as part of Ministerial Amendment C58, also further reduced the immediate pressure to transition this area of land to facilitate residential development.

The original application indicated that upgrades would commence by 2011 (Stage 1) with Stage 2 in 2012 and Stage 3 in 2013. As permits (both Council and EPA) were not issued until 2012 the timeframe for Stage 1 were delayed until 2012. Council has issued two extensions of time to the permit, in April 2015 and more recently October 2018. The permit will now expire on 15 March 2021.

7. EPA Works Approval

In conjunction with the Planning Permit, Sibelco lodged an Application for Works Approval with the EPA in August 2011 (approved 12 January 2012). In their application they outline the proposed upgrades at \$20 million which is somewhat less than that outlined in the Planning Permit Application.

Within Section 3.2 (Planning and Other Approvals) of the Application for Works Approval Sibelco state that; *"The most recent Traralgon Inner South Precinct Master Plan released by the Latrobe City Council does not propose to change the zoning for the site from Industrial 1.*

Potential re-zoning was indicated in a previous Master Plan. The Master Plan also does not propose any re-zoning of adjacent land for land uses that could be incompatible with the Sibelco operations, i.e. residential. There is no current proposal to develop the land directly to the south for residential use”.

The statement above is inaccurate; although TISP did not propose any immediate rezoning's it clearly identify the area for transition into the future. The Master Plan identified the existing Mixed Use Zone area (north and north-west of the industrial area as '*Future Medium Density residential (subject planning assessment and approval)*'). TISP also outlined clear planning and design principles to:

- 2. Introduce housing into the precinct, at a density that reflects its proximity to central Traralgon and transport networks.*
- 6. Encourage a variety of lot and housing sizes at a higher density than the residential average for Traralgon.*
- 7. Ensure that the transition of the precinct from industrial to residential is undertaken in a coordinated and staged manner which acknowledges and respects existing industrial businesses operating within the precinct, and where appropriate facilitates their relocation to Traralgon's eastern industrial precinct, or other preferred location.*
- 8. New residential developments within the industrial threshold distance should ensure appropriate consideration of potential pollution and contamination issues, potentially using screening or vegetative buffers as a boundary between the two uses.*
- 12. Discourage the establishment of, or significant expansion of highly offensive uses in the industrial area which may detrimentally affect the safety and amenity of more sensitive land uses.*

TISP does however acknowledge that a number of processes will need to occur in order for residential development to proceed in the precinct, one of these being the preparation of an industrial land use strategy for Latrobe City which has now been undertaken as part of Amendment C105.

The proposal (for works approval) was subject of two community meetings one in January 2011 and one in September 2011. These were attended by approximately 30 residents and 10 residents respectfully. Council also met with Sibelco on 13 January 2011 to discuss the work in detail. At this meeting they discussed the Traralgon Inner South Precinct Master Plan. It was stated that Sibelco need to be conscious of the proposed works with regard to potential buffer reductions and that Council and Sibelco need to work together on this issue. Sibelco advised of their intention to do this.

In the summary of the assessment of the works approval application, it is outlined by the EPA that despite an increase of 150% in the sites production capacity, impacts from all

emissions will comply with SEPP (AQM) design criteria (source: Council Report 5 March 2012).

8. Recorded Complaints from industry precinct (including Sibelco)

In September 2010, Sibelco was issued with a Pollution Abatement Notice (PAN) for the Traralgon site by EPA. The PAN was issued in response to EPA concerns regarding the management of dust, lime and sediment at the site.

According to Sibelco's, EPA Works Application:

"...for the period November 2008 to May 2011 Sibelco received 12 complaints. Of these, none were received in 2010. Three complaints related to dust and the remaining nine to noise emissions.

Noise from the existing and proposed facility operations was estimated using a computer simulation model, and accounted for meteorological effects, atmospheric conditions, ground effects and screening provided by on-site buildings. The results of the assessment show that whilst the existing site is not currently in compliance with the noise limits for the operations, the proposed operations will comply with the noise mitigation measures in place."

It also stated that:

"...the minimum recommended buffer distance between cement facilities (in absence of a specific buffer specification for limestone manufacturing) and residential areas for this category is 500 m. Current buffer distance is less than 500m; however the site operations satisfy the criteria for a site."

Discussion provided within the Sibelco EPA works approval application regarding truck movements is as follows:

"Currently there are typically 22 truck movements per day at the facility. This is divided into typically 5 trucks (B-doubles) unloading stone product, and 6 trucks (mainly singles) loading product. Generally two-thirds of these truck movements occur during the office hours between 9am and 5pm Monday to Friday, with some

unloading taking place during weekends and out-of-office hours. It is estimated that at full capacity proposed truck movements are to include 18 trucks per day unloading stone and 19 trucks per day loading product (total of 74 movements per day). Two-thirds of the stone unloaded will be located in the Stone Feed Storage Building, with the remaining one-third being unloaded in the external area in the north-east corner of the site. Noise emissions from truck unloading at night in the external storage area will potentially be the most intrusive to residences, and so to control this a 3m high noise barrier is to be constructed along the north-east boundary and trucks will not be allowed to unload in the external storage area between 7pm and 7am.”

Council has received several complaints within the broader industry area including issues such as;

- people residing in industrial sheds;
- amenity issues such as lawns, weeds, fencing, hoarding, unsightly properties and animal keeping (noise, smell and animals straying).

The exhibited *Industrial and Employment Strategy* identifies actions to improve the overall appearance of the area as did TISP.

9. Clause 53.10 (Uses with Adverse Amenity Potential)

The buffer distance applicable to an industry such as Sibelco under EPA AQ2/86 and Clause 53.10 (formerly 52.10) of the VPPs as being 500m (based on annual output and its equivalence to cement manufacturing). See below extract from Clause 53.10.

Extract from Clause 53.10

Non-metallic Mineral Products	
Bitumen batching plant:	500
Cement production in amounts:	
▪ up to 5,000 tonnes a year	300
▪ between 5,000 & 150,000 tonnes a year	500
▪ exceeding 150,000 tonnes a year	1,000

The 500m buffer is based on the output or tonnage; in this case Sibelco in their 2011 Planning Permit Application indicated that currently they were producing 190 tonnes per day. With the proposed upgrades Kiln 1 would do approx. 100 tonnes per day and Kiln 2 will do approx. 150 tonnes per day, totalling 250 tonnes per day.

However, Sibelco's EPA Works Application at Section 6.1.5.1 Lime Production states; the upgrade will increase the supply of lime from 35,000 tonnes per annum to 87,500 tonnes per annum. This means that currently they are only producing approx. 100 tonnes per day (not 190 as stated in the Sibelco's planning permit application).

Post upgrades it is stated that the operation would be producing approx. 240 tonnes per day which is in line with the planning permit application.

Sibelco's submission to Amendment C105 states currently they are producing approx. 200 tonnes per day, (not the 100 as stated in the EPA Works Application) which equates to approx. 73,000 tonnes per year (not 35,000) and with the upgrade they would produce approx. 250 tonnes per day which equates to 91,250 tonnes per year (not 87,500). It is unclear as to the reasons for the discrepancy in output figures provided by Sibelco.

10. Current Planning Scheme and Amendment C105 - Live Work Latrobe

Both the exhibited *Industrial and Employment Land Use Strategy* and *Housing Strategy* strategies provide commentary and directions 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.

The Industrial and Employment Strategy provides the following commentary specific to Sibelco at Section 4.4.:

"Sibelco Lime Plant, located approximately 1.5 kilometres south of Traralgon, has been in the area for many years. However, residential development has encroached on the site's 500m buffer, constraining its operational hours and requiring significant mitigation and management of on and off site impacts. It is acknowledged that Sibelco is a regionally significant industry that have made significant improvements onsite in recent years. Notwithstanding it is recommended that over the longer term, Council in partnership with the Latrobe Valley Authority explore opportunities to facilitate the site's transition to a more appropriate use given its surrounding context. There may be potential to explore its relocation, noting that the City has a number of more suitable and

unconstrained sites which would meet the long term requirements of this industry. In the meantime it recommended that the Environmental Audit Overlay is applied to the site to ensure the appropriate management of the site through its future land use transition.”

The Council adopted *Traralgon Inner South Master Plan* (November 2010) and current *Traralgon Structure Plan* included within the Latrobe Planning Scheme presently identify the eventual transition of the area providing the following direction:

“Encourage the early transition of industrial land uses in the southern parts of the Transit City Precinct to enable the conversion of land to residential uses.”

Similarly, the exhibited Planning Scheme Amendment includes the following policy direction:

“ Encourage the early transition of industrial land uses in the southern parts of the Transit City Precinct (Area 8a) (industry land south of Traralgon CBD) to enable the conversion of land to uses that will benefit from the close proximity to the Traralgon Activity Centre;

and

“Discourage housing intensification south of Shakespeare Street Traralgon, until existing industrial development located to the south (Area 8 within the Traralgon Structure Plan) transitions to more compatible uses.”

The exhibited Clause 21.10 also provides the following direction:

“Identify locations and apply the Environmental Audit Overlay, considering sites including former landfill sites, fuel depots or industry locations identified for transition.”

11. Recommendation:

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 *Industrial Framework Plan* at Clause 21.-7-1.

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), in so far as existing use rights remain.

Significant expansion or increase in operations would however likely be discouraged (beyond what is permitted). This is due in part to the issue of increased movement of large trucks (including b-doubles) accessing the site via narrow residential streets and potential for off-site amenity impacts likely to impact existing developed residential areas.

The introduction of policy to guide other future industry (not related to Sibelco) in this location is also considered necessary and appropriate to avoid likely future amenity impacts resulting from this industry precinct to surrounding residential uses.

**APPENDIX TO ATTACHMENT 1: Further information provided to
assist Panel in its consideration of Submission 80 (SIBELCO)**

BACKGROUND TO LAND SOUTH OF TRARALGON CBD AND POLICY TO TRANSITION IT TO RESIDENTIAL

LATROBE TRANSIT CENTRED PRECINCTS 2004 AND 2006 (note – this study did not include land owned by Sibelco but provides context to the historical policy direction to transition the southern area of Traralgon to residential)

The Latrobe Transit Centred Precincts Urban Renewal Frameworks and Master Plans project was initiated by the Department of Infrastructure (DOI) as part of the *Transit Cities* program in 2002. The primary purpose of the program, and a key direction of the Victorian Government's *Melbourne 2030* strategy, is to create safe, vibrant and accessible communities by establishing more compact and vibrant town centres that are linked by

effective public transport networks – specifically, high quality rail links. The identification of the Latrobe Valley as one of the thirteen 'transit cities' builds on the inclusion of the Melbourne-Traralgon railway line in the *Regional Fast Rail* program. In particular, the project aimed to capitalise on the improved services and faster journey times that the *Regional Fast Rail* project will offer to improve the liveability of Moe, Morwell and Traralgon and, ultimately, their economic vitality.

This important study cemented the idea of the connected 'transit cities' within the Latrobe Valley and produced a 'town summary' for each of the three towns (Moe, Morwell and Traralgon). Within the study, a variation on Council's 'networked city' was established, with Traralgon designated as the 'Regional Flagship'. Six objectives and five directions were identified for the Traralgon, ones relevant to Amendment C105 are listed below:

Objectives (relevant):

1. A new urban lifestyle – involving increased densities to the south of the railway station.
2. Better housing options – increased densities to the edges of the transit city, including for the elderly.

Directions (relevant):

1. Direction 3 – The Station Surrounds: Transit-centred & urban lifestyle development.
2. Direction 5 – The Precinct Edge: More housing close to transport and services.

Vision – Key Outcomes

A New Urban Lifestyle

An attractive and distinctive urban lifestyle area will emerge just south of the station, capitalising on vacant and underutilised land and incorporating a vibrant urban lifestyle hub at the western end of Queens Parade, providing the staples of modern life and a focus for social activity. The area will contain new, high quality apartments in high quality settings, responding to an increasing desire - particularly from 'empty nesters', executive labour (permanent and temporary residents), university or TAFE students, and other smaller household types such as single women and lone parent families - to live close to services and activities.

Direction 3

Strategies (relevant):

S6.3.1 Promote higher-density residential and mixed-use development in the station surrounds

Direction 5

Strategies:

S6.5.1 Promote the development of medium-density housing or elderly persons accommodation on the fringe of the transit precinct.

Actions:

A3.3.4 Rezone the Residential 1 zoned area between the station and industrial land to its south, and between Hickox Street and the Traralgon Creek, to Residential 2 Zone.

AMENDMENT C62 – MUNICIPAL STRATEGIC STATEMENT (MSS) REVIEW - 2009

Amendment C62 to the Latrobe Planning Scheme comprised a new Local Planning Policy Framework (LPPF) with a revised MSS at Clause 21 and deletion of local policies at Clause 22. The amendment was required to closer align Latrobe Planning Scheme with Latrobe 2021, Council Plan, Latrobe Transit Centred Precincts Reports 2004 and 2006 and the Latrobe Structure Plans August 2007. Additionally the currently available land supply for

residential development in Traralgon was to be consumed within approximately all 6 years. Consequently, there was a priority need for new areas for residential development, and

accordingly areas were identified in the Structure Plan as the basis for future rezonings to meet this need. The areas identified were expected to provide an additional 18 – 22 years of supply to the Traralgon market.

The Traralgon Structure Plan was exhibited as part of C62. The Structure Plan for Traralgon identifies a large area of new “Future Industrial” land to the north-east of the town (Area 10). Council made ample provision for future industrial needs however in doing so; there was a clear policy direction that at least some of the current development south of the Traralgon CBD (Area 3) would relocate over time to this new area (Area 10).

The formal exhibition of C62 took place during October 2008.

Submission to C62

Unimin (now Sibelco) were given direct notification of the amendment and subsequently made a submission to C62 on the 11 December 2008 opposing the amendment specifically in relation to Area 3:

- Lacks support from the SPPF
- Lacks sufficient strategic analysis of industry’s needs or industry strategy for the municipality
- Does not include assessment of net community benefit from the proposed strategy
- Fails to recognise the employment and economic contribution of the industries such as Unimin, and
- Did not include adequate consultation with industry including specifically Unimin.

The EPA also made a submission to C62 on the 12 December 2008 generally supporting the proposals however they did outline concerns with the objectives to encourage residential development within the proximity of the Unimin Plant and the likely rise of complaints due to reduced amenity.

Panel Hearing

On 16 March 2009 a Council Report was prepared to present submissions to C62 and request the appointment of a Planning Panel. The Panel Hearing took place in July 2009.

Unimin presented that *significant investment has been undertaken in recent times by Unimin at its Janette Street property including new filtration equipment following a major kiln upgrade. A similar upgrade to the second (existing) kiln is proposed in the near future; this will lift daily output of the lime-based products from around 80 to 200 tonnes. It was agreed between the parties that the present truck movements of approximately 12 semi-trailers and B-doubles daily would rise to around 32 per day under the increased output scenario proposed.*

The plant operates 24 hours a day for the full year; its economic contribution to the region in wages and other expenditure is around \$4.5m. The kiln upgrade is estimated to cost around \$12.5M and is proposed for the 2009/10 financial year.

Council submitted that *the site was just outside the Transit City Precinct and in order to meet the housing challenges for Traralgon, a strategy is being put in place to provide housing closer to the central activities area. He added that even after a rezoning, existing operators would enjoy existing use rights. He also noted that “There is no plan to force landowners off their land. However, there are clear planning signals being sent out that the locality is one where the future is not industrial.*

In Councils closing response they reiterated that *with the existing physical constraints such as the coal buffers around the town, it was important to ensure that “...constraints within the town do not unduly restrain the capacity of the town to provide housing..”. Further, the actual area affected by Unimin due to its buffer requirement of 500 metres was far greater than the actual site it occupied, and this is not tenable when other constraints to growth exist.*

Panel Discussion, Findings and Recommendations (specific findings in relation to Area 3) are outlined below:

The proposal for Area 3 is said to respond on one level to an immediate need for residential land in Traralgon..... What is apparent however is that at the same time as this short-term need is acknowledged, the proposal to redevelop the Area 3 land for residential use is of necessity a long-term matter. In the meantime, the Council is pursuing other options including the new Traralgon Growth Areas Study that may identify new opportunities not previously considered for Traralgon’s residential land needs.

We concur that in the long term, the Area 3 land has potential for residential development (subject to resolution of the contamination issues) and that this may be a desirable outcome for Traralgon. The proximity to the CBD and the Transit City Precinct are important location advantages of the land. In addition, other residential development has occurred within the existing buffer distances for the Unimin plant albeit some of this clearly occurred in times prior to the EPA's current guidelines, and some possibly existed before the plant was in existence around 1950.

We find that without an industry strategy which supports the cessation of industrial uses at Area 3, the justification for a transition to residential use at this location has not been established. Accordingly, the designation of Area 3 (including the Farming Zone land to the south of the industrial area) in the Traralgon Structure Plan as "future residential land" is premature, and should be removed.

Panel Recommendations:

- *The designation of Area 3 in the Traralgon Structure Plan as "Future Residential" should be deleted. The plans should reflect current land uses with notation that the future land uses should be further investigated subsequent to a detailed assessment of industrial land requirements for Traralgon.*
- *Text in the exhibited Traralgon section of Clause 21.04 – 5 be amended as follows:*
 - *Delete dot point six under the Residential heading that currently contains the words "Rezone industrial and farming land in Area 3 to Residential"*
 - *Amend Dot point 3 under the Residential heading to delete reference to Area 3, relating to flood mitigation of future residential areas.*
 - *Amend dot point 1 under the Industrial heading to delete the existing strategy to relocate industry and replace it with a new dot point to say:*

"review the existing industrial area of Janette Street / Dunbar Road, with a view to confirming the role and viability of this area as service industrial development or conversion to residential development." Or words to this effect.

- *Delete the last dot point under the Industry heading to discourage further development and/or replacement of existing businesses within Area 3.*

Changes to Clause 21.04-5:

C62 As Exhibited Clause 21.04-5 (in relation to Traralgon):

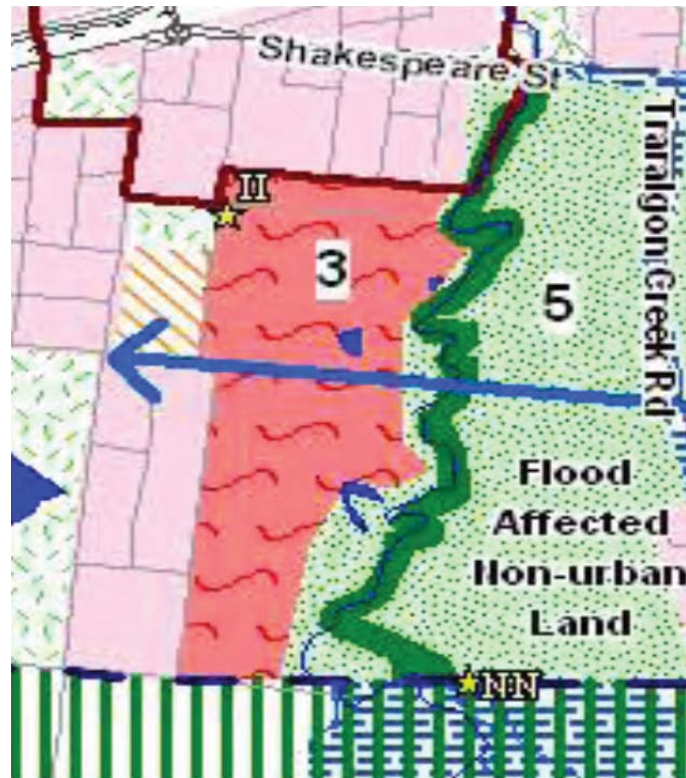
The exhibited amendment included a number of policy references to Area 3 identifying the area as a location for future residential development with existing industrial uses being located away from the area. In particular this included reference to:

Residential:

- Where appropriate, mitigate flooding and encourage residential development within Areas 1, 3, 11, and 12.

Industrial:

- Maintain industries until they close or relocate, but discourage further significant development and/ or replacement of existing industry in 'industrial to residential transition' Area 3.
- Encourage existing industry in Area 3 that have interface conflict issues with sensitive uses to relocate to the industrial precincts in Area 10.
- Discourage further development and/or replacement of existing industrial businesses within Area 3.



C62 Exhibited Area 3 in Traralgon Structure Plan (future residential)

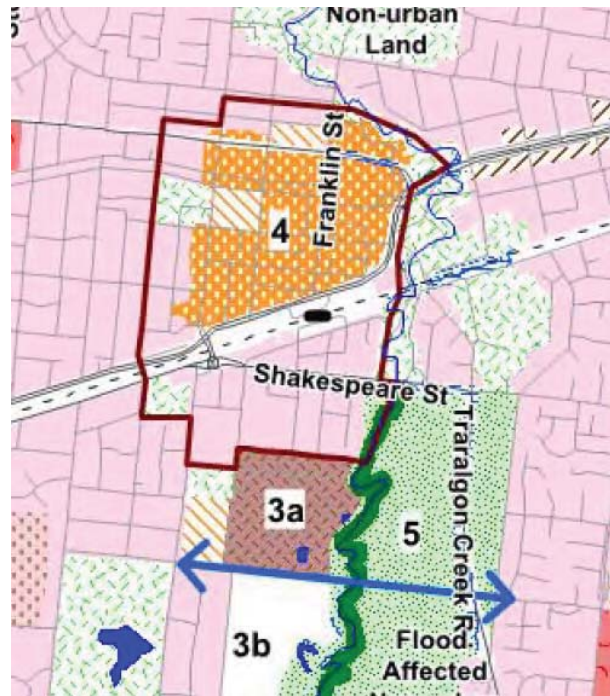
C62 As Adopted Final Clause 21.05 Main Towns (old 21.04-5):

Residential:

- *Where appropriate, mitigate flooding and encourage residential development within Areas 1, 11, and 12.*
- *Future land uses and zoning in Areas 3a and 3b should be investigated subsequent to a detailed assessment of industrial land requirements for Traralgon as part of an industrial strategy.*

Industrial:

- *Encourage the early transition of industrial land uses in the southern parts of the Transit City Precinct to enable the conversion of land to residential uses.*
- *Review the existing industrial area of Janette Street/ Dunbar Road (Area 3a), with a view to confirming the role and viability of this area as service industrial development or conversion to residential development.*



C62 Adopted Area 3a (existing industrial) in revised Traralgon Structure Plan

The Panel Report was presented to Council on 16 November 2009 where Amendment C62 was formally adopted by Council.

(Work on TISP was delayed to await further direction/outcome of the C62 Planning Panel hearing).

TRARALGON INNER SOUTH PRECINCT MASTER PLAN (TISP)

The TISP was initiated in 2008 by the Victorian Government's commitment to ensure that there is adequate land readily available in regional centres for residential and employment creating uses. The project was implemented through the Regional Towns Development Program, managed by the Department of Planning and Community Development (DPCD). In Traralgon it considered the conversion of former industrial land towards medium density residential living and investigated options for mixed use to complement Transit Cities projects.

The TISP study area was identified in both the Latrobe Transit Centred Precincts Report 2004 and the Traralgon Structure Plan 2007 as a possible site to implement the transformation from industrial and mixed use to a higher density residential use.



The production of TISP was also a fundamental direction of Amendment C62. The Traralgon Structure Plan, which was exhibited as part of Amendment C62, had initially identified the entire study area (i.e. the TISP), as being suitable for transition from a predominantly industrial land use to a residential land use. However, after receiving submissions from the community and current landowners within the precinct regarding this direction, and consideration of these submissions by a Planning Panel, the Traralgon Structure Plan was subsequently amended.

These amendments to the structure plan resulted in only part of the TISP being identified for residential purposes, pending the completion of an industrial land use strategy. This resulted in significant changes and reworking of the TISP.

Following a number of alterations and reiterations (with Stakeholder input), a revised draft of the TISP was presented to Councillors for information on 25 October 2010 and was released for community consultation during February 2011 for four weeks. (NOTE: there was a delay in releasing TISP for community consultation until after completion of Traralgon Activity Centre Plan (TACP) community consultation).

The vision for TSIP was for the area to *become a valuable supply of residential land in the long term as Traralgon's population continues to grow.....and to allow for residential uses and industrial activity to co-exist in a way that is not detrimental to residential amenity and streetscape attractiveness.*

Objectives to achieve the vision are:

- Ensure that the transition of the precinct from industrial to residential is undertaken in a coordinated and staged manner which acknowledges and respects existing industrial businesses operating within the precinct, and where appropriate facilitates their relocation to Traralgon's eastern industrial precinct, or other preferred location.
- New residential developments within the industrial threshold distance should ensure appropriate consideration of potential pollution and contamination issues, potentially using screening or vegetative buffers as a boundary between the two uses.
- Discourage the establishment of, or significant expansion of highly offensive uses in the industrial area which may detrimentally affect the safety and amenity of more sensitive land uses.

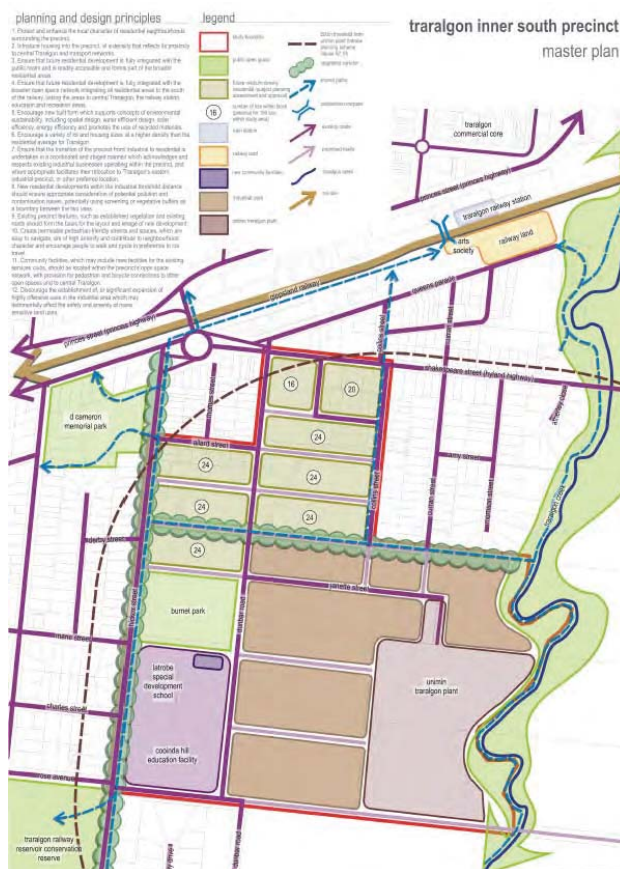
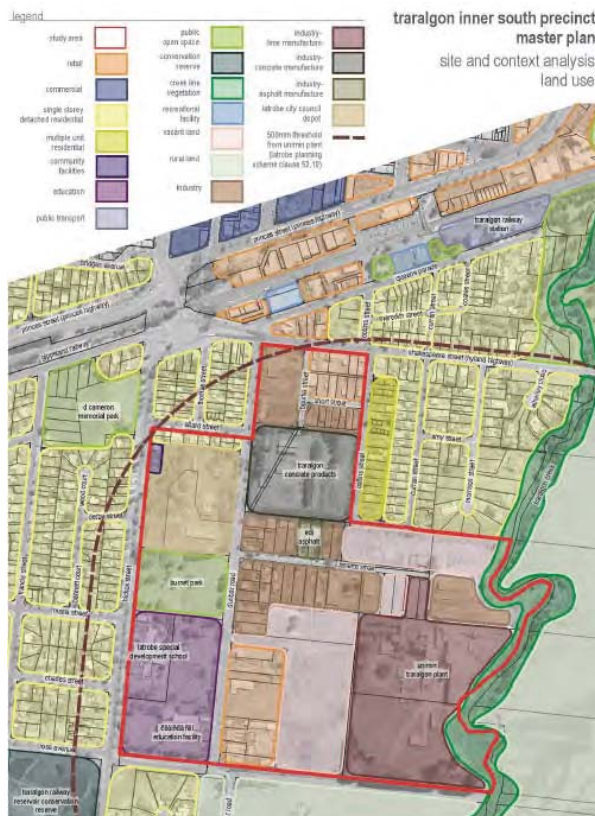
An industrial study was also identified as being required before Council's long term vision to transform the whole precinct into residential can begin to be considered.

The industrial land located within the TISP had been labelled Area 3a (within the Traralgon Structure Plan) and identified as existing industrial land with an objective for possible conversion to future residential, subject to further investigation.

In regards to industrial land, TISP outlined that to implement the master plan in the short to medium term to:

- Allow the land to the east of Dunbar Road to the south of the proposed residential blocks (Area 3a) to continue its industrial activities until future land uses are further investigated through a detailed assessment of Traralgon's industrial land requirements. This industrial area includes the large industrial facility of Unimin, which will be allowed to continue its current operations under its EPA license.

- Prevent the establishment or significant expansion of any highly offensive uses in the industrial area. Non-offensive industrial uses however can continue, thus ensuring that development opportunities are not blocked in the short to medium term. Development opportunities that may be suitable for this area would be activities and businesses that do not affect the safety and amenity of the adjacent, more sensitive land uses and require minimal infrastructure.



Submissions to TISP:

Council received only three submissions to TISP. Sibelco were given direct notification of the amendment and subsequently made a submission on 16 March 2011. Their concerns specifically related to:

- Additional housing within 500m of the Sibelco Plant and the assumption that new housing within the buffer can be appropriately protected from off amenity impacts.
- Transition of the precinct to residential – Sibelco intend to remain at the existing site long term.
- Issues surrounding land contamination and its suitability or transition to residential.
- The adoption of TISP as being ‘premature’ until such time as an industrial study is completed.
- Cost of relocating to another site is believed to be prohibitive and if the plant closes it will have a substantive negative impact on the local and regional community.

Councils Response:

- There are existing examples in the precinct of residential areas within the 500m buffer where amenity impacts have been addressed by formal agreement between landowners and Council (see Harney Court Subdivision & 173).
- The Master Plan provides a long term vision for the transitioning the area from industrial and mixed use to a higher residential use.
- The short-medium term plan identifies the future medium density residential area builds upon existing residential frontage along Allard Street and extends across land currently zoned mixed use. This land does not require rezoning for residential development and also provides some flexibility depending on the outcome of further contamination assessments and EPA assessments.
- SPPF Clause 17.02-1 aims to ensure availability of land for industry. Clause 17.02-2 aims to protect land for industry of state significance. The Master Plan retains all existing industrial land in the short-medium term until further strategic work is undertaken and transition options are identified for the longer term.
- Page 47 of the Master Plan states: *“Allow the land to the east of Dunbar Road to the south of the proposed residential blocks to continue its industrial activities until future land uses are further investigated through a detailed assessment of Traralgon’s*

industrial land requirements. This industrial land area includes the large industrial facility of Unimin (now silbelco), which will be allowed to continue its current operations under its EPA license”.

All submissions to TISP were presented to Council at the 11 July 2011 Ordinary Council Meeting, where it was formally adopted:

RECOMMENDATION:

1. That Council adopt the Traralgon Inner South Precinct Master Plan July 2011.
2. That Council consider the outcome of the proposed Industrial Land Use Strategy before proceeding with a planning scheme amendment for the TISP Master Plan.
3. That the Mayor writes to those persons who made written submissions to thank them for their contribution and notify them of Councils decision.

AMENDMENT C84 – NEW RESIDENTIAL ZONES

Council introduced the new residential zones to the main townships of Traralgon, Morwell, Moe and Churchill via Amendment C84 in June 2014. This amendment was facilitated by the Minister, who appointed an advisory committee to review and guide implementation. Limited notification was provided via local notification provided in local newspapers.

Prior to this amendment the Residential Zone – Schedule 1 applied to the residential land to the north, west and south.

The new zones were applied in the south of Traralgon in the following manner:

- Residential Growth Zone 1 to designated Transit City Areas, or generally within 400m of Activity centres.
- Residential Growth Zone 2 to the Railway, Queens Parade and Shakespeare Street Heritage Precinct in Traralgon and inclusion of a mandatory nine metre mandatory height limit.
- Neighbourhood Residential Zone 1 to areas affected by heritage and environmental constraints, such as flooding.

The Panel Report for Amendment C84 noted that further strategic work is required to refine housing policies which may result in changes to the zones or introduction of local content in the zone schedules.

TRARALGON GROWTH AREAS REVIEW (TGAR) – COMMENCED 2009

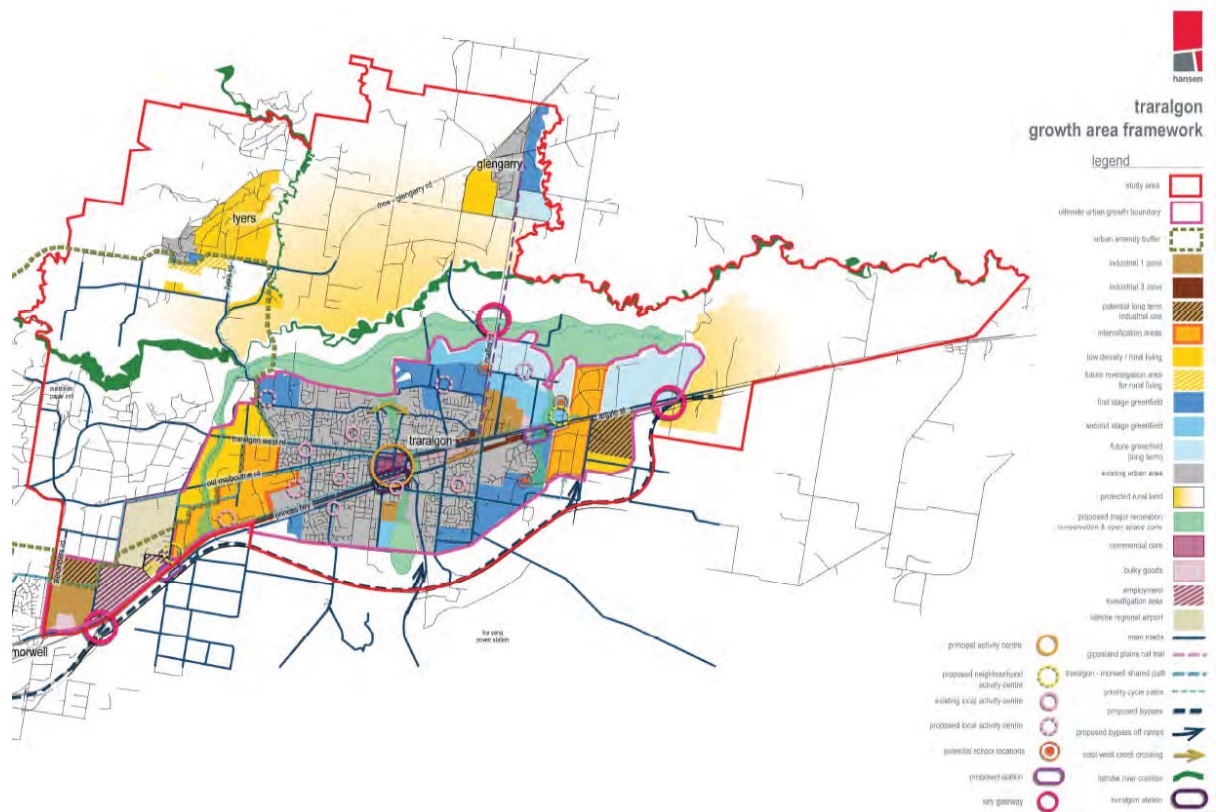
The need for the project had arisen as a consequence of the State Government's decision to locate the future Traralgon Bypass along its northernmost alignment, thus affecting land that had previously been identified as Traralgon's major urban growth corridor.

TGAR:

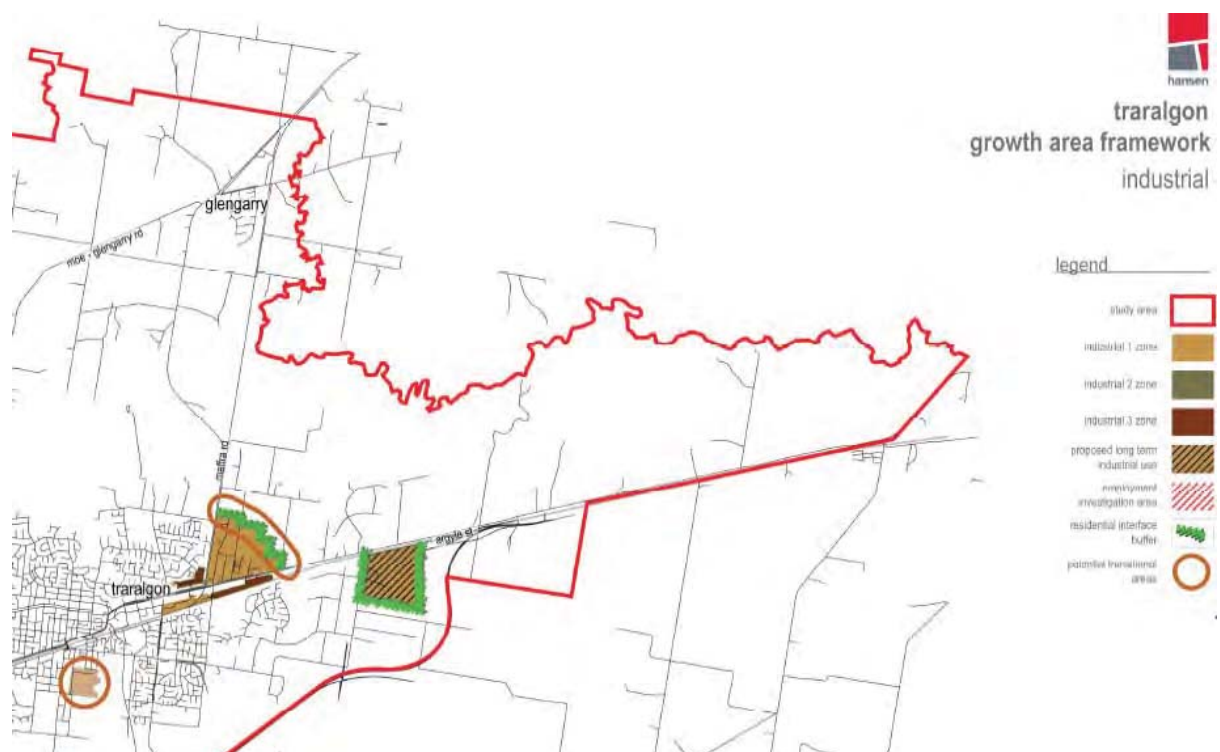
- Prepared a Growth Area Framework for Traralgon and surrounding areas including Glengarry and Tyers; and
- Prepared a more detailed Structure Plan for an area to the north of the existing Princes Highway between Traralgon and Morwell (the *Traralgon West Structure Plan*).

Opportunities for the long term growth and expansion of Traralgon are heavily constrained and Latrobe City Council did not presently have a long term urban growth strategy for the town. The project sought to provide a framework for growth until 2051, allowing strategic decisions to be made in a coordinated manner.

TGAR identified the Sibelco site as being part of the existing urban area of Traralgon, this included the Traralgon Activity Centre and the TISP (Area 1). The Framework Plan (figure 20 below) identifies the Sibelco site as Industrial 1 Zone. The farming zoned land south of Sibelco was identified as future residential (Area 12).



The Industrial Land Development map (figure 22 below) identifies the Sibelco site as a potential transition area.



The TGAR identified a new industrial area (further east of Traralgon – see figure above) to that outlined in the C62 Traralgon Structure Plan. Area 10 was no longer considered for industrial uses due to it being *gently undulating grazing land* (currently zoned Farming). *Whilst the land abuts the existing Traralgon East industrial area, it is largely unconstrained in other regards. Given the constraints to residential development that exist around Traralgon, merit exists in considering this land for future residential development, other than for industrial uses which have less constraints in terms of location.*

The TGAR outlined that further to the *identification of new industrial areas the longer term relocation of industrial uses from the Traralgon inner south area should continue to be pursued by Council as a strategic objective.*

Exhibition and Submissions to TGAR:

The draft TGAR documents were placed on public exhibition for a period of 32 weeks from 9 April 2012 until 16 November 2012. Further officer and Councillor consultation was also been carried out during December 2012 through to April 2014. A total of 73 written submissions (including six late submissions) were received. Sibelco did not make a submission to the TGAR.

The EPA made a submission to the TGAR opposing the possible residential area south of the Sibelco site (Area 8b) in Traralgon due to unreasonably high noise emissions from the site that poses significant amenity issues on residents and substantial costs to industry to reduce noise.

Council's response to EPA:

Sites to the south of Sibelco in Traralgon have previously been flagged for future residential development, but any rezoning for these purposes will need to acknowledge the implication of the ongoing viability of activities at the Sibelco industrial site. However, given the long term nature of this framework it is considered appropriate to identify the long term future use for the area south of Sibelco. TGAR reports and plans also identify the need for a future industrial strategy that may inform the future use of the Sibelco site and surrounding sites.

All submissions to TGAR were presented to Council at the 28 April 2014 Ordinary Council Meeting, where it was formally adopted.

AMENDMENT C87 – IMPLEMENT TGAR

Amendment C87 implemented key parts of the adopted TGAR by amending relevant clauses in the MSS. It also introduced the Traralgon-Morwell Growth Framework Plan into the MSS at Clause 21.05.

The amendment was exhibited between September and October 2014.

Submissions to Amendment C87 – Exhibition 2014 (finalised August 2017)

Forty two written submissions were received by Latrobe City Council to Amendment C87 during the public exhibition period.

EPA made a submission to C87 on 10 October 2014. They had no objections to the amendment but offered comments regarding buffer distances between specific industry types and sensitive land uses to reduce the potential for amenity impacts on people in sensitive areas. *It should be noted however that EPA's submission was clearly related to the identified buffers around the Australian Paper Maryvale Mill and make no specific reference to the Sibelco site. That being said the issues raised by the EPA are relevant to the Sibelco site.*

Sibelco made a submission to Amendment C87 in October 2014. Sibelco submitted that *the policies and strategies to be introduced by Amendment 87 have the potential to adversely impact on the future activities conducted on the Sibelco site* and that they *strongly oppose any proposal that promotes the conversion of its Traralgon site and environs to residential or any other sensitive use* and the relocation of the Sibelco facility.

Sibelco further stated *that existing and developing residential areas have already encroached within the 500 metre threshold distance specified by Clause 52.10 of the planning scheme. Further additional residential encroachment will further reduce the buffers around the Sibelco plant. This will lead to substantially increased potential for adverse amenity impacts on these residences and create ongoing residential / industrial interface problems.*

Sibelco at the time of making their submission was preparing for a multi-million dollar capital works program, upgrading the existing facility (permit 2011/272 issued March 2012).

C87 Panel Report 22 June 2015

On 9 February 2015 a Council Report was prepared to present submissions to C87 and request the appointment of a Planning Panel. The Panel Hearing took place in June 2015.

Submissions and Discussion

Sibelco informed the Panel that they had *no intention of relocating however Sibelco will, even with existing use rights, be severely constrained if the site and its surrounds are rezoned to residential and the onus will be on Sibelco to ensure there are no adverse off site impacts. Sibelco is opposed to the rezoning of the land and its surrounds to residential and wants the whole of the threshold distance of 500 metres protected.*

Panel noted Sibelco's *desire for the whole of the site to be protected by the Clause 52.10 threshold distance of 500 metres. However with residential development already well within the 500 metres this appears to the Panel to be unlikely. EPA's recommended separation distances for industrial residual air emissions, a reference document in the State Planning Policy Framework at Clause 13.04-2 also has a separation distance of 500 metres between sensitive uses and a plant of Sibelco's size. **However a variation in the separation distances is allowed under site specific criteria such as for a site with exceptionally high standard of emissions control, risk assessment for justifies a variation or the likelihood of residual air emissions.** Based on what the Panel has learned about Sibelco, a reduction in the separation distance based on air emissions could be justified but the case needs to be made.*

The Panel was also informed that in the last two years EPA had received two noise complaints related to the Janette Street site. One noise complaint was from a residence just beyond the Sibelco boundary to the north and the other was from a residence just over 100 metres from the boundary. There have been no complaints in relation to air emissions.

The Panel noted that the Framework designates land to the south of Sibelco (then Area 3b, now Area 8b) as a second stage greenfield site to be zoned Urban Growth Zone, and it is identified as priority 12 of 26 potential residential development areas 16. The Amendment proposes to reference the Framework in Clauses 21.04 and 21.05. The northern boundary of Area 8b is shared with Sibelco and if residential development does occur to the boundary it is likely to further reduce the threshold distance to sensitive uses.

Panel Conclusion

*While this Panel has some sympathy with Sibelco's position regarding the encroachment of residential development within its buffers, any substantive changes to Clauses 21.04 and 21.05 to address **Sibelco's concerns are outside the scope of the Amendment.***

As noted above, through the Amendment, the Traralgon Growth Area Framework is proposed to be referenced in Clauses 21-04 and Clause 21.05.

The Panel concludes that rather than removing reference to the Framework at Clauses 21.04 and 21.05, an addendum should be added to the Framework to:

- *Delete Area 8b from stage 2*
- *Include areas 8a and 8b after stage 4, as areas for further investigation.*

Changes to Clause 21.05-5:

C87 As Exhibited Clause 21.05-5 (in relation to Traralgon):

21.05-6 Specific Main Towns Strategies - Traralgon

Residential

- Future land uses and zoning in Areas 8a and 8b should be investigated for residential development subsequent to a detailed assessment of industrial land requirements for Traralgon as part of an industrial strategy.

Industrial

- Encourage the early transition of industrial land uses in the southern parts of the Transit City Precinct to enable the conversion of land to residential uses.
- Review the existing industrial area of Janette Street/ Dunbar Road (Area 8a), with a view to confirming the role and viability of this area as service industrial development or conversion to residential development.

NOTE: Reference to old Area 3a changed to Area 8a within TGAR.

- Prepare a Development Plan or Precinct Structure Plan for future residential and industrial land east, north and south of the Traralgon existing urban area to provide a broad framework for medium and longer term growth.

- Inserts the new Traralgon-Morwell Growth Framework Plan. This identifies the Sibelco site as existing industrial and the land further south of Sibelco as second stage future residential.



- [illegible]

C87 Post Exhibited Clause 21.05-5 (in relation to Traralgon):

21.05-6 Specific Main Towns Strategies - Traralgon

Residential

- Investigate future land uses and zoning in Areas 8a and 8b for residential development following a detailed assessment of industrial land requirements for Traralgon as part of an industrial strategy.

Industrial

- Encourage the early transition of industrial land uses in the southern parts of the Transit City Precinct to enable the conversion of land to residential uses.
- Review the existing industrial area of Janette Street/Dunbar Road (Area 8a), to confirm the role and viability for industrial development or conversion to residential development.

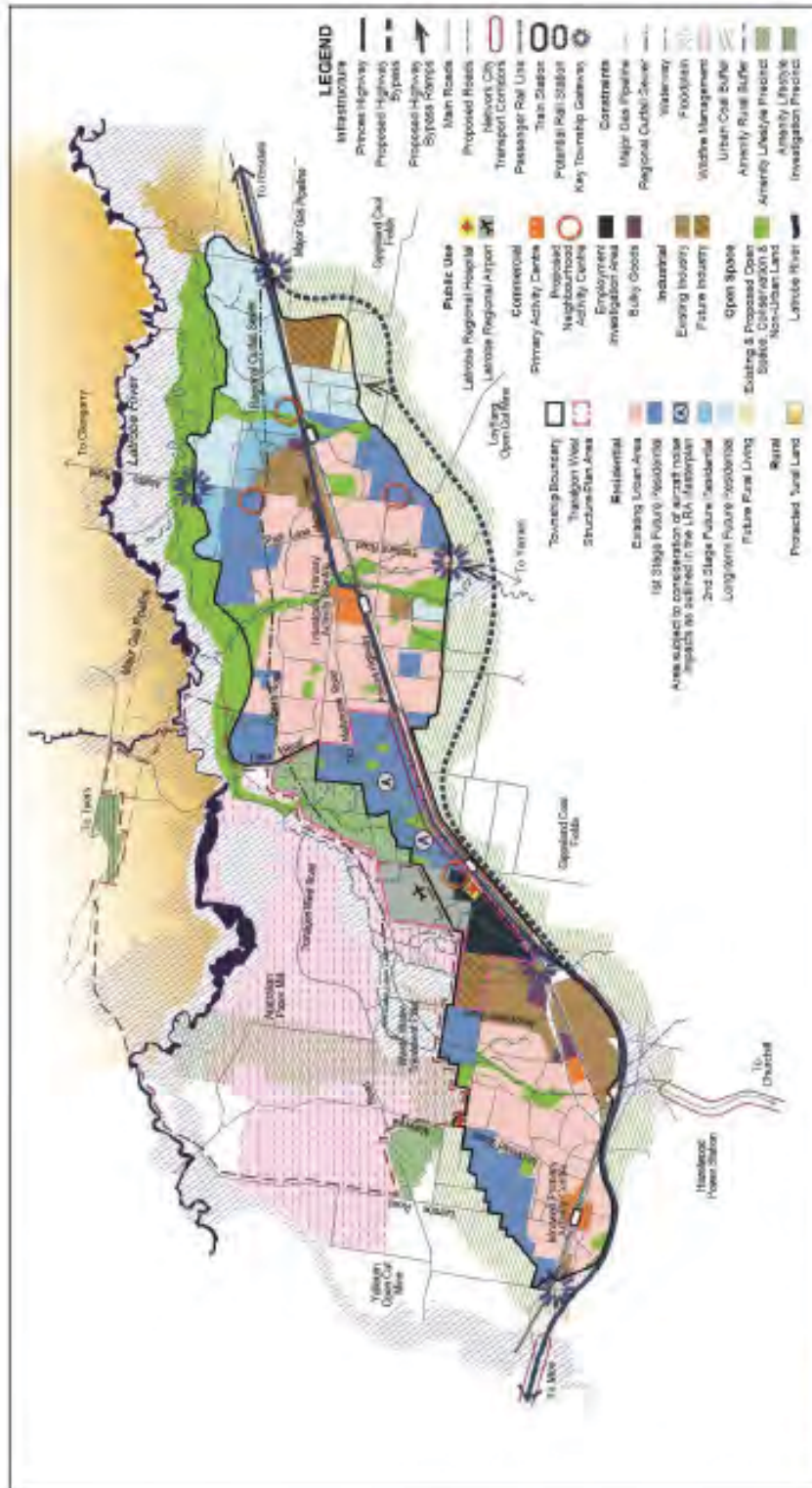
21.05-8 Implementation - Further Strategic Work

- Prepare a Development Plan or Precinct Structure Plan for future residential and industrial land east, north and south of the Traralgon existing urban area to provide a broad framework for medium and longer term growth.

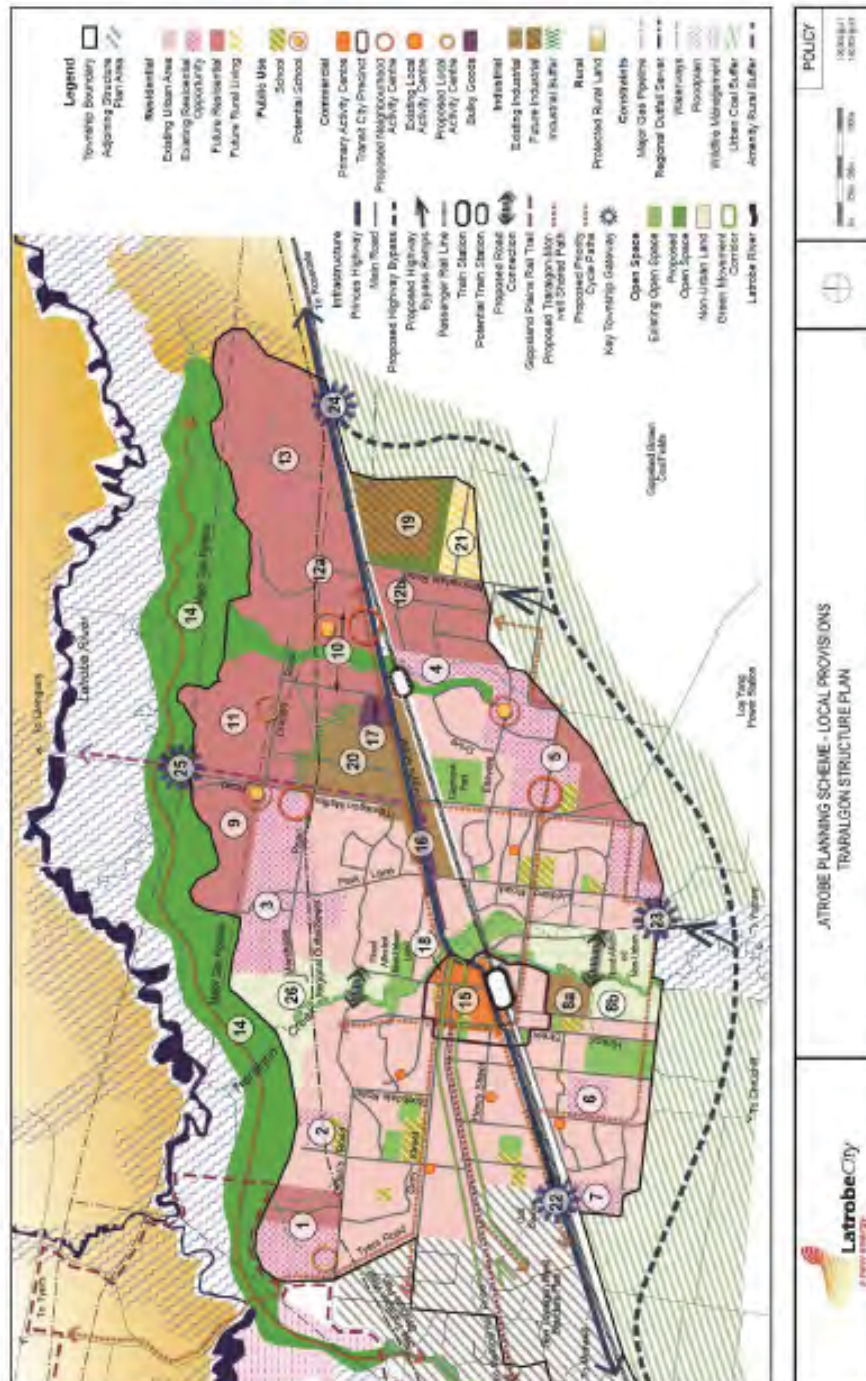
21.05-10 Main Town Structure Plans

- Inserts the new Traralgon-Morwell Growth Framework Plan. This identifies the Sibelco site as existing industrial and the land further south as long term future residential.

Traralgon – Morwell Growth Framework Plan



- ## Traralgon Structure Plan



The Panel Report was presented to Council on 23 May 2016 where Amendment C87 was formally adopted by Council.

Other Housing Opportunities identified south of the Railway Station:

TRARALGON STATION PRECINCT MASTERPLAN (TSPM) 2011

The vision for the TSPM was developed through the consideration of policy objectives, including transit city objectives. Relevant sections of the report are outlined below.

1 introduction

In 2002, Moe, Morwell and Traralgon were identified as Transit Cities under the Victorian Government's Melbourne 2030 policy document. The Transit Cities Program sought to revitalise centres that are situated adjacent to a railway line through a combination of high quality mixed use development.

Traralgon's identification as a Transit City and the opportunities presented by this; including enhancing the appearance and experience of the Precinct and providing higher density and more affordable housing near transit centres.

3.1 the transit cities program

The specific objectives of Transit Cities as they relate to Traralgon are to:

- Enable new, mixed use outcomes that will reinforce the role and contribution of the land to the activity centre and maximise access and convenience to transport choices.
- Develop higher density housing at strategic development sites in and near nominated centres, including delivering a range of housing types, including more affordable housing in or near transit centres.

4.2.2 residential site

The inclusion of residential development at the site is in keeping with the Transit City policy, as well as community expectations, design guidelines and the vision for the Precinct.

4.5 justification of the master plan

The proposed Master Plan directs the future redevelopment and use of the Precinct. The Master Plan allows for the development of the Precinct into an intermodal transport interchange, community hub, mixed use Precinct and residential area. The Master Plan will

ensure that future development of the Precinct meets the objectives of transit cities and strategic policy as well as community expectations in the following ways (listed relevant ones):

- Increasing housing diversity and density within the Precinct in close proximity to public transport facilities, enabling more affordable and appropriate housing options for Traralgon's changing demographic.
- Providing planning certainty for development of the Precinct and opportunities to ensure the highest and best use of the site in an orderly manner.
- Providing passive surveillance opportunities increasing the safety and amenity of the Precinct.
- Enhancing interfacing between the Precinct and surrounding uses including open spaces and residential areas.
- Improving connectivity with the CAD to the north and with the residential area to the south.

AMENDMENT C106 PART 2 - TRARALGON ACTIVITY CENTRE PLAN 2018 (TACP)

TACP was placed on hold in September 2011 pending the finalisation of the TGAR.

On the 13 November 2018 Council endorsed the draft Traralgon Activity Centre Plan for public exhibition as a part of a planning scheme amendment. C106 Part was placed on exhibition between January and March 2018 and received 30 submissions. The TACP was adopted by Council on 3 September 2018.

TACP aims to establish an agreed vision for the commercial centre of Traralgon and is intended to provide the community with a framework within which change in the centre is proposed to occur over the next 20 or so years. The TACP will positively guide future land use and development in a coordinated manner, and provide greater certainty for all stakeholders in the delivery of a preferred outcome. The Plan is a key guiding document designed to assist the management and monitoring of future growth and development in the central business district (CBD) of Traralgon.

The Municipal Strategic Statement (at *Clause 21.05-7*) clearly articulated the need to prepare the Traralgon Activity Centre Plan (TACP). This was further reinforced through the *Traralgon Growth Areas Review 2013* and associated C87 Planning Scheme Amendment, the *Latrobe Planning Scheme Review 2014* and the C97 Planning Scheme Amendment.

The original project (2010) was partially funded by Regional Development Victoria through their *Planning for Growth Program* and the Department of Planning and Community Development (now Department of Environment, Land, Water and Planning) through their *Creating Better Places Program*.

Activity Centre Zone (ACZ).

Latrobe is the first Gippsland Council to utilise and apply the Activity Centre Zone (ACZ). The application of the ACZ was considered appropriate in the implementation of the Traralgon Activity Centre Plan as it removes the need to apply different zones, overlaid by a variety of different overlays to control the built form (such as separate Design and Development Overlays). The ACZ combines both zoning and built form controls and allows for these to be targeted to the requirements of different precincts within the Activity Centre.

While the zone is designed primarily for application within major activity centres in metropolitan Melbourne, it is also suitable for application in larger regional centres.

TRARALGON ACTIVITY CENTRE PLAN – Information on housing south of the railway

Access & Movement

Strategy 45

Support a higher density residential development to the south of the railway station (on the area extending from the old tennis courts to the Drill Hall) ensuring that any development provides basement-level car parking to maximise use of the land.

Precinct 2 Princes Highway & Station Corridor

Objective 9

To ensure complementary redevelopment of the southern side of the train station that encourages higher density residential and mixed use developments and improves pedestrian access to ensure the integration of the station precinct with the surrounding area.

Land Use

Strategy 27

Promote upper level residential development in areas of high amenity within the town centre including locations close to public transport, adjoining the creek, overlooking green spaces, along the Princes Highway Boulevard and in the interiors of existing urban blocks.

Other Key Development Site

The areas immediately to the south of the rail line, as they could accommodate a mix of car parking and medium density residential development (subject to further consultation with VicTrack).

Study Area

The Study area originally included residential land on the northern, southern and western fringes of the activity centre and some mixed use zoned land in the south west corner (see Figure 3); however on review, the VPA recommended the study area be reduced to exclude these residential areas based on the work concurrently being undertaken within Amendment C105 *Live Work Latrobe* (LWL), in particular the *Housing Strategy* which provides a framework to guide the growth and change of residential areas in Latrobe City over the next twenty years,

TACP Background Reports (adopted 2 August 2010)

Urban Context Report

3.1 structure and activity

Residential housing, to the west of Breed Street and to the south of the railway line, predominantly comprises lower density single family dwellings.

3.2 urban form and streetscape

The housing area to the south maintains a strong heritage character, and a good example of intact heritage streetscapes dating from the turn of the century.

6 Issues & Key Opportunities

Key Approach - 5. Introduce greater mix of uses and more mixed-use development, and explore opportunities for higher density residential.

Economic Assessment Report

5 housing

5.1 existing situation

Council's property data-base identifies 21 houses or apartments currently on business-zoned land within the CAD. Most of these are separate houses on the boundaries of the TAC in Breed Street, Grey Street and Queens Parade. There are presently no apartment buildings within the TAC.

State and local government policies on activity centres call for more intensive development of housing within and on the periphery of major centres in order to reduce the need for car travel and to create a more sustainable urban form. Given that land around activity centres is usually already developed and/or is relatively expensive, this inevitably means the development of more medium and high density housing types. In most provincial centres, this type of housing has formed a small, but growing, part of the housing stock.

Medium density housing forms 12% of the total housing stock in the Traralgon SLA in 2006 (this grew from 10% in 1996). Medium density housing has a relatively low occupancy rate, with a high proportion of single people.

5.2 existing forecasts for medium density housing

Council has commissioned two previous forecasts for medium density housing in Traralgon; one undertaken by SGS for the Transit Cities project in 2004; and one undertaken for the Traralgon Inner South Master Plan by Charter Keck Cramer in 2009.

SGS forecast that the three transit cities in Latrobe (Moe, Morwell and Traralgon) could support 15 medium density housing units per year initially, rising to 57 units per year if the product was successful.

The assessment by Charter Keck Cramer was undertaken for an area to the south of the

CAD and is much more conservative about the prospects for medium density housing anywhere in Traralgon, particularly apartment development. The analysis suggests that the affordable housing alternatives with easy access to the CAD militate against higher density housing within the centre; and that the land price is not sufficiently high for apartments to be viable compared with development for detached housing or units. However, this assessment has not discussed the preferences of a small but growing proportion of households for inner city living.

5.3 potential development path for housing in the TAC

Discussions with real estate agents and community members suggest that inner city (TAC) living is a concept that is coming and that there is, or soon will be, a market for quality apartments in the TAC. This reflects the desire by a growing number of households to reduce their carbon footprint whilst at the same time, being able to take advantage of the easy access to shops, cafe culture and nightlife. Demand for such accommodation will be bolstered by the development of the TAFE at the station precinct.

The initial market will be small, comprising those households which can afford housing prices (rents and loans) in the upper quartile. Such households are already present in the medium density market in Traralgon (2006 Census).

These factors suggest that the market for good quality medium/high density housing is presently around 3% of all medium density housing (to 2121 and to 5% in 2031). Some of that housing could be provided within the CAD.

Given an average apartment size of 110 sq m and allowing for common areas and one car parking space per unit, the total constructed area required for apartments in 2031 would be 22,000 sq m.(likely maximum floor space).

TACP KEY DIRECTIONS REPORT (September 2011)

Relevant directions:

Direction 3.7 - Encourage the development of housing within the activity centre.

There is a clear imperative for the provision of housing within the Traralgon Activity Centre, to increase the sustainability of the town, improve housing choice and increase the vibrancy of the centre. This direction seeks to encourage these outcomes through outlining areas suitable for increased residential development. It proposes measures designed to ensure that residential development within the town centre is of a high quality, as befits Traralgon's position as part of a 'Major Regional City', but also economically viable from a development perspective. Initiatives which underpin the principle:

- Encourage shop top housing and implement a Parking Precinct Plan to set appropriate levels of parking provision and/or establish a framework for financial contributions for waiving of car parking (see section 3.4).
- Investigate possibilities for the development of medium density housing within the town centre in partnership with private operators to demonstrate feasibility.

- Encourage residential development in areas of high amenity within the town centre, such as adjoining the creek and overlooking green spaces (the potential redevelopment of the outdoor swimming pool site is one such opportunity) and as part of multi-level development on infill sites.
- Encourage partnerships for affordable housing projects.

Direction 3.9 - Encourage a strong urban form that responds to the public realm and regional character

It is clear that Traralgon is and will continue to be, the preferred place within the Latrobe Valley for commercial uses. This in turn provides a strong incentive for housing within the town. It is clear therefore, that if Traralgon is to continue its current role, as sought at section 3.6 of this report, then there is a need for additional development space within the town centre. It is also acknowledged that there are significant constraints to Traralgon's overall long term residential growth should additional medium density housing not be developed in established areas.

Attachment 2: Further information to Submission 159 (AKZ).

Submission 159: Objection to policy encouraging the transition of industrial land north of Morwell (Latrobe Road).

Place: Latrobe Road Morwell.

Current land zone: General Residential Zone Schedule 1.

Proposed land zone: No change.

Clause(s): Clause 21.07 – Economic Development
Industrial Framework Plan at Clause 21.07-7.
Clause 21.09-5 - Morwell

Council response: Council supports the ongoing operation of industry on land referred to by the Submissions, as is afforded under the existing use rights at Clause 62.

It considered appropriate however to also identify long term policy and strategies to locate future industry investment in suitably positioned locations, as is identified by the exhibited land use strategies and Industrial Framework Plan at Clause 21.-7-1.

It is considered that whilst a residential development outcome may not be realised on the subject site, other uses could be achieved that are compatible with the future approved residential development to the north and west of the site.

1. Submission summary and context:

AKZ Reinforcing is a long established industry in Morwell operating now for close to 70 years. Submission 159 notes anticipated growth of business in response to major infrastructure projects announced in both Sydney and Melbourne, indicating that they may increase operating hours to three shifts per day, 6 days a week. The submission also notes that the cost of site remediation would result in a negative land value.

Amendment C105 identifies the industry precinct to the south of the site for long term transition for residential and other compatible uses in line with the amenity expectations of the area, this direction also applying to three other industrial areas located to the north and west of Morwell (described as Area 8 on the current Morwell Structure Plan - see image below).



Image 1: Morwell Structure Plan and current land Zoning.

Considering the zoning of the land and the expected residential subdivisions previously approved around the site, it is considered necessary that the Planning Scheme include policy direction as exhibited at Clause 21.09-5: *Investigate future land uses and zoning in MTSP Area 2 and 8 for transition to uses compatible with the site, surrounds, town entrance position and local amenity expectations – check these words are what is in scheme.*

Current operations and existing use rights are not believed to be materially affected by the proposed Amendment C105, in so far as existing use rights at Clause 62.03 apply.

2. Site history:

The subject site was zoned Industrial D Zone in the 1977 Morwell Planning Scheme (see below), with the Coal buffer applied to the land.



Framework for the Future 1987 later amended the extent of the coal buffer at which time the subject site for future urban expansion within the 1988 Morwell Planning Scheme (see below). The land was later gazetted in 1989 to become Residential 1 Zone.



3. Site and surrounds:

The subject land is located mostly within a General Residential Zone - Schedule 1, with a small section of the property located within Industrial Zone – Schedule 3 (INZ3). The INZ3 precinct is immediately south of the site supports lighter industry uses (as seen in the below image).

Land to the north, east and west have approved Development Plans for the further subdivision of land for residential purposes. These are shown in the following images.

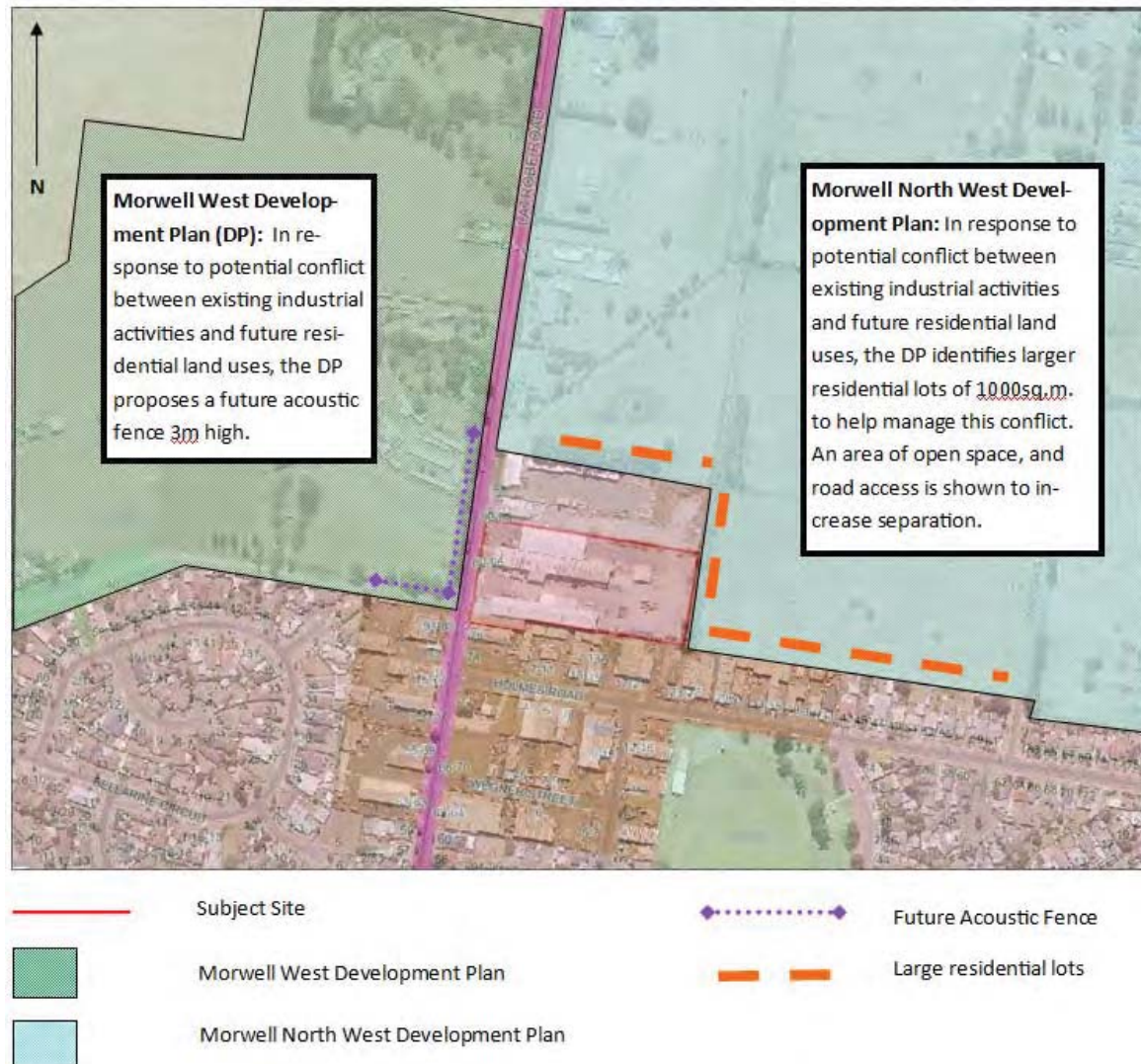


Image: Morwell North West Development Plan (approved).

This report demonstrated that noise from AKZ (excluding any contribution from traffic) was as high as 58dB LAeq at the monitoring position. A level of 58dB LAeq is 13dB above the night-time NIRV RMNLs and 10dB above the evening noise limit. In response, the following recommendation was provided:

To enable compliance with NIRV the proposed residential development adjacent to AKZ engineering will require significant shielding in the form of a noise barrier.

4. Clause 53.10 (Uses with Adverse Amenity Potential)

Clause 53.10 establishes minimum threshold distances. The threshold distance referred to in the table to this clause (see below), is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Table to Clause 53.10-1

Type of Production, Use Or Storage (Purpose)	Threshold Distance (metres)	Notes
Basic Metal Products		
Production of non-ferrous metals as:		
■ aluminium by electrolysis	2,000	
■ other non-ferrous metals in amounts:		
- up to 100 tonnes a year	100	
- between 100 & 2,000 tonnes a year	300	
- exceeding 2,000 tonnes a year	500	
Works producing iron or steel products in amounts:		
■ up to 1,000,000 tonnes a year	100	
■ exceeding 1,000,000 tonnes a year	1,000	

As AKZ produces between 12,000-15,000 tonnes of product per year but only bend or weld the steel products on site as the steel is manufactured off site, they require a 100m buffer.

5. Planning Panel Report to Amendment C62 (2008)

The Latrobe Road industry precinct was denoted as Area 8A in the Amendment C62 exhibited Morwell Structure Plan as 'Existing Residential Opportunity.' This included the established industrial area (zoned IN3Z) of approximately 7 hectares to the south of the subject site.

Area 8a included the subject land. AKZ also occupies a site to the immediate south in the IN3 zone. It is noted that AKZ has purchased residential zoned land further to the north to 'preserve' a buffer for the current operations. AKZ opposed the designation of "Existing Residential Opportunity" being applied to his Latrobe Road property in a submission to Amendment C62.

A submission from Beveridge Williams (Submission 40) on behalf of the Panorama Drive-In site at 105 Latrobe Road (opposite the AKZ site, previously zoned FZ) supported the amendment and designation of their land as Future Residential. This land is now located in a General Residential Zone.

At this time, the planning panel noted the lack of any industry strategy as a concern. The panel advised that:

"If the Council is of a mind to pursue this matter it should be as an outcome of an appropriately structured industrial strategy that should be designated as an item of Further Strategic Work item of the MSS. We also find the Morwell Structure Plan should be amended to identify the AKZ site as part of the Latrobe Road / Holmes Road industrial area with its future use and zoning addressed as part of the a future industrial land use strategy recommended by us.

Panel Recommendation:

The designation of Areas 8a, 8b and 8c in the Morwell Structure Plan to "encourage the redevelopment of under-utilised industrial sites which are well located for residential uses" be deleted. The plans should reflect current land uses, including those of AKZ engineering at 80, 96 and 98 Latrobe Road with a notation that the future land uses and zoning should be further investigated subsequent to a detailed assessment of industrial land requirements for Morwell as part of an industrial land use strategy."

The preparation of the Industrial and Employment Strategy is considered to fulfil the recommendation of the C62 planning panel.

Current Planning Scheme policy:

Relevant policy included within the Latrobe Planning Scheme is provided below:

Clause 21.09-3 (Morwell) includes:

Residential:

Future land uses and zoning in MTSP Area 8 should be investigated subsequent to a detailed assessment of industrial land requirements for Morwell as part of an industrial strategy.

Industrial

Review the existing industrial area (MTSP Areas 8), to confirm the role and viability for industrial development or conversion to residential development.

An extract form the Morwell Township Structure Plan, showing the location of Area 8 is provided below:



ATTACHMENT 3: Additional information to Submissions regarding Yinnar South

1. Rural Land Use Strategy recommendations

The Rural Land Use strategy identifies an area of Rural Living Zoned land in the Yinnar South area located within the Strzelecki / Jeeralang Ranges to be back zoned to the Farming Zone - Schedule 2 (Mixed Farming).

The exhibited Rural Land Use Strategy includes the following commentary:

" This Strategy recommends that land currently zoned Rural Living Zone be rezoned to the proposed Farming Zone, Schedule 2 - Mixed Farming. This area is surrounded by State forest and timber plantations. It is also subject to bushfire risk, in steep terrain with limited road access. The area supports large undeveloped lots mixed with some established rural residential development. Given the isolation of this existing area, coupled with its vulnerability to bushfire, it is recommended that the precinct is backzoned. This area was previously in the Rural Residential Strategy (2002) for inclusion in the (then) Rural Zone."

It is noted that this precinct includes varied lot sizes ranging from small allotments of 2 - 4 hectares up to 115 hectare properties presently included in the Rural Living Zone Schedule 4 and 6. These schedules presently enable subdivision of land to 4 and 8 hectare lot sizes respectfully.

The proposed Farming Zone - Schedule 2 is intended to recognise diverse range of rural uses for the purpose of niche and mixed farming, tourism and hobby farms in locations compatible with existing infrastructure investment, biodiversity values, land holding patterns and adjacent land use. Importantly the construction of dwellings is supported under Farming Zone - Schedule 2 where improved land management outcomes can be demonstrated.

The primary planning scheme change which would result from the proposed back-zoning is therefore the removal of further subdivision opportunity of property into lots below 40 hectares in size unless it is to create a lot for an existing dwelling or a re-subdivision of existing lots.

The proposed backzoning exhibited by Amendment C105 attracted a significant number of submissions. A map showing the location of properties where landowners have indicated support, where submissions of objection are considered to be resolved (in response to post exhibition changes) and where submissions objecting are not likely to be resolved is shown below:

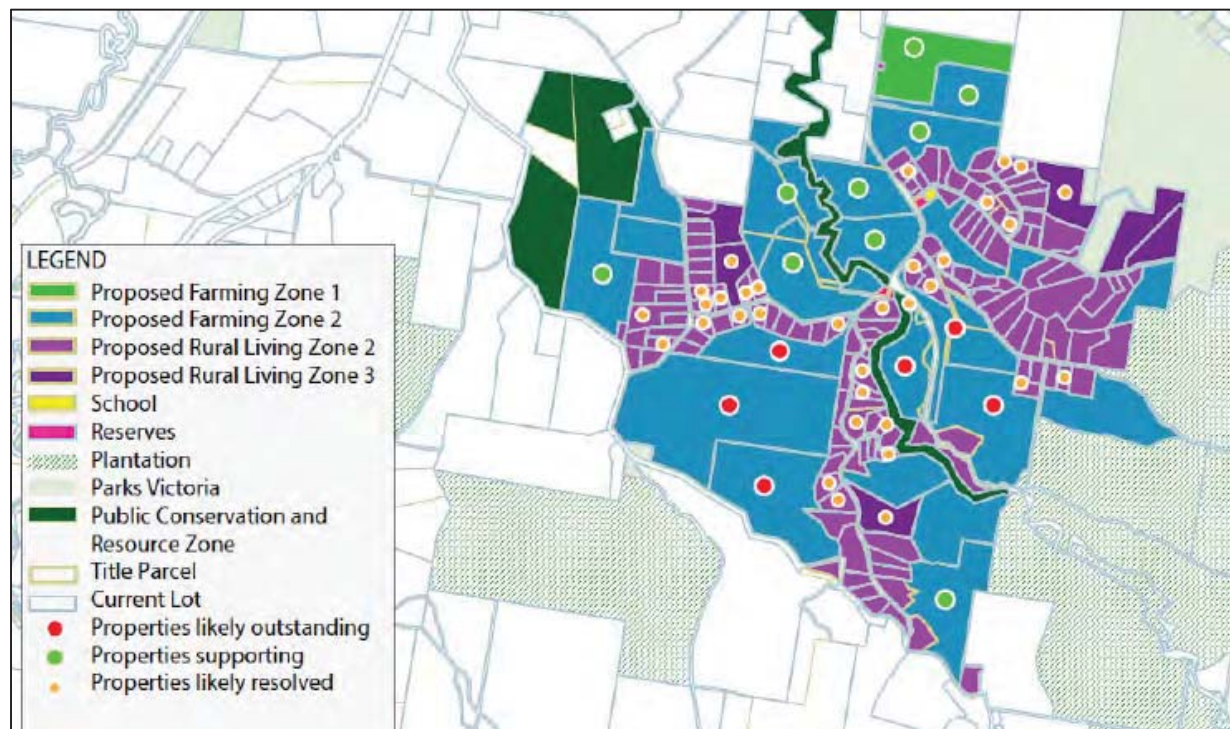


Image: properties supporting, objecting and considered to be resolved

Directions outlined in the exhibited Rural Land Use Strategy

Principles for the rural residential development described at page 68 of the exhibited *Rural Land Use Strategy* are consistent with and implement relevant planning policy and practice notes and include:

- *Rural residential development is discouraged on productive agricultural land and areas which support State significant natural resources.*
- *The existing townships and settlements within Latrobe, including land within the residential zones, will remain the focus for new dwelling development in order to avoid further fragmentation of rural land and land use conflicts.*

- *Rural residential development will not impede the long-term urban growth of Latrobe's settlements.*
- *Rural residential development will be located in areas currently serviced by physical and social infrastructure, or in locations where infrastructure improvements can be undertaken without significant cost or environmental impacts.*
- *The location of rural residential development will seek to avoid or minimise adverse impacts on the environment, native vegetation and biodiversity.*
- *Rural residential development is discouraged in areas prone to environmental hazards, and where the risk or environmental cost of making people safe is too high.*

The recommended rezoning of land from a Rural Living Zone to a Farming Zone – Schedule 2 as proposed by the post exhibition changes is considered to be consistent with the above principles.

2. Reference to Jeeralang and not Yinnar South

A key issue raised by a number of submissions is the reference to 'Jeeralang' as opposed to Yinnar South in the description provided at page 68 of the exhibited *Rural Land Use Strategy*. This is agreed.

Provided below are extracts from the exhibited Rural Land Use Strategy – showing the anomaly between the description of the place recommended for a 'back-zoning' and identification of the Yinnar South Rural Living Precinct on the preceding maps sourced from the Rural Land Use Strategy.

Page 68 of the exhibited Rural Land Use Strategy states:

JEERALANG FZ2

This Strategy recommends that land currently zoned Rural Living Zone be rezoned to the proposed Farming Zone, Schedule 2 - Mixed Farming. This area is surrounded by State forest and timber plantations. It is also subject to bushfire risk, in steep terrain with limited road access. The area supports large undeveloped lots mixed with some established rural residential development. Given the isolation of this existing area, coupled with its vulnerability to bushfire, it is recommended that the precinct is backzoned. This area was previously in the Rural Residential Strategy (2002) for inclusion in the (then) Rural Zone.

The above paragraph describes the area by reference to certain geographical and topographical and natural characteristics, which are considered to appropriately describe the precinct.

Note that the above extract refers in the last sentence, to the *Rural Residential Strategy 2002* which recommended the inclusion of Yinnar South (region 33), for inclusion in the then Rural Zone (note: the Jeeralang Rural Living precinct was not proposed for backzoning in by the 2002 Strategy).

This statement further indicates the intention of the *Rural Land Use Strategy* to recommend the backzoning as shown at Figure 25 and 32 of the Rural Land Use Strategy.

Page 69 of the exhibited Rural Land Use Strategy includes Figure 25, which identifies the one rural living area precinct for backzoning to Farming Zone – Schedule 2, as shown at Figure 1).

The area which is cross-hatched in red is not labelled apart from the reference in the legend to “*Back zone to Farming Zone 2*”.

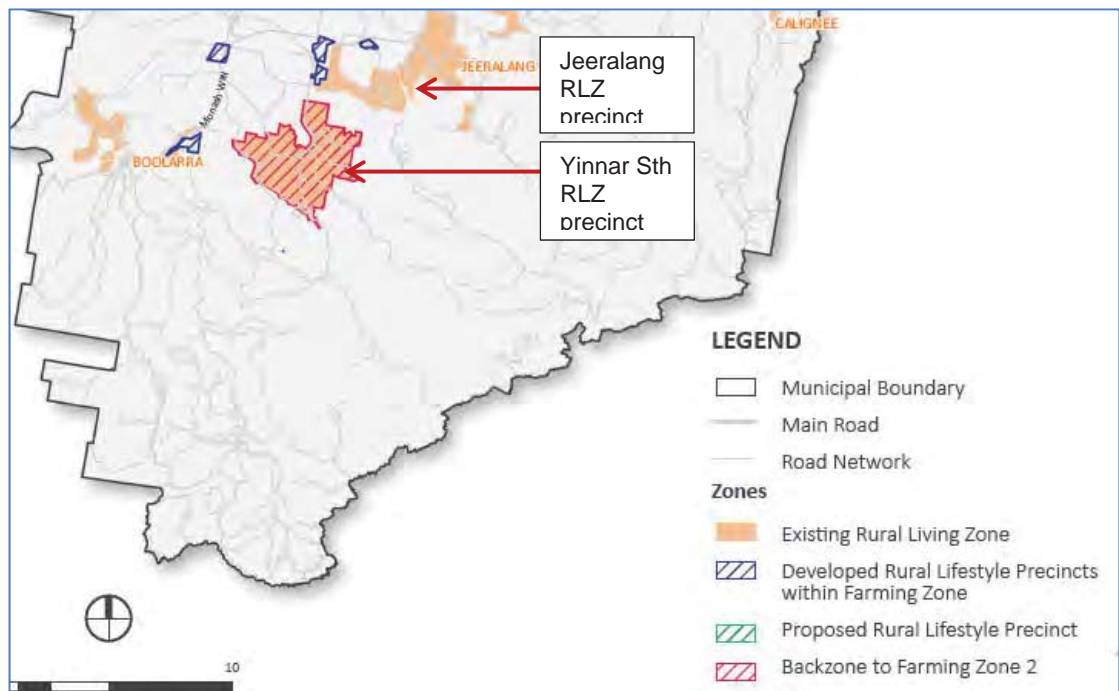


Figure 1: Extract from Figure 25 included within the exhibited Rural Land Use Strategy.

The red hatched area above is not identified by a place name on the exhibited although it is located south of Yinnar, west of Jeeralang and east of Boolarra.

The recommendation for inclusion of the subject precinct within the Farming Zone – Schedule 2 is also shown at page 93, Figure 32 of the *Rural Land Use Strategy* as shown below:

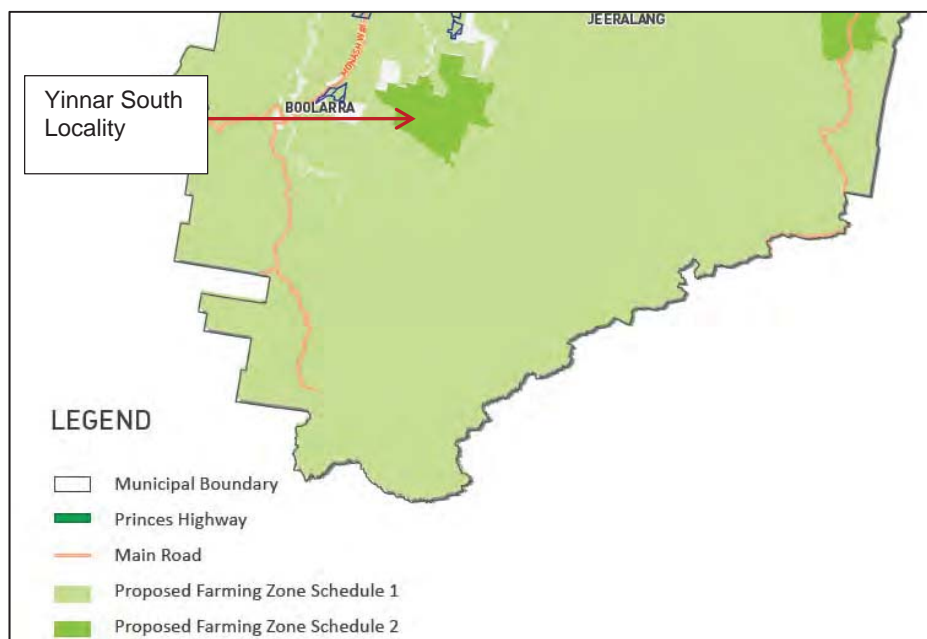


Figure 2: Extract from Figure 32 included within the exhibited Rural Land Use Strategy.

The above Figures 25 and 32 included within the exhibited *Rural Land Use Strategy* were created using spatial data mapping tools, with these data layers subsequently provided to Latrobe City Council for uploading to our intramaps (GIS mapping system). The exhibited planning scheme maps were then created from this same mapping data.

Page 82 of the *Rural Land Use Strategy* includes the following recommendation at page 82:

‘Backzone land currently zoned Rural Living Zone, Schedule 6 in Jeeralang to FZ2’

The exhibited amendment proposed to apply the Farming Zone – Schedule 2 to land included in both Rural Living Zone – Schedule 4 and 6 in accordance with the maps provided for backzoning at Figure 25 and Figure 32 (as shown above).

It is considered that the post exhibition change now recommended to apply the Farming Zone – schedule 2 to those properties previously subdivided, and which are in most instances, developed and used for ‘rural residential purposes’ is appropriate.

3. Exhibited Amendment C105 and references to Yinnar South

The exhibited Amendment C105 explanatory report, associated documents and supporting exhibition material and details available from Latrobe City Council’s website describe and refer to Yinnar South.

The Explanatory Report is a statutory document which forms part of Amendment C105. It states that Amendment rezones and area of approximately 1275 hectares of land located in Yinnar South from the Rural Living Zone – Schedule 4 and 6 to the new Farming Zone – Schedule 2 (Mixed Use Farming). The planning scheme maps also exhibited with Amendment C105 also show the relevant land being rezoned.

The exhibited Rural Land Use Strategy is one of the supporting documents underpinning the various changes proposed to the planning scheme. However, it is not part of the amendment to the planning scheme. The Strategy is not an incorporated document. It is listed as a reference document in various places in the provisions of the Latrobe Planning Scheme as proposed to be amended by Amendment C105. Therefore, notwithstanding that Amendment C105 gives effect to various recommendations in the Strategy, it is not a document which is applied, adopted or incorporated in the amendment.

While it is agreed that there is an issue in relation to the reference to the area in the Strategy, that document does not form part of Amendment C105. It is a supporting document, in draft form, and does not part of the amendment.

Considering the above, it is not considered that there is an error in the exhibited Amendment. Rather it is an error in a document upon which the Amendment is based by way of a reference to an area which is nevertheless correctly illustrated in a map (Figure 25 of the Strategy and 32).

4. Additional considerations:

4.1. Fire Risk:

The area is covered by a Bushfire Management Overlay. Nearby forestry plantations and native bushland areas, coupled with steep terrain create a significant fire risk. Road access is also considered poor in terms of providing safe access/egress from the precinct (i.e. narrow, treed roads).

The risk of people using such roads in a fire event are significant. Creating additional Rural Living opportunities in this location is problematic considering risk to property and life.

Further assessment of Bushfire risk within the precinct is provided at Attachment 5 to Council's Part B submission.

This includes a Bushfire hazard landscape assessment completed for the precinct.

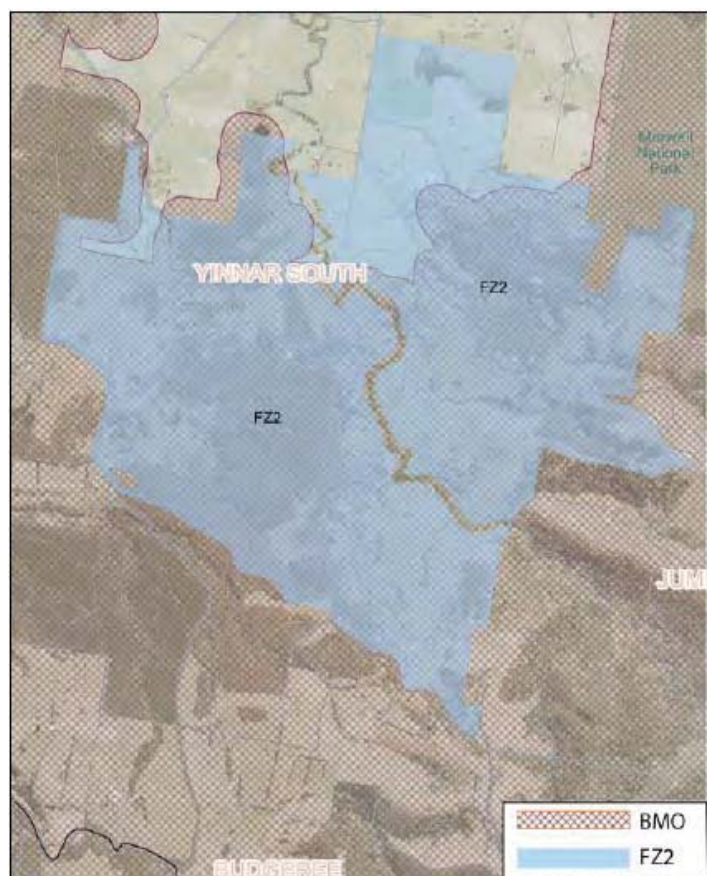
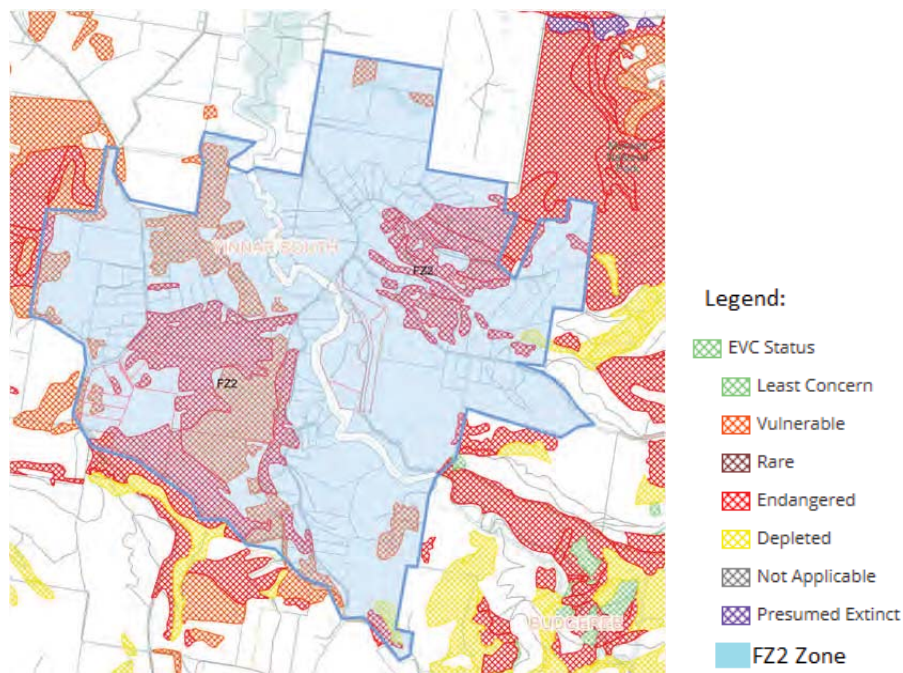


Figure 3: Extent of the Bushfire Management Overlay

4.2. Native Vegetation:

Large patches of significant vegetation types are found within the precinct, classified as being either Endangered, Vulnerable, Rare or Depleted.

The Native vegetation condition scores throughout that area are extremely high. Vast areas are in the highest band – this indicates that the current condition is comparable to how it was pre European settlement. It is considered that the requirement to avoid and or offset removal for required for further subdivision opportunity in most instances would be unachievable.



This FZ2 precinct is in close proximity of the Morwell national park to the east and state forest bushland to the west of the precinct. It contains some of Latrobe cities highest biodiversity scores with SBS ranges 50 and 81. The high biodiversity values were considered in many instances to be prohibitive to further significant subdivision and development. The below table indicates a diverse range of EVC types to be found.

Name	Code	Bioregion	Status	Number of records
Lowland Forest	16	Strzelecki Ranges	Vulnerable	16
Herb-rich Foothill Forest	23	Strzelecki Ranges	Endangered	37
Damp Forest	29	Gippsland Plain	Endangered	22
Wet Forest	30	Strzelecki Ranges	Depleted	41
Warm Temperate Rainforest	32	Strzelecki Ranges	Endangered	1
Swampy Riparian Woodland	83	Gippsland Plain	Endangered	24
Plains Grassy Forest	151	Strzelecki Ranges	Endangered	62

4.3. Plantation forestry and timber haulage routes

The below image 4 and 5 shows the surrounding forestry and associated timber haulage routes. Additional rural living development in these locations is likely to result in conflict with forestry operations and residents (as has been demonstrated in nearby rural living precincts at Jumbuk Road). The below map indicates Timber Haulage routes (in purple) entering the precinct along Upper Middle Creek Road. Green hatched areas represent HVP forestry assets. HVP submission also notes Whitelaws Track as being a timber haulage route.

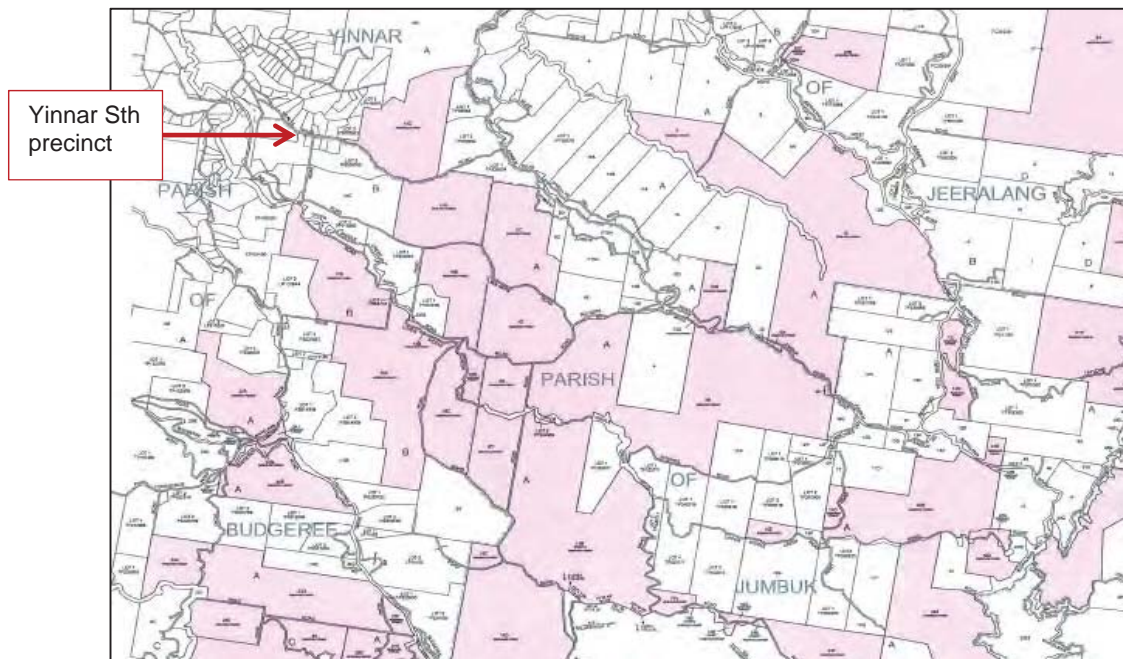


Figure 4: Forestry leasehold areas.

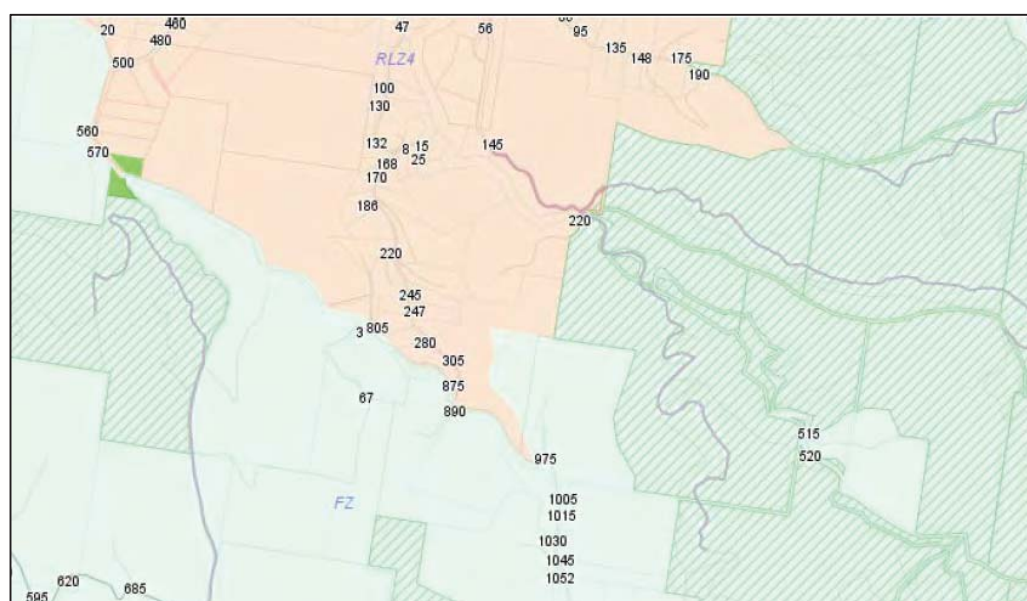


Figure 5: Timber haulage routes (shown in purple).

Topography:

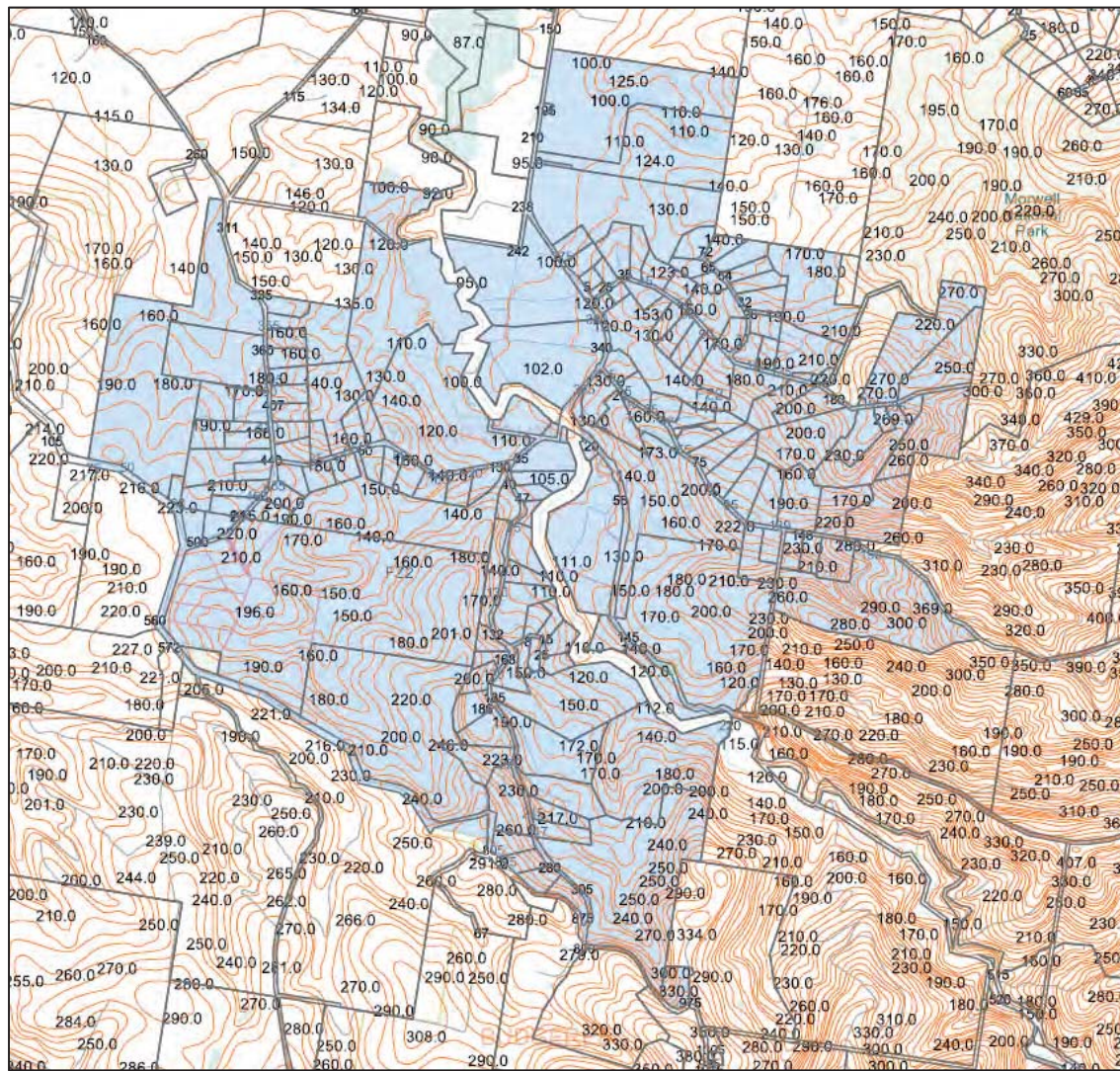
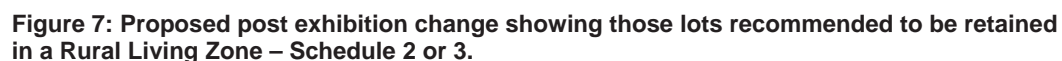


Figure 6: 10 meter contour lines for the proposed Yinnar South FZ2 precinct.

Following Council's consideration of submission and further site inspections of the precinct it is recommended that those existing small lots which are in most instances developed and present limited to no further subdivision opportunity be retained in a Rural Living Zone – Schedule 2 or 3, as shown in the below image.



Attachment 4: Additional information to Submission 60

Submission refers to the identification of *Extractive Industry Interest Areas* within Latrobe City

Specifically the submission 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.

The below information is provided to assist the panel in its consideration of this matter.

1. Relevant Policy:

Extract from *Plan Melbourne 2017 – 2050*

Direction 1.4 Support the productive use of land and resources in Melbourne's non-urban areas

Melbourne's green wedges and peri-urban areas are immensely important to the state's economy, community and environment and support a wide range of non-urban land uses and activities. For instance, some of Victoria's most productive agricultural land is located within these areas. Other productive non-urban land uses include natural resource extraction, tourism, airports, sewage plants and waste and resource recovery operations.

These areas also accommodate businesses that need buffers from residential and incompatible land uses. Non-urban land uses in the green wedges and peri-urban areas should be carefully planned and managed to avoid irreversible land-use change and support their ongoing productivity.

Policy 1.4.2 Identify and protect extractive resources (such as stone and sand) important for Melbourne's future needs

Melbourne's demand for extractive resources is expected to almost double by 2050. This demand will be driven largely by sustained growth in the residential sector—including Melbourne's growth corridors—and strategic projects such as Fishermans Bend, the Metro Tunnel and major road upgrades.

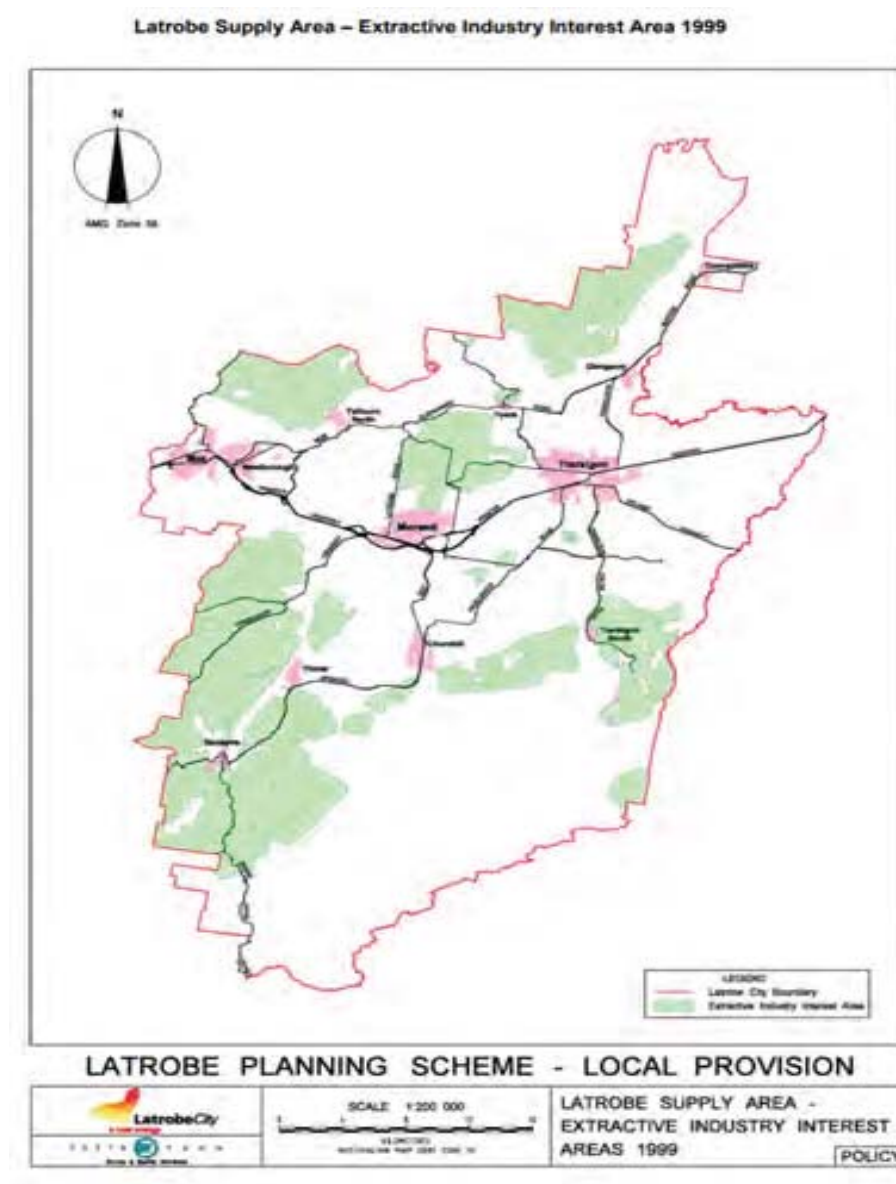
Extractive industry resources in green wedges and peri-urban areas need to be protected and carefully planned to provide for Melbourne's needs without impacting on local amenity. Effective strategic planning for these resources will increase industry certainty and improve community confidence.

The State Planning Policy Framework (now PPF) sets out objectives for the identification and

protection of stone resources through the concept of *Extractive Industry Interest Areas*. Clause 21.01-6 of the current MSS and Clause 21.05-2 of the proposed MSS state that:

'the purpose of these Interest Areas is to provide a basis for the long-term protection of stone resources, assist Councils in long term strategic planning and to create awareness that extractive industry is a possible land use in these areas.'

An 'Extractive Industry Interest Area does not imply that future extractive industry operations will be confined to these areas. However, Department of Primary Industries (DPI) and 'Council will give consideration to protection of stone resources within these areas when considering applications for development and use.'



Extractive Industry Interest Area—Clause 21.07-LPS

Image 1: Extractive Industry Interest Areas in Latrobe City (1999 report)

3. Proposed Farming Zone – Schedule 2 summary and location assessment

Farming Zone – Schedule 2 is proposed to apply to four localities including Yinnar South, Moe South, Yallourn North and Callignee. All areas proposed for inclusion within the Schedule 2 are included within a BMO and BPA area.

The extractive areas which are proposed to be included within Farming Zone – Schedule 2 include the entire Yallourn North FZ2, a minor portion of Yinnar South and Callignee. The Moe South (Hernes Oak) area is not impacted by any extractive tenements.

The exhibited Clause 22.02 provides direction for the assessment of dwellings and rural subdivision within Schedule 2.

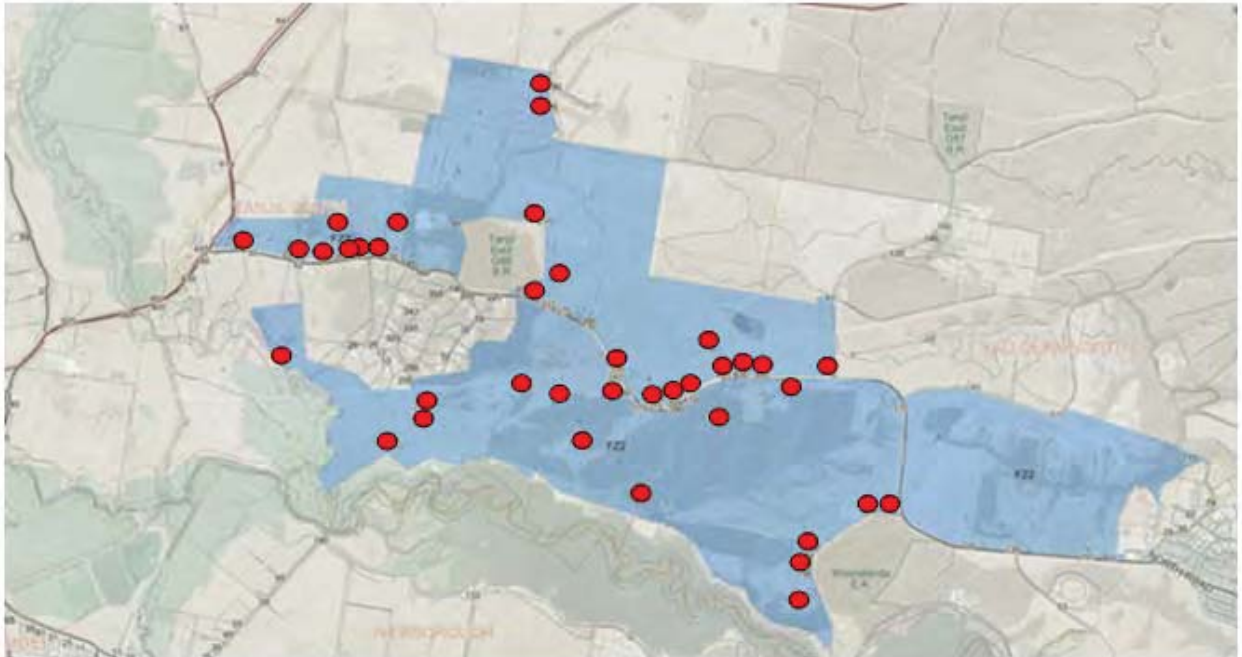
Relevant to the locations proposed FZ2 and extractive industries, key considerations include:

- To ensure that the land is not fragmented in a way due to buildings, that may hinder the productive use of the land, exhibited Clause 22.02 encourages that dwellings be clustered together and sited in close proximity to road frontages, which is supported by the parent Farming Zone. To enable this to be achieved, Schedule 2 is proposed to be amended to reduce the setback distance from other dwellings not in the same ownership from 100m to 50m. This is considered to be also relevant to possible future exploration and extractive licensing.
- FZ2 does not propose to alter the minimum lot size for subdivision or 'as of right' dwellings from 40 hectares. The parent Farm Zone presently allows a permit to be issued for dwellings within the Farm Zone.
- The FZ2 is considered to identify those areas as being retained with the current Farm Zone Schedule arrangements (i.e. Schedule 1 proposes to increase the minimum subdivision size to 80 hectares and minimum lot size for which not permit is required for a dwelling to 100 hectares).
- The identification of Farm Zone land for inclusion within Schedule 2 considered those areas where larger scale, commercial agricultural pursuits may less likely be achievable or significantly expanded upon due to existing subdivision and development patterns. Other considerations included topography, water availability, extent of native vegetation and or access.

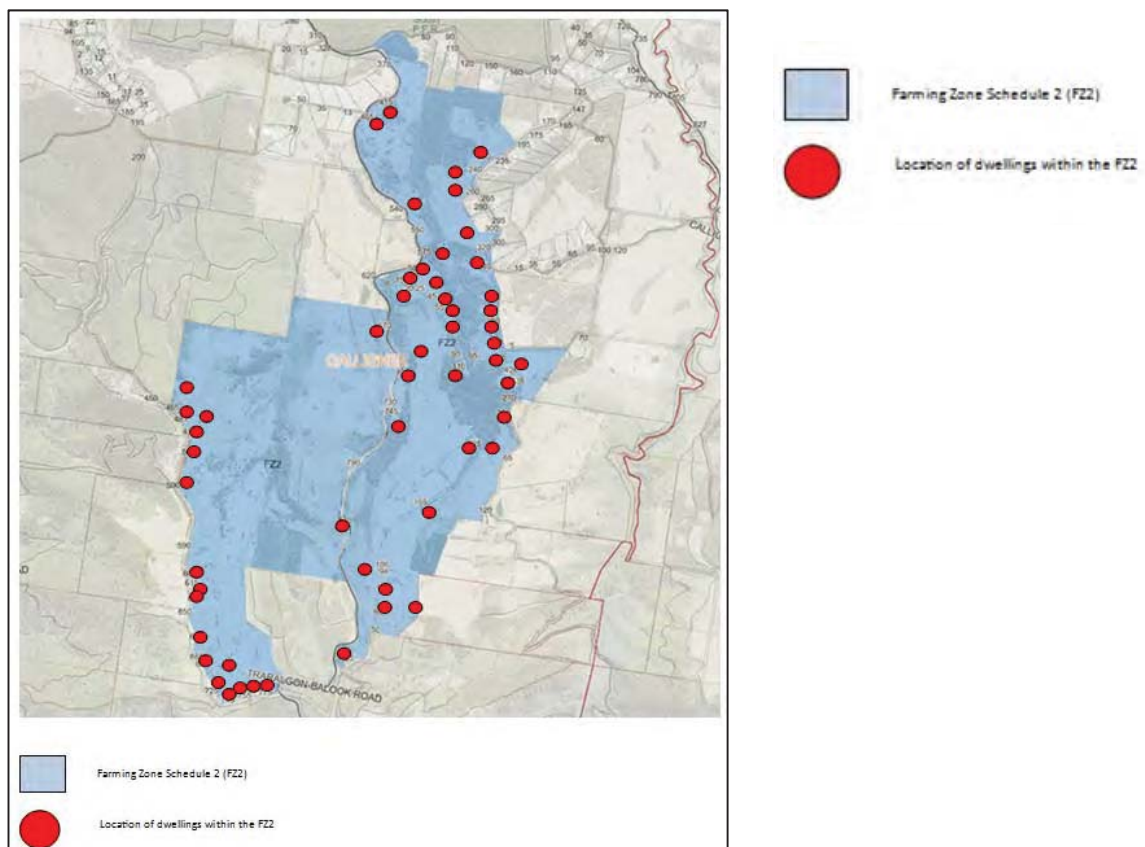
Current land use, subdivision and the location of existing dwellings is provided below for each of the proposed FZ2 precincts at Attachment 7 to Council's Part B Submission.

Maps showing the current location of dwellings with the proposed Farming Zone – Schedule 2 precinct are also included in Attachment 7 and repeated on the following pages.

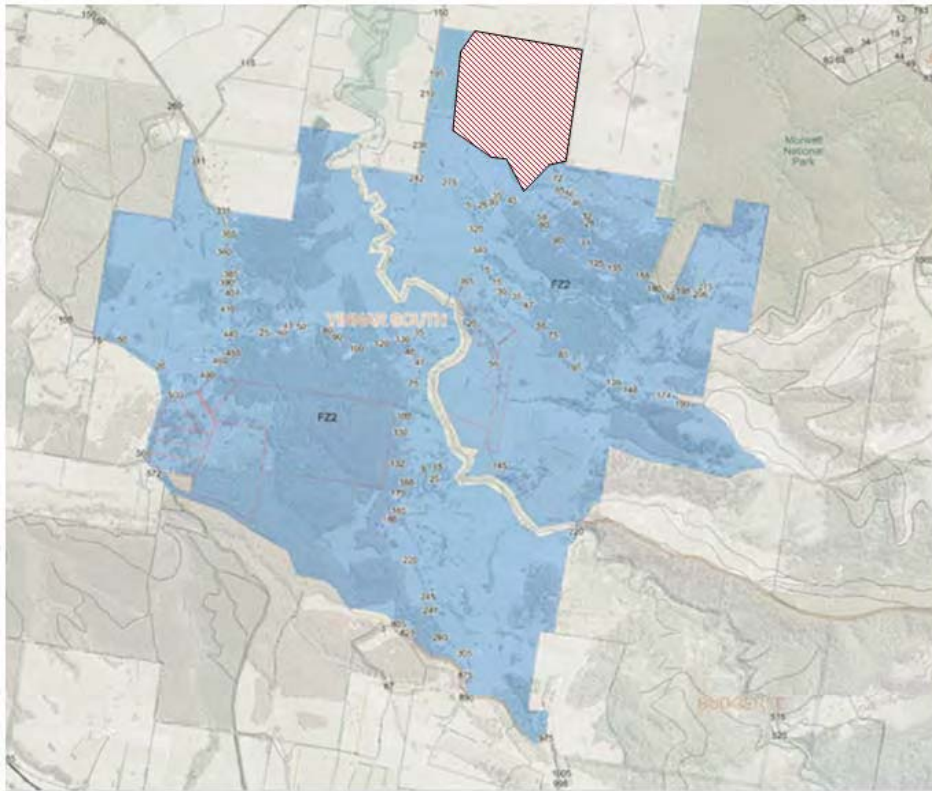
Lake Narracan North Shore (Yallourn North – west) FZ2 precinct (dwelling locations).



Callignee FZ2 precinct (dwelling locations)



Yinnar South FZ2 precinct (small area of land identified affected – red hatching)



Area in Yinnar South within an Extractive Industry Interest Area—note, no dwellings are within this area.



Farming Zone Schedule 2 (FZ2)

2.5 Study approach

In consultation with La Trobe Shire, the approach used in this report in defining EIAs involved the following three major steps:

1. Interpretation of the La Trobe Planning Scheme with respect to extractive industry land use. This step identified areas:
 - where extractive industry either does not require a planning permit or is a consent use;
 - where extractive industry is a prohibited land use but, in some instances, the possibility exists to amend the planning scheme; and
 - which are already committed to lower density rural-residential or rural living development subdivisions.

Specifically:

- identification of those areas within the municipality which allow subdivisions less than 3 ha in area. In accordance with current planning controls these areas do not, in general, have extractive industry as a permit required land use; and
- identification of those areas most likely to be sensitive from an environmental point of view, where it would be unlikely that approval would be granted for the establishment of new extractive industry operations.

National, State and Regional Parks, Flora and Fauna Reserves, land around reservoirs and areas excluded on the basis of environmental, planning and social limitations were also excluded from the study. It should be noted that some of the above areas may be available for extractive industries in some circumstances, subject to compliance with relevant planning controls. For example, there are several extractive industry title applications in the Tyers Regional Park, which partially overlaps EIA Area 3, that are currently being considered by Government. In addition, a total of 130 km² held under Mining Licence and regulated under the MRDA (1990), is not covered by this study, although mention will be made of the impact of the potential use of material from these operations on extractive industry material supply for the LSA.

All other areas were regarded as non-urban, and where extractive industry is subject to normal planning requirements.

2. Analysis of the distribution of rock types based on existing geological maps.
3. Viewing the geology through the *planning window* and identifying areas where both geology and planning schemes allow for extractive industry subject to normal planning controls.

Amendment C105 to the Latrobe Planning Scheme

Assessment of matters relating to Bushfire Risk, Management and Planning

Prepared by Latrobe City Council with the assistance of *Fire Risk Consultants Pty Ltd, Terramatrix* and Country Fire Authority.

November 2018

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1. EXECUTIVE SUMMARY

The objective of bushfire planning policy in Victoria is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Land use planning is identified as the single most important mitigation measure in preventing future disaster losses in areas of new development (*Source: Natural Disasters in Australia: Reforming mitigation, relief and recovery arrangements - August 2002*).

The *State Bushfire Plan 2014* prepared by Emergency Management Victoria identifies that the bushfire risk in Victoria is increasing. Factors contributing to this include Victoria's large areas of highly flammable dry eucalypt forests, expanses of highly flammable grasslands, a climatic pattern of mild, moist winters followed by hot dry summers, and protracted droughts. Understanding the bushfire hazard and managing risks to an acceptable level are important components of local planning. Amendment VC140 reflects the government's commitment to strengthen community resilience to bushfire and delivers on the recommendations of the 2009 Victorian Bushfire Royal Commission. It is the overarching intent of this amendment is that strategic planning must seek to achieve no increase in bushfire risk to existing and future residents.

Following a review of the VC140 requirements and the further advice from the Country Fire Authority (CFA), Latrobe City Council has prepared this *Assessment of matters relating to Bushfire Risk, Management and Planning*, informed by independent review undertaken by Fire Risk Consultants (Part A) and Terramatrix (Part B). Given the broad scope of this policy direction, and similarly the broad scope of the exhibited Amendment C105, it is necessary to consider the full extent of new bushfire policy and its application for the municipal area.

The Assessment therefore draws upon the best available information and targeted assessments regarding bushfire risk, planning and management, including investigations into local bushfire conditions completed for selected locations where changes to planning controls are proposed by Amendment C105. This analysis found synergies between the various bushfire risk reports available for Latrobe City in the assessment of bushfire risk to settlement, highlighting communities including Yallourn North, Tyers, Moe South, Yinnar and Callignee as having high to extreme risk from bushfire (Part A).

In relation to strategic land use planning where consideration is being provided to planning treatments that can in some case be decades into the future, it can be challenging to effectively articulate what this risk will be. Part B of the report provides an assessment of the exhibited Amendment and identifies recommended changes to ensure bushfire matters are appropriately identified and considered by the Latrobe Planning Scheme. Supporting actions to ensure bushfire risk reduction occurs via other mechanisms have also been identified, focusing primarily on the *Latrobe City Council Fire Management Plan* (FMP), which brings together all relevant bushfire risk information together into one plan.

Latrobe City Council would like to acknowledge CFA's assistance to review and develop appropriate responses to bushfire risk prior and post exhibition of Amendment C105. This report is now provided to the Planning Panel to assist in its consideration of the exhibited Amendment C105 in matters regarding bushfire risk, management and planning.

2. INTRODUCTION

Amendment C105 to the Latrobe Planning Scheme has been prepared by Latrobe City Council, who is the Planning Authority for the Amendment. The Amendment introduced broad changes to policy and proposes to changes which affect the majority of land across the municipal area.

Latrobe City Council formally requested Ministerial Authorisation to exhibit Amendment C105 to the Latrobe Planning Scheme 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.

This report is provided to assist the Planning Panel in their assessment of matters relating to Bushfire Risk considered relevant to Amendment C105. Given the broad scope of the amendment, the consideration of bushfire risk refers to the whole of the municipal area.

The report provides information relating to:

PART A - Latrobe City Bushfire Risk:

- Available quantitative and qualitative analysis of Bushfire Risk within Latrobe City.
- Discussion of planning, management and other preventative measures to reduce bushfire risk.

PART B – Amendment C105 Bushfire Assessment:

- Bushfire planning provisions introduced by Amendment VC140 (December 2018).
- Assessment of Amendment C105 in relation bushfire risk and management as described in PART A.
- Proposed revisions to the exhibited Amendment C105 in response to matters raised by submissions.

It is acknowledged that management responses and associated tools to determine the degree of bushfire risk are continually evolving with efforts presently underway to improve community preparedness for bushfire, and reduce overall risk of bushfire. This report therefore relies on recognised state government methodologies for understanding bushfire risk and modelled bushfire behaviour. Targeted investigations into local bushfire conditions have also been completed for selected locations. These assessments are provided at Attachment 11 and 12 to this report.

It is also acknowledged that many opportunities for fire management planning reside beyond the planning scheme, including activities undertaken by various agencies, industry and the interventions provided by the *Latrobe City Fire Management Plan (Latrobe City FMP)*.

PART A:

3. LATROBE CITY LAND USE, CLIMATE AND BUSHFIRE RISK SNAPSHOT

Bushfire risk is the likelihood of a fire starting, spreading and impacting on people, property and the environment – the things we care about most (DELWP 2018). Factors which affect bushfire risk include the type and condition of fuels, weather, topography, the location of people and assets, as well as our ability to prevent fires from igniting and suppress them once they have started. Latrobe City, like much of Victoria and many parts of Australia plans for the risk of bushfire drawing upon historical and modelled information. Historical analysis of bushfire in Latrobe City shows that major bushfires have occurred at least every 3-4 years over the past 11 years.

Comparatively, urban settlement covers a relatively small proportion of the municipality, where approximately 40% of Latrobe City is used for forestry, 30% for agriculture, 10% for coal mining and native vegetation covers 20% of the land area (i.e. National Parks, State Forests, Conservation Reserve). Latrobe City has approximately 730ha of high value timber assets, as identified by VicForests as Ash-type forests (available and suitable for harvest within the next 20 years) on public land.

The diverse natural and physical characteristics of Latrobe City offer a variety of rural and urban living opportunities for the City's estimated population of 75,000. Approximately 75% of the population live in the main urban centres of Traralgon, Morwell, Moe and Churchill with the remaining population residing in small towns and rural areas. Outside of urban settlement areas, primary land uses include forestry and mining industries, along with large industry precincts and the Latrobe Regional Airport (Source: *Latrobe City FMP*). Latrobe has mild to warm summers with average maximum daytime temperatures around 23 C to 25°C. In winter, average maximum daytime temperatures are mostly around 12 C to 14°C. The Latrobe Valley's warmest month is February with an average temperature range of 12.5 C to 26.4 C and the coldest month is July with an average temperature range of 3.6 C to 13.5 C. Annual rainfall average across the region is 800 millimetres with the occasional frost and snow on neighboring hills. The most rain occurs in late winter and spring.

While forest fires represent only 3.8% of all bushfires; when they do occur they can have devastating consequences as occurred in the Black Saturday fires of 2009. However care needs to be taken as to how this is interpreted as a number of the recent bushfires may have been classified as scrub or grass fires. History shows that fires that start in non-forested areas can also impact the community. The vast majority of bushfires in Latrobe City, around 96%, occur in scrub or bush and grass type vegetation with some 51% of all bushfires are contained to less than one hectare in size. The ignition factor of many fires is unknown, around 22%, however of the known causes of ignition, the top ignition factors for bushfires are:

- Deliberately lit or suspicious fires 32.7%,
- Unattended or inadequately controlled fires in the open 9.4%,
- Private fuel reduction burns 6.7%.

The following section of this report provides an overview of tools used to assess the bushfire risk in Latrobe City including current and planned management actions.

4. MAPPING AND MANAGING BUSHFIRE RISK IN LATROBE CITY

Bushfire hazards are currently identified at State, Regional, Municipal, and Local levels with planning for bushfire occurring across each level, with responsibilities for bushfire risk management, mitigation and response shared across Government Departments, Agencies and private industry. Emergency Management Victoria highlights the importance of shared responsibility and for all parties to participate in managing and reducing risk from bushfire.

This section outlines Latrobe City's bushfire risk profile drawing on available plans and information. This section also discusses key initiatives and related bushfire management plans established to mitigate bushfire risk.

Key strategies and plans covered in this assessment include:

- **Safer Together;**
- **Strategic bushfire management plan – East Central;**
- **Phoenix Rapid Bushfire;**
- **Victorian Fire Risk Register;**
- **Planning and building controls – including AS 3959 - 2009, Bushfire Management Overlay and related Victorian Planning Provisions**
- **Profile of Bushfire Risk within Latrobe City (July 2015 & 2016 Update) ;**
- **Latrobe City Fire Management Plan;**
- **Community Education and Engagement – including Community Bushfire Connection and CFA programs;**
- **Community based fire plans (eg. Traralgon South and Callignee);**
- **Latrobe Valley Sensor Network.**

4.1 SAFER TOGETHER

Safer Together is the state government's new approach to reducing the risks from bushfire, focusing on the effectiveness of actions in reducing bushfire risk.

The new approach is about:

- *better assessing where and when to use fuel management and other risk reduction activities;*
- *avoiding unacceptable impacts on the environment and communities;*
- *better integration across public and private land and fire managers working together and with communities to plan and deliver integrated bushfire management;*
- *involving local communities in decision making, drawing on local values and insights to promote resilience; and*
- *using world-leading science to manage fire and ecosystems.*

(Source: <https://www.safertogether.vic.gov.au/background>)

The 2009 Victorian Bushfires Royal Commission concluded that integrated fire management planning could improve planning for fire prevention. Integrated fire management planning requires the involvement of the community, public and private land owners, utility providers, the State, Councils, and industry. The Safer Together initiative is understood to be in response to the recommendations of the Victorian Bushfire Royal Commission. As part of this initiative a 'Landscape Bushfire Risk Analysis' is being completed which will consider both public and private land.



The Safer Together – Strategic Bushfire Management Planning – Gippsland (Summary of initial fire management sector workshops) July 2018 report includes:

While Gippsland is covered by two existing public land fuel management strategies there is no comparable strategy for managing fuels on private and municipal land across Gippsland. This remains a current limitation in understanding and managing fire risk in the municipality. New bushfire management strategies are presently being developed for regional areas including Gippsland. These strategies will prioritise fuel management across both public and private land.

Note: *Latrobe City FMP* outlines all agencies, Government, non-Government and the communities responsibilities for reducing fire risk starting or being affected by bushfire on private land. The *Latrobe City FMP* is further explained by this report.

4.2 STRATEGIC BUSHFIRE MANAGEMENT PLAN – EAST CENTRAL

The Strategic Bushfire Management Plan – East Central was released in October 2014 and outlines the fuel management strategy that DELWP and Parks Victoria will implement on public land. The strategy guides action to minimise the risk of major bushfires to people, property, infrastructure and economic activity, while maintaining and improving the resilience of natural ecosystems. Importantly, this report is based on movement of fire in the landscape – not municipal boundaries.

The plan was developed with the community, industries and other emergency service agencies including:

- Parks Victoria;
- Country Fire Authority;
- Local governments;
- Water corporations and utility services;
- Private land managers, regional and municipal integrated fire management planning committees;
- Victorian National Parks Association;
- Latrobe University;
- University of Melbourne;
- Department of Human Services; and
- Community representatives.

The methodology for developing this plan is based on the International Standard for Risk Management, ISO 31000. The risk assessment process aims to determine the likelihood and consequence of a major bushfire impacting on people and properties, on the landscape's key infrastructure, economic assets and high-value ecosystem areas.

Victorian Governments method for determining degree of bushfire risk is measured by '*residual risk*'. Residual risk considers the *Victorian Fire Risk Register* and *PHOENIX Rapidfire* bushfire simulation software along with past bushfire experience and local knowledge. An overview of these methods is further described below.



SIMULATING BUSHFIRE (PHOENIX RAPIDFIRE)

In Victoria, the *PHOENIX Rapidfire* bushfire simulation software is utilised to simulate the spread and intensity of bushfires, including flame height, ember density, spotting distance and convection column strength and intensity.

This tool was developed in conjunction with DELWP, the University of Melbourne and the Bushfire Co-operative Research Centre. *Phoenix Rapidfire* is used by fire agencies for both incident prediction (State Control Centre) and as a key tool for bushfire risk assessment and strategic bushfire management planning (Source: *Community Bushfire Connection*). It is important to note that the simulation tool doesn't predict where bushfires may start, rather is used to assess the consequence of bushfire.

The *Strategic Bushfire Management Plan – East Central* report states:

“Comparisons between PHOENIX Rapidfire simulations and actual past bushfires show it accurately calculates their spread and intensity. The Victorian Bushfire Risk Profiles report describes how DELWP uses PHOENIX Rapidfire to simulate bushfires.”

Phoenix models can be set to simulate bushfires in different weather scenarios. It has been used by DELWP and other fire agencies for both incident prediction (State Control Centre Phoenix RapidFire system) and as the key tool for bushfire risk assessment in fire management planning. All modelling has limitations however; Phoenix is a useful tool in analysing landscape scale bushfire risk.

The **Victorian Bushfire Risk Profiles** report describes how DELWP uses *PHOENIX Rapidfire* to simulate bushfires and establish 'Residual Risk'.

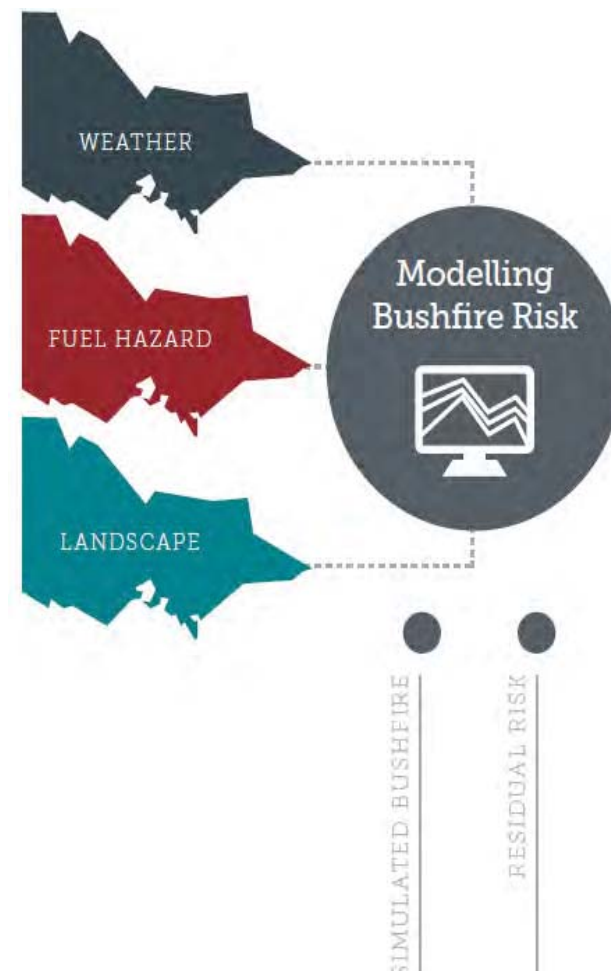


Image: Strategic Bushfire Management Plan – East Central (2014)

RESIDUAL RISK

Residual risk is the risk, on average and across the whole landscape, that bushfires will impact on properties or other assets. It is the percentage of risk remaining after bushfire history and fuel management (mainly planned burning) activities are taken into account. For example, 80% residual risk means that the risk of property and infrastructure being impacted by a bushfire—on average, throughout the landscape—is 80% of what it would have been if we had never had bushfires and planned burning to reduce the fuel hazard.

The Phoenix Rapidfire tool uses past fire history and proposed fuel reduction burning to determine the residual risk. both Victorian Fire Risk Register Residual Risk levels specific to Latrobe City are provided at Section4.3. A comparative assessment of Residual Risk by municipality is shown below at Figure 2. DELWP measures residual risk using PHOENIX Rapidfire bushfire simulation software. This software calculates the reduction in a location’s residual risk if we reduce fuel hazard at the ignition points, and along the spread paths, of bushfires that could impact the location.

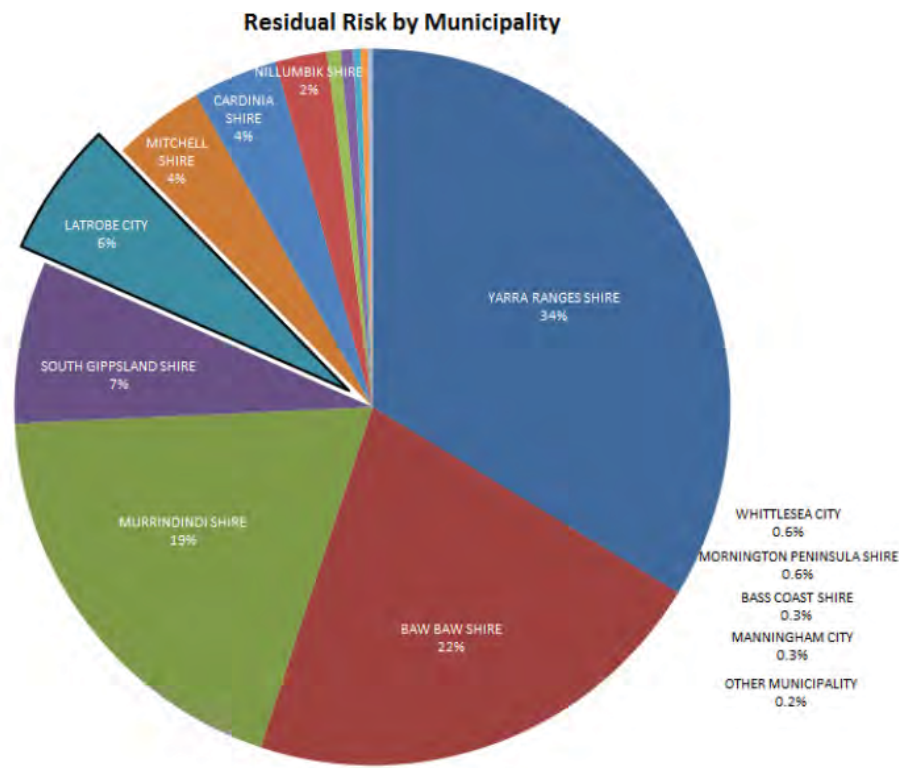


Figure 2: Residual Risk by municipality within East Central bushfire risk landscape (Source: Profile of Bushfire Risk within Latrobe City – July 2015)

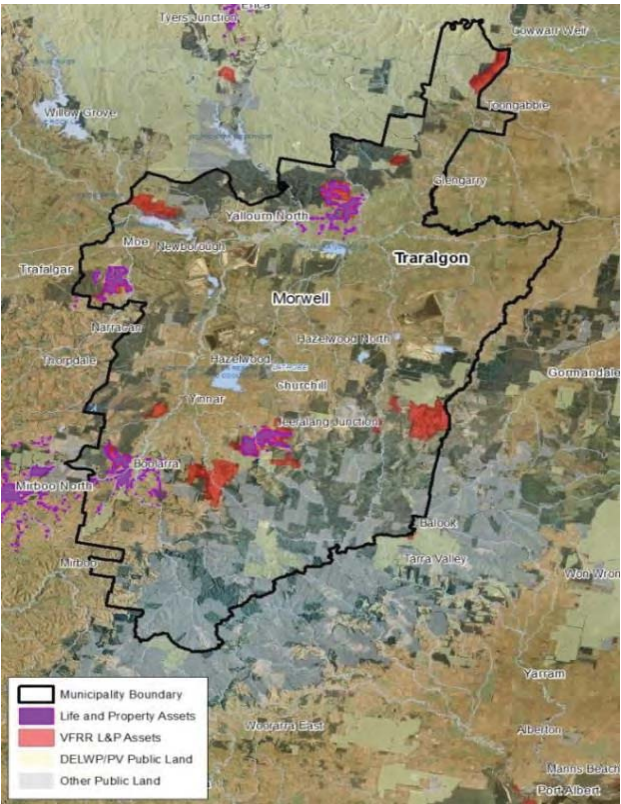


Figure 3: Most at risk life and property assets identified by Phoenix Localities. (Source: Profile of Bushfire Risk within Latrobe City – July 2015)

AS3959-2009 BUILDING IN BUSHFIRE PRONE AREAS (STANDARDS AUSTRALIA)

This is the model used to determine buffer distances from a bushfire hazard and informs the establishment of site based Bushfire Attack Level (BAL) rating. Australian Standard uses vegetation type and the slope of the land to determine minimum distances between a bushfire hazard and new development. A buffer distance equivalent to a BAL of 12.5 for new development is required (which generally equates to the likely impact of fuel within 100m of a dwelling). Note that for land subject to the Bushfire Management Overlay different buffer distances apply.

This Standard is utilised when a Bushfire Prone Area and/or Bushfire Management Overlay is in place, this Standard is then required to be complied with. In the event that a BMO is in place, then the site assessment processes to be used are found in the Planning Scheme.

Where only a Bushfire Prone Area is in place, the Standard is used to determine compliance with the requirements of the relevant building regulations.

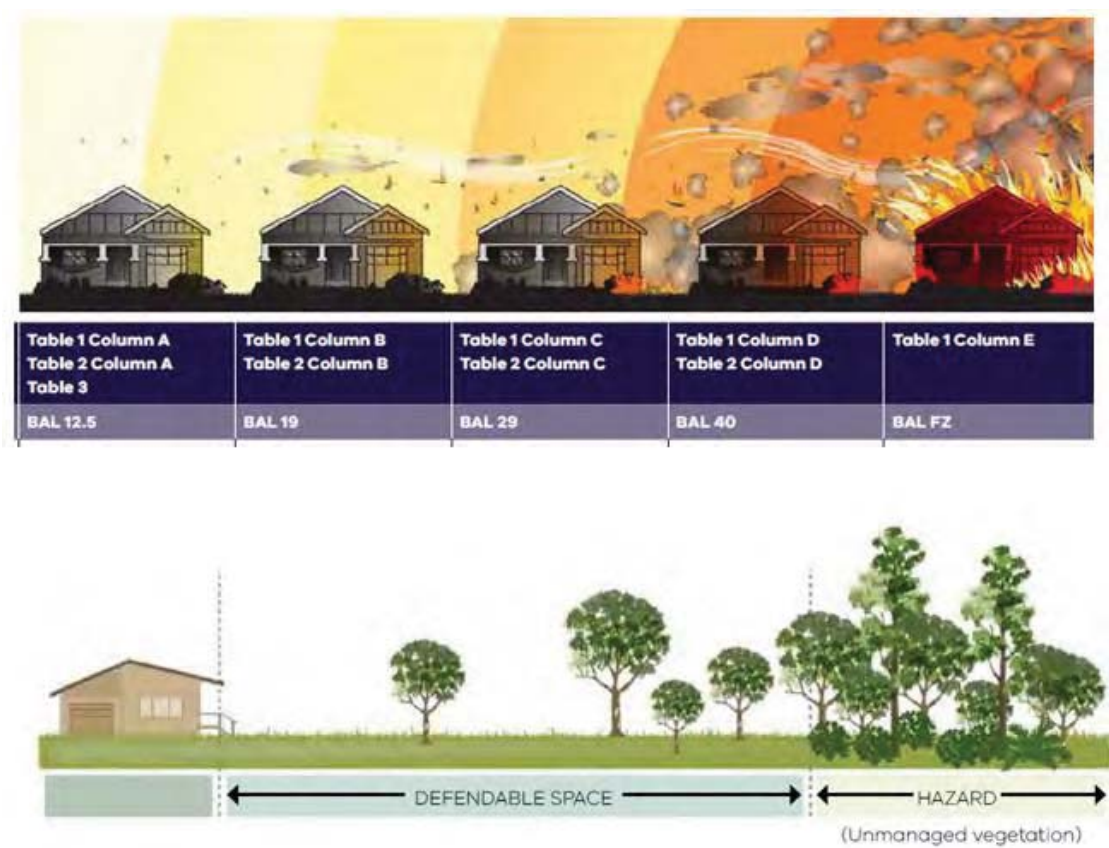


Figure 4: Images demonstrating achievement of buffer from bushfire hazard to achieve BAL 12.5.
(Source: Defendable Space (BMO) CFA guideline (cfa.vic.gov.au September 2018); and Planning Permit Applications BMO Technical Guide September 2017)

VICTORIAN FIRE RISK REGISTER (VFRR)

The Victorian Fire Risk Register - Bushfire (VFRR-B) provides a process in which representatives from local government, fire services, public land managers, utilities and community groups map assets at risk from bushfire and assess the level of risk to identified assets. Assets may include residential areas, children's services, hospitals, aged-care facilities, infrastructure, commercial industry, tourism events, flora, fauna and those that are culturally significant. Agency representatives also record the current treatments which are carried out to mitigate the risk to the asset. Treatments may include fire prevention, community education and hazard reduction. The VFRR is updated regularly by CFA and Municipal Fire Management Planning Committees, to which Latrobe City Council's Emergency Management Coordinator is Chair.

Figure 7 high risk localities (life and property) including identified by the VFRR and *Phoenix Rapidfire* modelling as at November 2017.

Relevant to Latrobe City, the *Strategic Bushfire Management Plan 2014* states:

"The Latrobe Valley bushfire catchment contains almost 3% of risk to life and property in our landscape. High-risk towns in this catchment include Tyers, Mirboo North, Jeeralang Junction, Moe South and Boolarra.

Key infrastructure includes the Loy Yang, Hazelwood and Yallourn power stations and coal mines, and the APM paper mill. The Tanjil State Forest and Moondarra National Park to the north of the catchment can be treated by planned burning, but much of the land south of the Princes Freeway—being either plantation forest or agricultural grassland—cannot.

The worst bushfires in this catchment start in the grasslands in and north of Mount Worth State Park, and north of Yallourn North in the Tanjil State Forest, with bad bushfires starting many kilometres into the forest. Major areas of convection are the Mount Worth State Park and everything in the large forested area north of Yallourn North in the Tanjil State Forest, so fuel management there can effectively reduce the spread and intensity of bushfires. Planned burning to stop large bushfires spreading out of the large northern forested and Mt Worth areas is the key to reducing the risk to towns and infrastructure in this catchment."

4.3 PROFILE OF BUSHFIRE RISK WITHIN LATROBE CITY (JULY 2015 & 2016 UPDATE)

The *Profile of Bushfire Risk within Latrobe City* (2015) report provides an analysis of bushfire risk in Latrobe City and then describes the assets to be protected. The report notes that Latrobe City has a wide variety of assets at risk of fire throughout the municipality, as well as extensive areas of ecological assets, coal and small areas of timber assets.

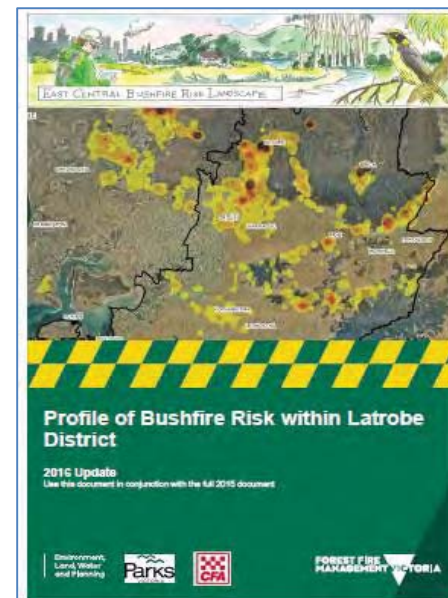
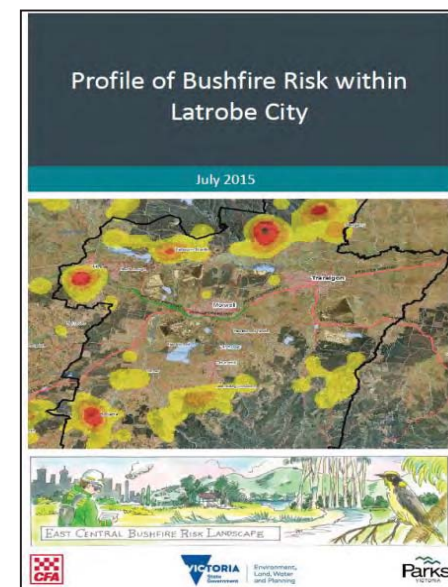
Landscape scale risk analysis is provided to indicate where the worst fires could start, build intensity and where they are likely to impact the most (using Phoenix). These are the townships most at risk from major bushfire as well as landscape significant infrastructure. It also shows current fuel hazard levels and a case study of the highest risk locations within the municipality, drawing upon VFRR information.

The 2015 report states:

“The risk information included here is provided for Council’s information to guide bushfire risk mitigation actions as appropriate. This may be through the Municipal Fire Management Planning Committee or other relevant group.”

The 2016 update is not a full recreation of the original document rather provides updated fire history information and provides updates where the original Phoenix modelling data has been update using data as at June 2016.

Figure 5 (over page) shows the impact of fires and planned burning on the risk to life and property in the district (i.e. Residual Risk). Other fuel modification such as slashing and fuel breaks, while useful to protecting life and property, are not considered in this modelling.



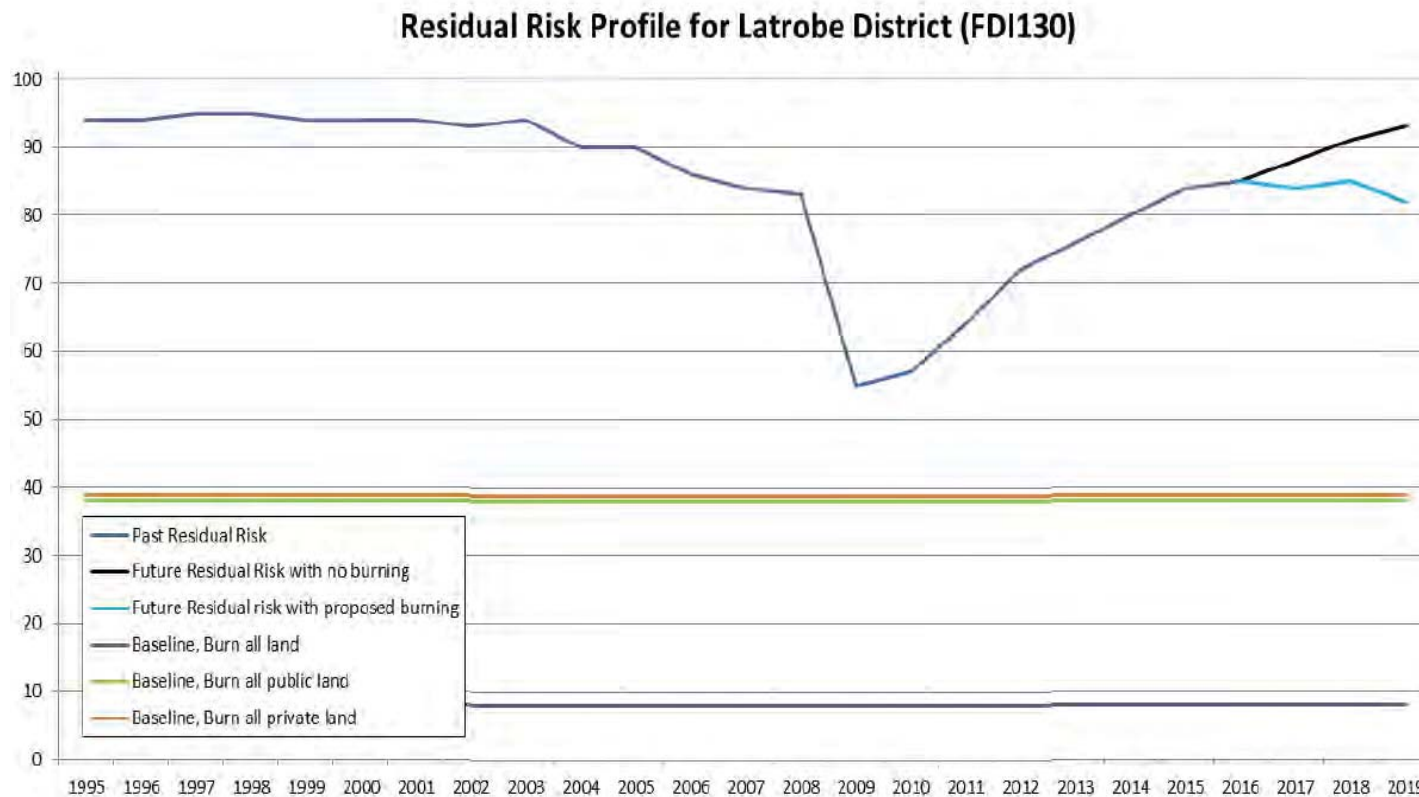


Figure 5: Residual Risk Profile for Latrobe District (FDI130)

The green line across the Residual Risk Profile in Figure 5 shows what the theoretical residual risk could be in the district if all public land that is treatable (can be burnt safely under planned burning conditions) is burnt in one year. Historically, the risk in the district has been steady at around 95%. Due to fires and planned burning the risk started falling in 2003, reaching as low as 85% before the Black Saturday Fires.

Following the Black Saturday fires in 2009, the risk reduced to 55%, and has been rising steadily since. The light blue line in Figure 5 show that expected residual risk following the completion of the DELWP *Fire Operations Plan* (FOP) will stabilise and start to fall to around 80% for the next three years. (Source: *Profile of Bushfire Risk within Latrobe City* 2015).

VICTORIAN FIRE RISK REGISTER (LATROBE CITY)

Figure 6 shows the impact risk in the municipality at FFDI130 with no fire history in map format. This provides a visual representation of the highest risk localities in the municipality as at 2015 (as determined from Phoenix Rapidfire modelling).

This is determined by calculating the number of houses (sourced from the address points data layer) in an area multiplied by the number of fires that would reach that property and likely burn it down. It shows clearly that Moe, Boolarra, Tyers, Toongabbie, Glengarry North and Yallourn North are at significant risk of bushfire under the scenario and therefore doing works to reduce the risk to these areas will have the highest benefit.

Figure 7 shows human settlement areas and the associated bushfire risk rating as determined by the VFRR, prepared using data from 1 August 2017 to 1 November 2017.

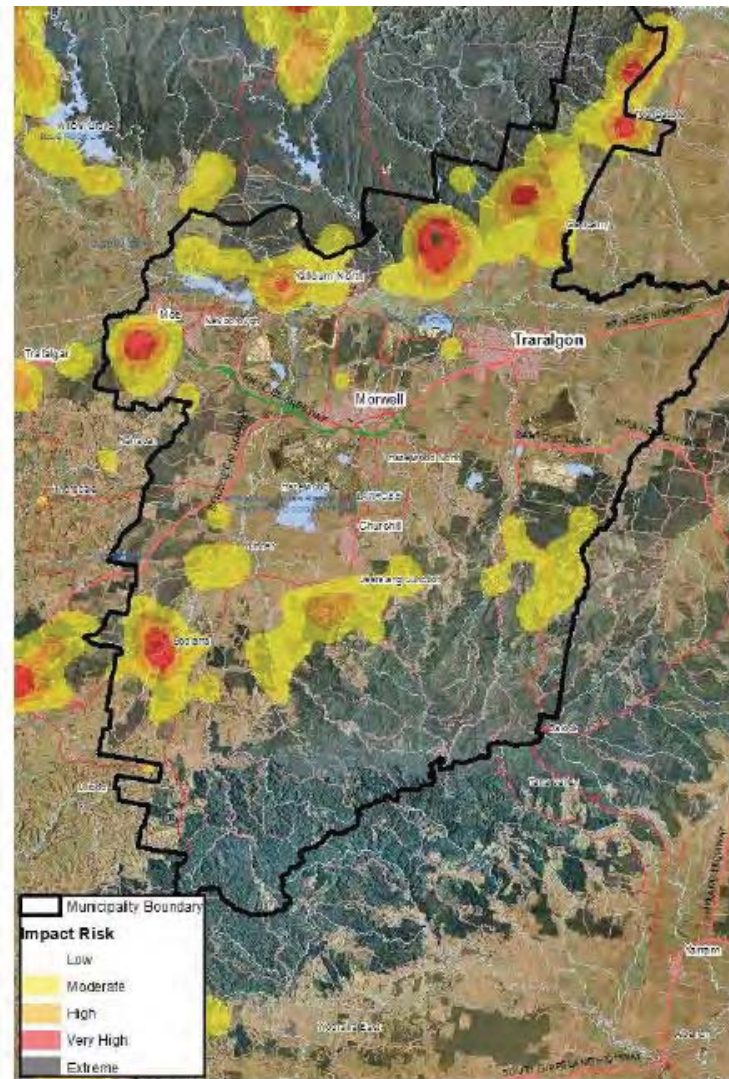


Figure 6: Impact risk map for maximum fuel load, showing localities with highest risk of bushfire undertaken by Phoenix Rapidfire modelling (Source: Profile of Bushfire Risk within Latrobe City (2015))

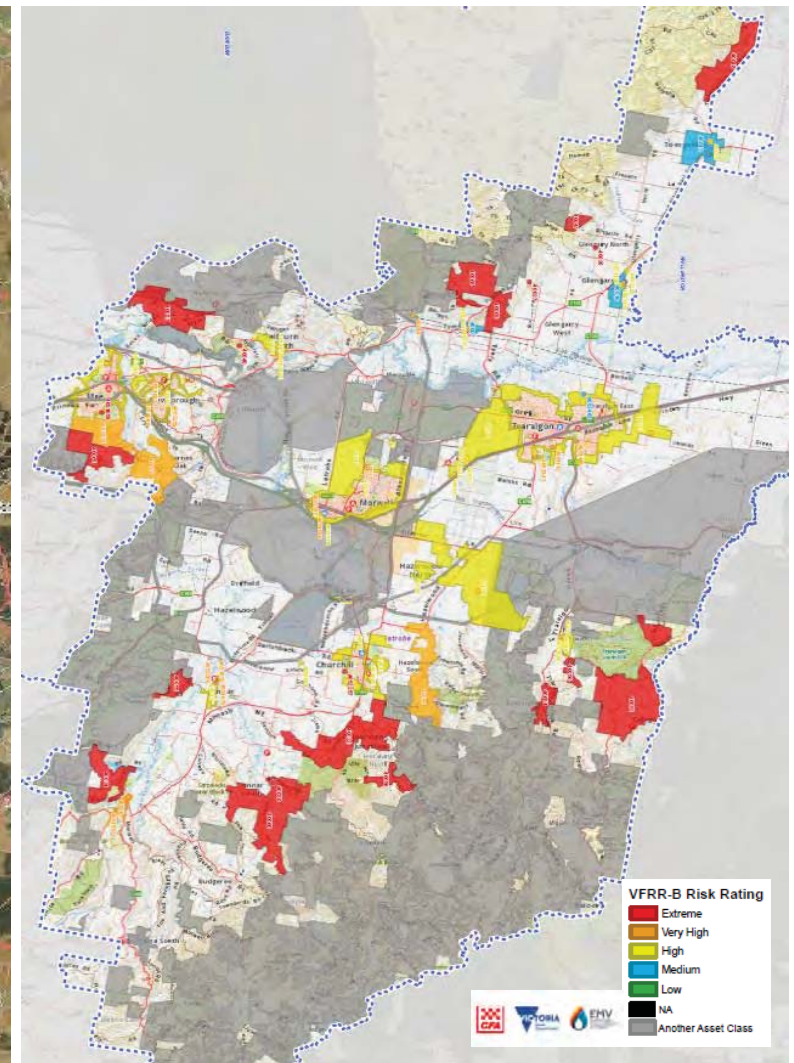


Figure 7: Recent mapping of human settlement risk level using VFRR data as at November 2017 (Source: CFA)

FIRE HISTORY

Known fire history is shown at Figure 8. What is significant on this map is that location of fire risk in Latrobe City is not limited to the municipal area (i.e. Bushfire risk may establish outside the municipality).

This is acknowledged by the *Strategic Bushfire Management Plan – East Central*, which notes that the “...worst bushfires in this catchment start in the grasslands in and north of Mount Worth Park, and north of Yallourn North in the Tanjil State Forest, with bad bushfires starting many kilometres into the forest.... Planned burning to stop large bushfires spreading out of the large northern forested and Mt Worth areas is the key to reducing the risk to towns and infrastructure in this catchment.”

The 2015 Report notes that there is a lack of data for fire history on private and some public land.

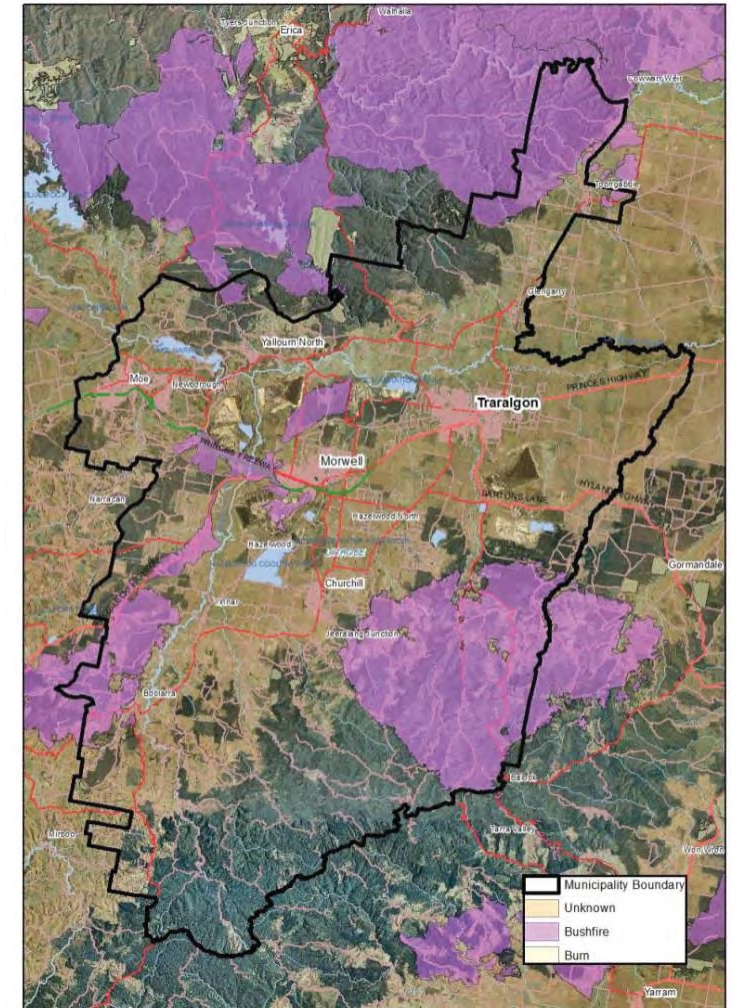


Figure 8: Known fire history within Latrobe City and adjoining municipalities (Source: *Profile of Bushfire Risk within Latrobe City* (2015))

BIODIVERSITY VALUES

The current level of native vegetation in Latrobe Valley is at 22% of the 1750 levels (pre- European contact). This is a relatively high percentage of coverage in comparison to other regional cities; however this coverage is inconsistent across the rural areas. Additional information on biodiversity assets within Latrobe City is provided within the exhibited *Rural Land Use Strategy* (RLUS) and the Latrobe City Council *Natural Environment Sustainability Strategy*.

ECOLOGY TOLERABLE FUEL LEVELS

The 2015 report utilises data from the *Victorian Biodiversity Atlas*, NaturePrint (which has information about biodiversity values, threatening processes and ecosystem function), and various databases of flora and fauna attributes, tolerable fire intervals and the growth stages of Victoria’s native vegetation.

Over half of the municipality is currently below minimum tolerable fire interval (TFI). The report notes that these areas should not be burnt again until they are no longer below minimum TFI unless for the protection of life, property or other assets.

Only a small portion of the municipality is recorded as being above maximum TFI, however around one third has no recorded fire history and can be assumed as being above maximum TFI.

There are 32,770ha of high risk ecological assets found in fire sensitive areas, at least 10ha in size (including Leadbeater’s Possum and Strzelecki Koala. habitat, some threatened species and old growth forest (see figure 10).

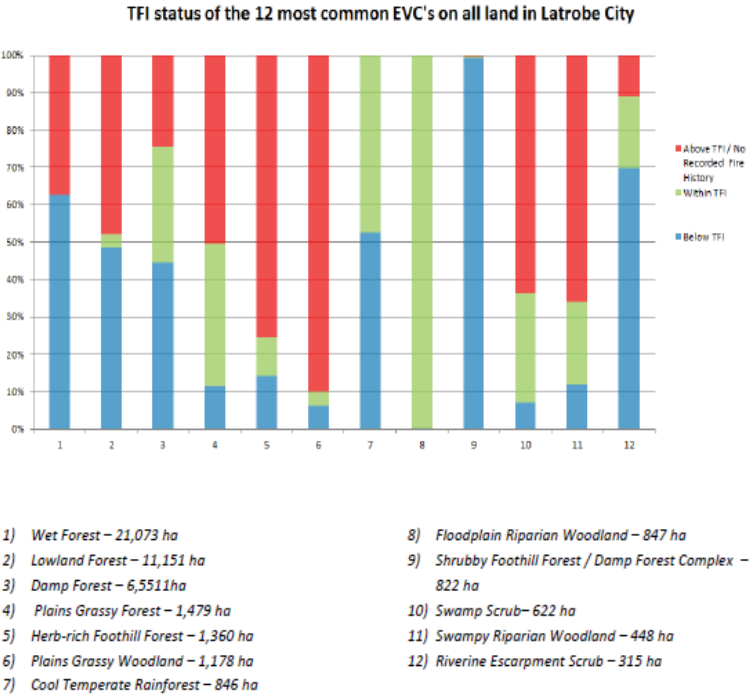


Figure 9: TFI Status of the 12 most common EVC’s within Latrobe City as a 2014. (Source: Profile of Bushfire Risk within Latrobe City (2015))

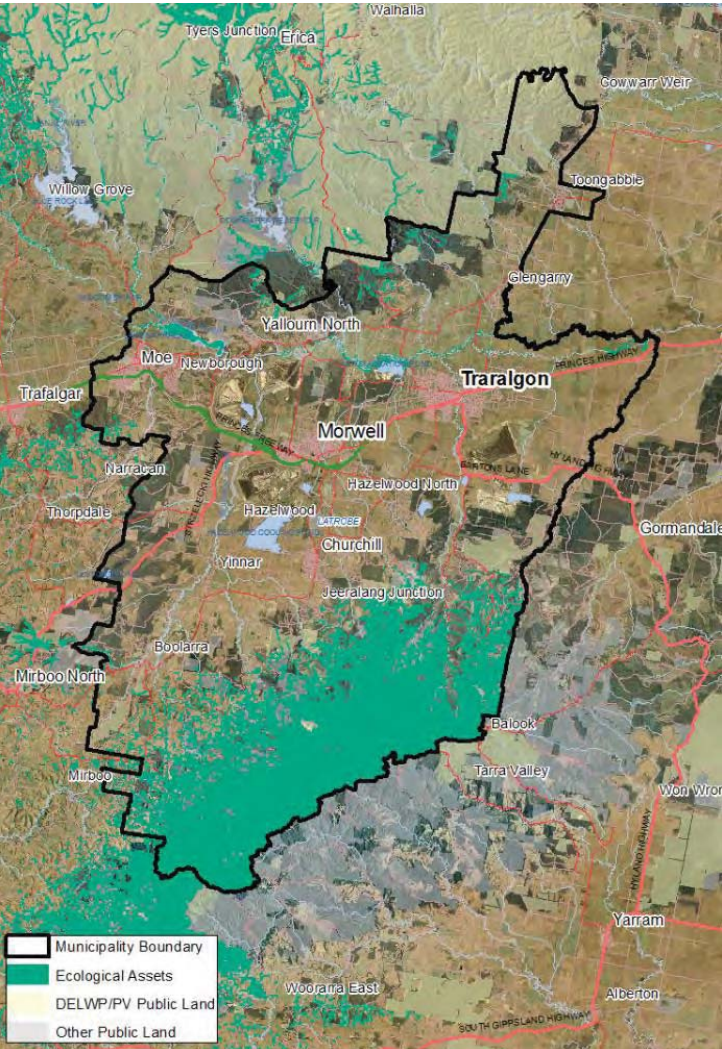


Figure 10: Ecological assets identified within Latrobe City and surrounds. (Source: Profile of Bushfire Risk within Latrobe City (2015))

IGNITION THREAT

The ignition threat map shown at Figure 11 is useful to determine where the worst fires affecting the municipality start.

The worst fires that will impact the municipality are those that start to the north of the municipality and spread south west impacting on areas such as Moe, Tyers, Glengarry North and Toongabbie. The highest risk localities are identified as Moe, Boolarra, Tyers, Toongabbie, Glengarry North and Yallourn North.



Churchill fire, Black Saturday 2009

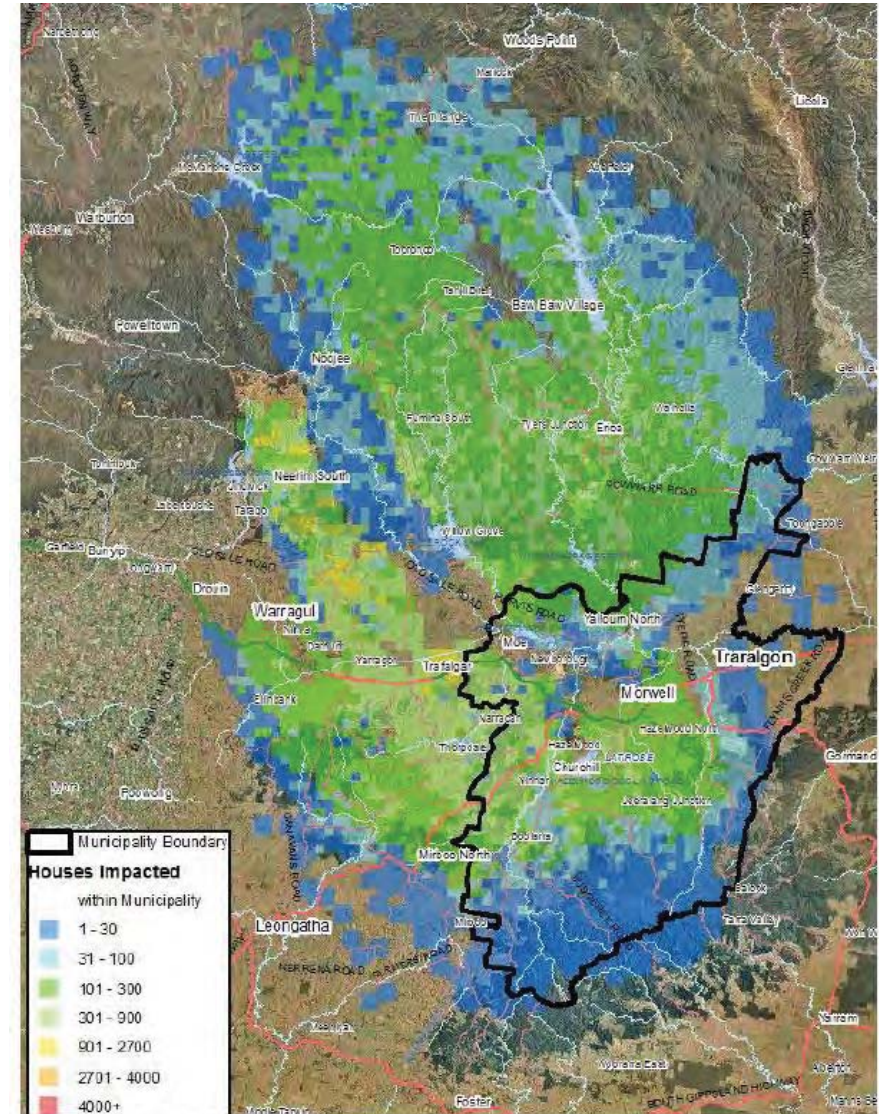


Figure 11: Ignition threat map for Latrobe City with a maximum fuel load scenario. (Source: Profile of Bushfire Risk within Latrobe City – July 2015)

A summary of bushfire risk specific to Latrobe City as described by the *Profile of Bushfire Risk within Latrobe City* (2015) is as follows:

Overall fuel hazard in the municipality:	<i>Latrobe City has large areas of forested land in the south of the municipality which have the potential to reach extreme fuel hazards as well as extensive areas of grassland which can reach a moderate fuel hazard. Where the fuel hazard is not on public land and is difficult to treat private land areas, other methods of fuel reduction and fire prevention such as education and Fire Prevention Notices could be considered.</i>
Threat to the municipality:	<i>The worst fires at FFDI130 that will impact the municipality are those that start to the north of the municipality and spread south west impacting on areas such as Moe, Tyers, Glengarry North and Toongabbie. Analysis of Ignition Threat was done for East Central bushfire risk landscape only so it is difficult to ascertain the impact of fires starting within Latrobe City would have on Wellington Shire. The highest risk localities are identified as Moe, Boolarra, Tyers, Toongabbie, Glengarry North and Yallourn North.</i>
Assets at Risk:	<i>Latrobe City has a wide variety of assets at risk of fire, including localities throughout the municipality, as well as extensive areas of ecological assets, coal and small areas of timber assets. The VFRR also indicates additional significant assets to consider throughout the municipality.</i>
Where risk sits:	<i>Phoenix modelling indicates Latrobe City has six percent of the risk within the whole East Central, and Tyers is the highest risk locality. Most of the risk identified is due to fires starting and spreading through the northern area of the municipality, including neighbouring municipalities.</i>
Risk that can be reduced:	<i>Around 65% of bushfire risk could theoretically be managed by fuel reduction on public land. This indicates that some of the risk that exists within the municipality is due to fuels on private land.</i>
Ecology:	<i>Over half of the municipality is currently below minimum Tolerable Fire Interval (TFI). These areas should not be burnt again until they are no longer below minimum TFI unless for the protection of life, property or other assets. Wet Forest, Cool Temperate Rainforest, Shrubby Foothill Forest / Damp Forest Complex and Riverine Escarpment Scrub are significantly below minimum TFI. In comparison to the rest of East Central, there is more vegetation below TFI within the municipality. Only a small portion of the municipality is recorded as being above maximum TFI, however around one third has no recorded fire history and can be assumed as being above maximum TFI (commonly located on private land).</i>
How is risk being reduced:	<i>DELWP has and is continuing to undertake planned burning as well as other works including fuel breaks and forest roading within the municipality, but some of the forest surrounding the highest risk localities is not on public land. Latrobe City Council also undertakes works across shire managed land and along roadsides in most of the highest risk areas. DELWP has created a new fuel management strategy to protect life, property and other assets. Some additional areas that can be treated to reduce the risk to the municipality are in municipalities to the north west of Latrobe City, to prevent fires reaching Latrobe City. Some areas across both public and private land have been identified as a priority to reduce risk.</i>

4.4 LATROBE CITY FIRE MANAGEMENT PLAN 2017- 2020

The purpose of the *Latrobe City Fire Management Plan 2017 – 2020* (FMP) is to chart the planned and coordinated implementation of measures designed to minimise the occurrence and mitigate the effect of fire in Latrobe. This plan considers all forms of fire including bushfire, structure fire, coal fire and fire involving chemicals, and consolidates actions in response to the significant range of plans that exist within Latrobe that relate to fire.

An important aspect of implementing the FMP is to engage communities in the fire management planning process. This ensures that the FMP responds to community needs, values and risks.

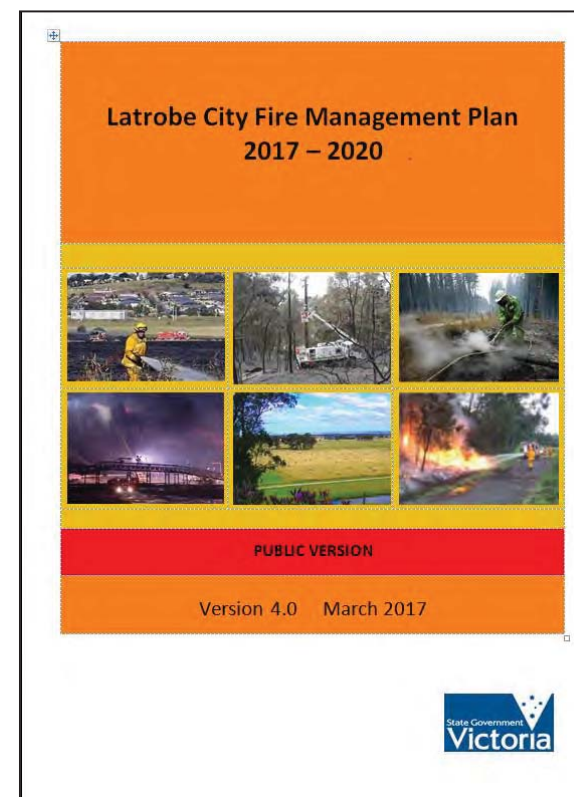
The FMP has been produced pursuant to the *Emergency Management Act 1986*; and is considered to fulfil the requirements of the *CFA Act 1958*.

The FMP identifies the following priorities or values for Latrobe City as they relate to fire:

- *Protection and preservation of life is paramount;*
- *Protection of critical infrastructure and community assets that support community resilience;*
- *Protection of residential property as a place of primary residence;*
- *Protection of assets supporting individual livelihoods and economic production that supports individual and community financial sustainability; and*
- *Protection of environmental and conservation values that consider the cultural, biodiversity, and social values of the environment.*

The FMP includes a register of assets at risk of bushfire, and outlines a range of bushfire mitigation strategies and treatments which are applied including:

- Provisions in the Victorian Planning Scheme;
- Bushfire Management Overlays/Bushfire Prone Areas;
- Provisions in the Building Code of Australia (BCA);
- Compliance and enforcement of legislation;
- Declared Fire Danger Period/ prohibited period²² and restrictions;
- Total Fire Ban day declarations;
- Community information and warnings;



- Gippsland Arson Prevention Program (GAPP), HVP, Council, Police, CFA, DELWP;
- Powerline hazard tree identification, management and reporting;
- Fire hazard inspection program and issue of notices;
- Public awareness programs – multimedia communications;
- Roadside vegetation management by VicRoads, municipal councils and DELWP;
- Council patrols and inspections;
- Emergency management signage;
- Event Management Plans;
- Routine asset maintenance;

The FMP identifies that ‘*strategic firebreaks*’ are established where sites are identified because of their ability to be used as a firebreak and provide a major traffic corridor. All strategic firebreaks are the highest priority for both fire prevention works and road surface maintenance.

In responding to the changed policy requirements for the consideration of bushfire risk within the Planning Schemes, it is acknowledged that further alignment of the FMP and Planning Scheme will be necessary. This will be particularly relevant whereby the planning approval of new uses and development will cognisant with the ongoing management of land identified by the FMP (either on individual sites or broader precincts). This matter was noted by the Royal Commission in their report which stated:

“... land-use planning and building controls to minimise or reduce bushfire risk presents challenges, that it can only control development from the day the control is applied and cannot retrospectively enact policy.

The Royal Commission further noted that a bushfire policy that broadly outlines how to incorporate risk management in land-use planning should include the policy’s links with the council’s municipal fire prevention plan and municipal emergency management plan (1).

Relevant to Amendment C105, the *Latrobe City Fire Management Plan* provides:

- *The FMP includes a register of assets at risk of bushfire, and outlines a range of actions to reduce and mitigate fire risk within Latrobe City. This includes the identification of safer places, management of fire access roads and primary and secondary fire breaks.*
- *The FMP will play an increasingly important role in land use planning decisions, particularly where consideration of continued land management is necessary to mitigate bushfire risk.*

4.5 PLANNED BURNS AND WORKS PROGRAMS

Fuel modification to reduce risk requires a concerted effort by all agencies and land managers across the landscape. The 2009 *Bushfire Royal Commission* stated that prescribed burns were one of the main tools for fire management on public land. It cannot prevent bushfire but it decreases fuel loads and so reduces the spread and intensity of fire. Accordingly the Royal Commission recommended a range of actions to be undertaken in relation to fuel management.

DELWP's Forest Fire Management is working to reduce risk through its *Fire Operations Plan* (FOP), its three year schedule of planned burns, as well as the annual works program that includes strategic fire access roads and strategic fuel breaks.

Latrobe City Council undertakes works across its road network, reserves and other managed areas identified as having the highest risk. The FMP also identifies prevention measures to be undertaken on private land as a priority to reduce risk. Key land managers such as plantation forestry and mining industries, also undertake fire management and response activities for the protection of their assets and to avoid negative impacts on the community. As part of the Victorian Governments *Safer Together* initiative being undertaken in Gippsland, a primary focus is better integration of fire mitigation efforts (including planned burns) across public and private land. Safer Together seeks to encapsulate a tenure blind approach to bushfire risk mitigation.

DELWP's East Central bushfire risk landscape has developed a fuel management strategy across all land tenures. This has been done by identifying the best places to undertake fuel treatment to reduce the risk to life, property as well as other assets (See Figure 12). This map does not show CFA or Local Government burns planned within the District.

DELWP is actively reviewing the locations of its future planned burning programs to focus burning into these strategic areas which will maximise risk reduction. These works directly influence the level of residual risk to communities, assets and identified infrastructure.

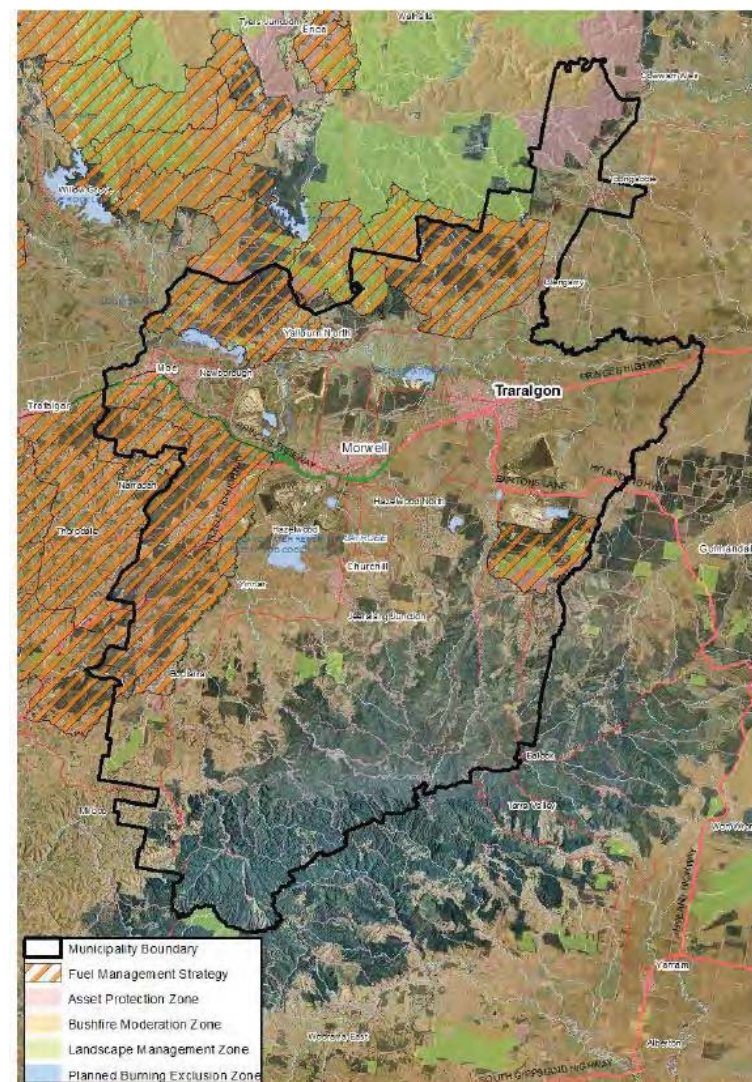


Figure 12: Fire Management Zoning and fuel management strategy (2015).

4.6 COMMUNITY EDUCATION AND ENGAGEMENT

A range of community education and engagement programs, largely coordinated by CFA, are periodically undertaken each year. These include Community FireGuard programs, bushfire awareness sessions and other community action and education programs.

The *Latrobe Valley Community Bushfire Connection* is an example of such program, undertaken to better understand, and inform, what people do before, during and after a bushfire; either individually on their property, collectively in their township or as an organisation involved in emergency management. This program was held from 2014-2018.

The program delivered three community-based bushfire-related events across Latrobe Valley communities, including: Callignee, Tyers, Yallourn North, Yinnar, Toongabbie, Glengarry, Boolarra, Jeeralang, Moe South, Morwell and Churchill.

The project:

- *Focused on specific small townships around the Latrobe Valley;*
- *Provided information and latest research directly to residents;*
- *Assisted in development or upgrading of individual and township plans;*
- *Provided an opportunity, via a bushfire scenario, to test these plans in a simulated bushfire event; and*
- *Gathered information to drive further improvement and identify ways to work collaboratively across agencies, townships and individuals.*

Some key benefits the project achieved were:

- *a 'joined up' approach to planning across individuals, townships and organisations;*
- *action learning;*
- *enhanced community resilience;*
- *improved trust between agencies and community; and*
- *sharing of experiences and knowledge (on this webpage).*



Additional information regarding this program, bushfire modelling history in Latrobe City, and an overview of activities and key learnings is available from the Community Bushfire Connection webpage (<http://www.communitybushfireconnection.com.au/>).

4.7 LATROBE VALLEY SMART SENSOR NETWORK

A critical element in assisting community preparedness and response to bushfire is access to information.

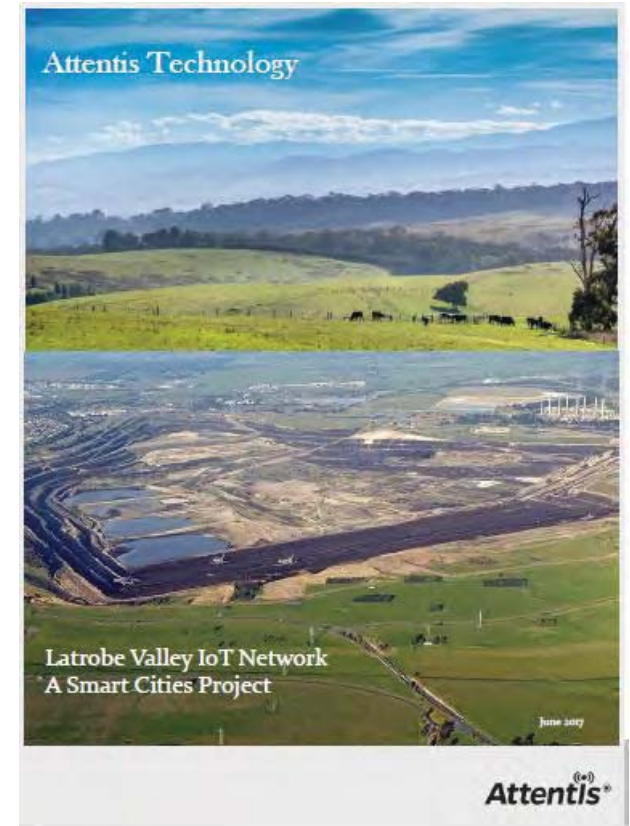
As part of the *Smart Cities* initiative, Latrobe City Council is currently establishing a bushfire detection network (*Attentis*), to better protect community assets, build community resilience, support rapid response and proportionate allocation of resources based on real time information.

Attentis provides the community with the ability to view daily localised weather conditions, severe weather and bushfire warnings, including fire risk level information.

Network sensors are currently being installed across 33 sites across Latrobe City in a variety of landscape settings, including plantation forests, state parks and small and large townships.

This tool will be a key element of the Latrobe City fire and emergency management planning and response, with information utilised by all agencies and the broader community.

(Source: *Latrobe Valley IoT Network – A Smart Cities Project*, June 2017).



5. STRATEGIC AND STATUTORY PLANNING

This section provides an overview of relevant strategic planning policy, guidelines and statutory planning considerations considered to be relevant to the exhibited Amendment C105.

PLANNING POLICY FRAMEWORK

Victorian Planning Schemes were recently amended to combine State, Regional and Local Policy sections into a single Planning Policy Framework (PPF). Further changes to comply with the new policy framework are anticipated to occur through 2019 to the Latrobe Planning Scheme. For the purpose of this report, references to new PPF framework will be relied upon when referring to State and Regional Policy Changes.

References to Bushfire risk within the former Local Policy Framework are unchanged by the exhibited amendment. Clause 13.02 Bushfire provides the following direction for identification and assessment of bushfire hazard.

Policy

This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land that is:

- *Within a designated bushfire prone area;*
- *Subject to a Bushfire Management Overlay; or*
- *Proposed to be used or developed in a way that may create a bushfire hazard.*

Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies

Give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations;*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire; and*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

Bushfire Hazard Identification and Assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

- *Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard;*
- *Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act;*
- *Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard;*
- *Considering and assessing the bushfire hazard on the basis of:*
 - *Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;*
 - *Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;*
 - *Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and*
 - *The site for the development.*
- *Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures;*
- *Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures; and*
- *Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.*

Planning Practice Note 64: Local planning for bushfire protection (PPN64)

This practice note provides comprehensive directions to the consideration of Bushfire Risk within Planning Schemes. In order not to repeat the practice note, a summary of key elements of particular relevance to the exhibited Amendment C105 report are highlighted below.

- Bushfire should be considered wherever there is a bushfire hazard that may impact on planning objectives. This includes when preparing strategic plans and policies for settlements, towns and rural areas, when preparing planning scheme amendments and when considering development proposal;
- Directing development to the lowest risk locations is the most effective way to prioritise the protection of human life. “This should be the key strategy to enhance resilience to bushfire”;
- PPN64 outlines a four-step approach to considering bushfire:

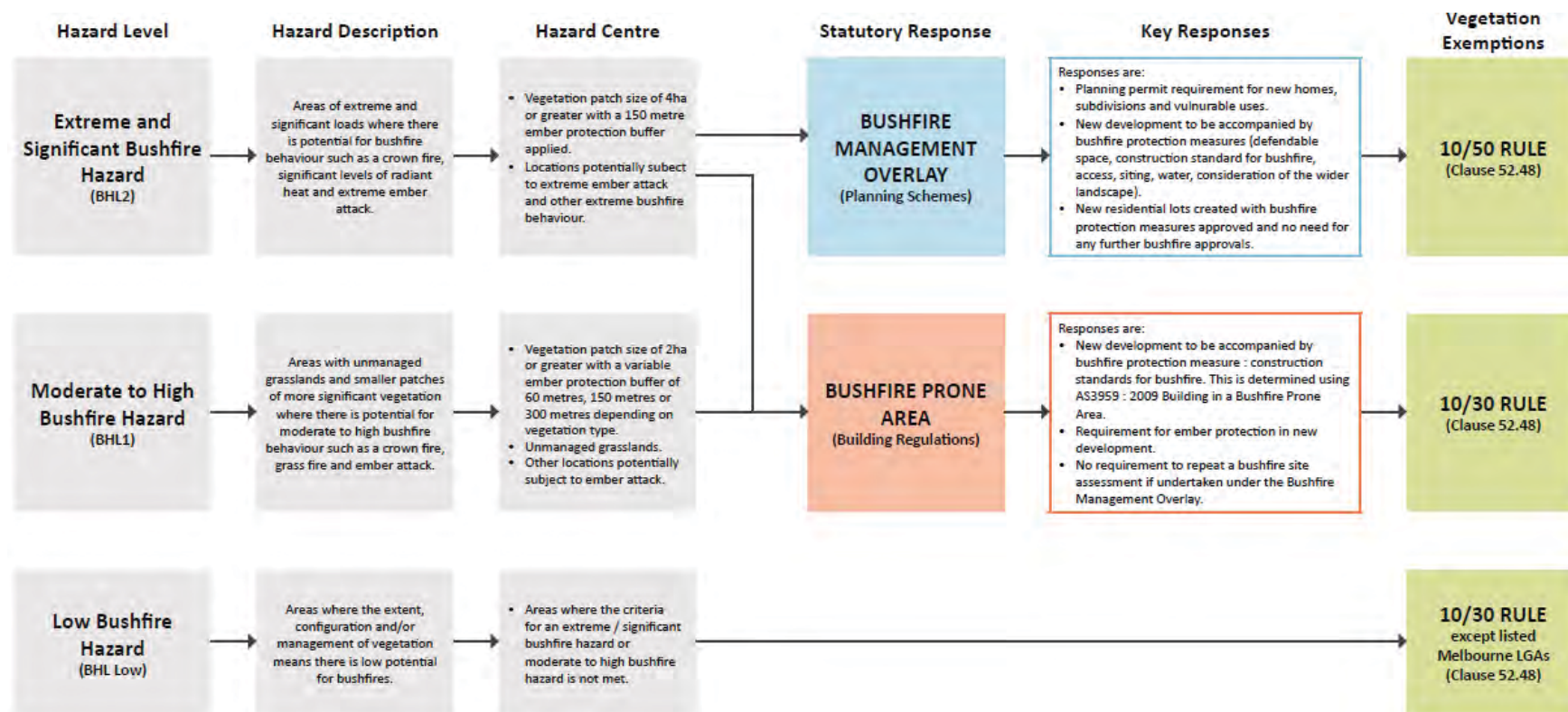
- *STEP 1: Establish the context.* Establishing the context provides factual information which will be important when thinking about the way bushfire considerations may impact on local planning decisions.
 - *STEP 2: Identify the risks from bushfire.* Risk is the likelihood of being exposed to a hazard and its consequences. For bushfire the risk is to life, property and community infrastructure from a bushfire event. This considers bushfire behaviour, features of the location and risk arising from the proposal.
 - *STEP 3: Analyse and evaluate the risks.* Whether the risk has been reduced to an acceptable level. The level of detail will depend on the risk, available information and the balance between quantitative and qualitative analysis. The risk analysis should be documented on a plan wherever possible. The outcome of Step 3 is understanding what the residual risk is (that is, that part of the risk which cannot be mitigated and which will need to be accepted in proceeding with the proposal)
 - *STEP 4: Translate risk mitigation into planning scheme provisions.* Consider how the necessary risk mitigation is accommodated in proposed planning scheme provisions.
- Bushfire hazard is determined by vegetation, topography and weather. Identifying the bushfire hazard is a factual and evidence-based process. Local planning for bushfire protection should consider all bushfire hazards that can be potentially harmful, including grasslands and vegetation outside of land subject to the Bushfire Management Overlay. Matters such as land tenure and type of development are not relevant factors to determine the bushfire hazard;
 - Planning authorities can draw on a range of information to determine if bushfire will be a factor in local planning activities and to help establish the bushfire context. Part A of this report provides discussion of recommended resources, including:
 - *Regional Bushfire Planning Assessments;*
 - *land included in the Bushfire Management Overlay or designated as bushfire prone;*
 - *the outcomes of Planning Panels Victoria and Victorian Civil and Administrative Tribunal consideration of bushfire-related issue;*
 - *the views of the relevant fire authority and public land managers relevant fire history in the local and wider area;*
 - *Municipal Fire Prevention Plan;*
 - *the surrounding road network and the availability of strategic access to safer locations;*
 - *the Victorian Fire Risk Register;*
 - *the way in which existing settlement patterns, site coverage, lot size, density, development structure and vegetation patterns may impact on bushfire behaviour; and*
 - *the role of existing or planned state, regional or local bushfire management and prevention actions on the level of risk.*
 - Essential bushfire protection measures should be secured at the planning scheme amendment stage and not deferred for subsequent consideration. A range of tools are available that can support a tailored response to bushfire, such as building envelopes, section 173 agreements, native

vegetation precinct plans and overlays such as the Development Plan Overlay. Where bushfire protection measures are required for areas not included in the Bushfire Management Overlay, application of the Bushfire Management Overlay or a section 173 agreement should be considered. Where possible, the MSS, schedules to zones and overlays and particular provisions should be used instead of local policies to express local policy objectives; and

- Considering whether the risks can be avoided (either by not proceeding with the proposal or changing it) and the effectiveness of any possible risk treatments will be necessary and deciding whether the risk has been reduced to an acceptable level. For a proposal forming part of a planning scheme amendment a planning panel or advisory committee may be an appropriate way to test the conclusions.

Integrated Planning and Building Framework for Bushfire in Victoria

The Integrated Planning and Building Framework, prepared in response to the 2009 Victorian Bushfires Royal Commission, outlined the type of bushfire hazard and corresponding statutory response, as shown in the below image



RELEVANT PLANNING SCHEME AMENDMENTS

On 29 May 2014, and in the wake of the Bushfire Royal Commission, the state government announced significant changes to Victoria's bushfire planning regulations, aimed at providing greater certainty to residents and landowners in bushfire designated areas. Key features of the reforms include:

- *Allowing private bushfire bunkers as an alternative safety measure, where there may be increased bushfire safety risks that need additional consideration;*
- *Allowing vegetation clearance to achieve defensible space. The cleared area around a home is vital to protecting the home's occupants;*
- *Vegetation clearance obligations ('defensible space') would be limited to the title boundary of the relevant property;*
- *Ensuring the assessment of bushfire risk is consistent with the Australian standard;*
- *Allowing more sensible bushfire safety measures in new master-planned estates; and*
- *Allowing homes to be built on 'infill' lots surrounded by other dwellings. Where a dwelling is allowed, it will be able to be built with a fair and equitable bushfire response.*

Amendment VC109

On 31 July 2014, Amendment VC109 introduced changes to the VPP and all Victorian planning schemes by amending:

- Clause 44.06 'Bushfire Management Overlay' (BMO) to move the application requirements to Clause 52.47 and include a new mandatory condition for bushfire bunkers;
- Clause 52.17 'Native Vegetation' to enable the clearing of native vegetation to be undertaken by private landholders on Crown land with the written permission of the Secretary of the Department of Environment and Primary Industries for the purposes of maintaining wild dog exclusion fences;
- Clause 52.47 'Planning for bushfire' to provide approved and alternative bushfire safety measures for new single dwellings, replacement or extension to an existing dwelling and other buildings; and

Amendment GC13 (new Bushfire Management Overlay mapping)

As a result of the 2009 Victorian Bushfire Royal Commission, the Victorian Government, in partnership with the CFA and CSIRO, has developed mapping which shows areas of high risk from bushfire. This mapping, represented by the updated Bushfire Management Overlay (BMO), came into effect on 3 October 2017.

The introduced mapping is based on *Advisory Note 46: Bushfire Management Overlay Methodology and Criteria*, which sets a standardised mapping approach across Victoria. This mapping criteria provides consistency in the way the hazard is mapped and transparency for landowners and councils on the application of the overlay.

Amendment VC140

On 12 December 2017 the Minister for Planning amended the State Planning Policy Framework (SPPF) to provide directive strategies to manage bushfire risk in planning and decision making. This reflects the government's commitment to strengthen community resilience to bushfire and delivers on the recommendations of the 2009 Victorian Bushfires Royal Commission.

In relation to the role of planning, the Royal Commission noted the need to give priority to protecting human life and to ensure that development is not focused on areas where the bushfire risk, or environmental cost of ensuring human safety is too high. The overarching intent of this amendment is that strategic planning must seek to achieve no increase in bushfire risk to existing and future residents. Given the broad scope of this policy direction, and similarly the broad scope of the exhibited Amendment C105 it is necessary to consider the full extent of new bushfire policy and its application.

A key change introduced to policy by this amendment is the requirement to consider bushfire risk above all other planning considerations, whether land is identified in BMO area or not. The implication of this is yet to be fully understood and has taken many regional Council's by surprise. However as policy is progressively applied, commentary and determinations assist understanding and implementation.

Following a review of the VC140 requirements and advice provided by CFA, Council undertook to seek a further detailed assessment of Bushfire Risk of those precincts proposed for rezoning to a Rural Living Zone and Farming Zone – Schedule 2. The resultant reports are provided at Attachment 11 and 12 to this report. Additionally, Council has undertaken to work with CFA and sought consultancy advice to identify necessary changes to the exhibited amendment, including the identification of further work affecting both the Latrobe Planning Scheme and the Latrobe City Fire Management Plan (FMP). Part B of this report outlines Council's work and recommended post exhibition changes.

6. MAPPING BUSHFIRE RISK WITHIN THE PLANNING SCHEME

BUSHFIRE MANAGEMENT OVERLAY (BMO)

The BMO is a planning control that applies to bushfire prone areas that are subject to extreme bushfire behaviour (see Figure 13). Clause 44.06 - Bushfire Management Overlay establishes a planning permit requirement for certain use and development. The permit requires bushfire hazards to be assessed and bushfire protection measures in Clause 52.47 - *Planning for Bushfire* to be implemented. The statutory application of the BMO is explained in *Planning Permit Applications Bushfire Management Overlay Technical Guide (Technical Guide)*, (DELWP, September 2017).

Planning applications triggered under the BMO require specific consideration to ensure development only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The BMO has traditionally applied to areas where the bushfire hazard warrants greater bushfire protection measures to be implemented and ensures development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The identification of BMO locations is included in the exhibited *Rural Land Use Strategy* and was considered during the preparation of the exhibited Planning Scheme Amendment C105.

Planning Practice Note 68 states: The Bushfire Management Overlay should not be used as the sole indicator of where bushfire matters need to be considered.

PART A of this report outlines available bushfire risk information for Latrobe City (which differs from the methodology used in determining the extent of the BMO), focusing on broader landscape bushfire risk and likely impacts to identified assets. Interpretation of this information as it relates to the exhibited Amendment C105 is provided in Part B of this report.

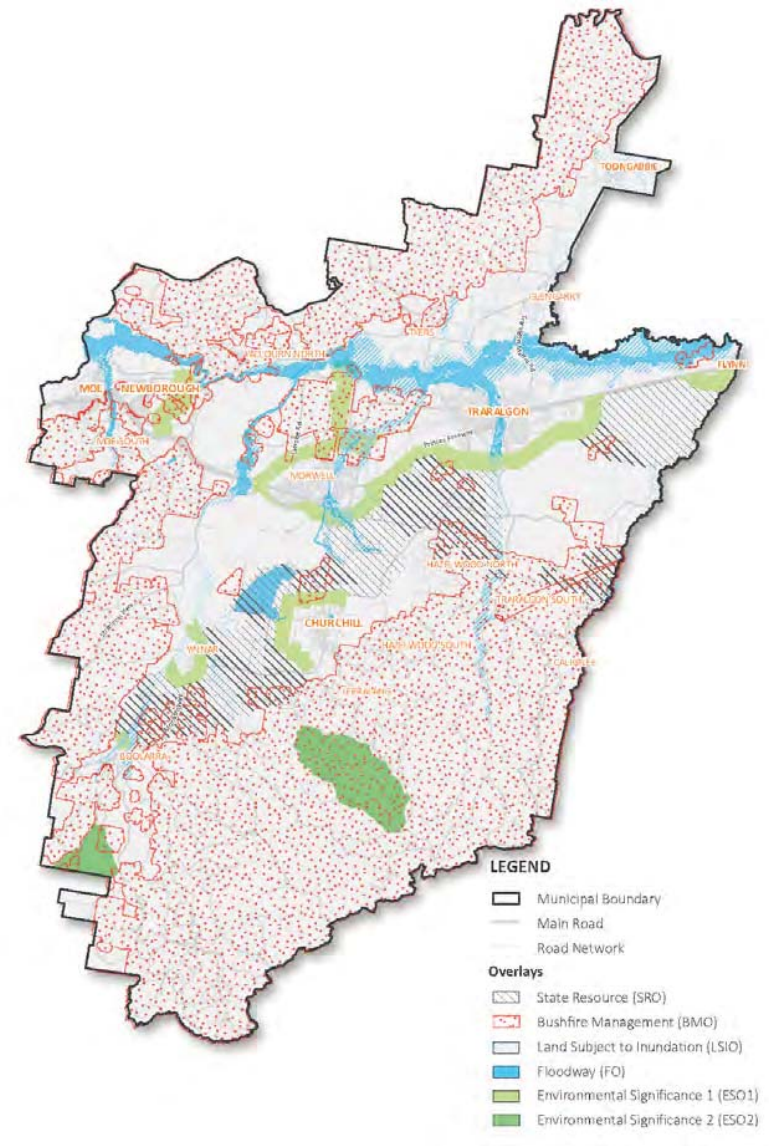


Figure 13: Bushfire Management Overlay

BUSHFIRE PRONE AREA (BPA)

Victoria's building system identifies significant proportion of the State, including the Latrobe City as within a Bushfire Prone Area (BPA).

Bushfire Prone Areas within Latrobe City are shown below at Figure 14, which indicates all land except urban areas of large towns and waterbodies are included. Where bushfire protection measures are required for areas not included in the Bushfire Management Overlay (BMO), application of the BMO or a section 173 agreements should be considered (Source: *Planning Practice Note 64*).

Statutory planning permit assessments are required to consider bushfire risk for all planning applications within BPA (i.e. the whole of the municipality excluding existing main towns).

The revised Clause 13.05 specifies that:

In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for the following uses and development. The relevant list of use and development includes:

- Subdivisions of more than 10 lots;
- Accommodation (including a dwelling);
- Child care centre;
- Education centre;
- Emergency services facility;
- Indoor recreation facility;
- Major sports and recreation facility;
- Place of assembly; and
- Any application for development that will result in people congregating in large numbers.

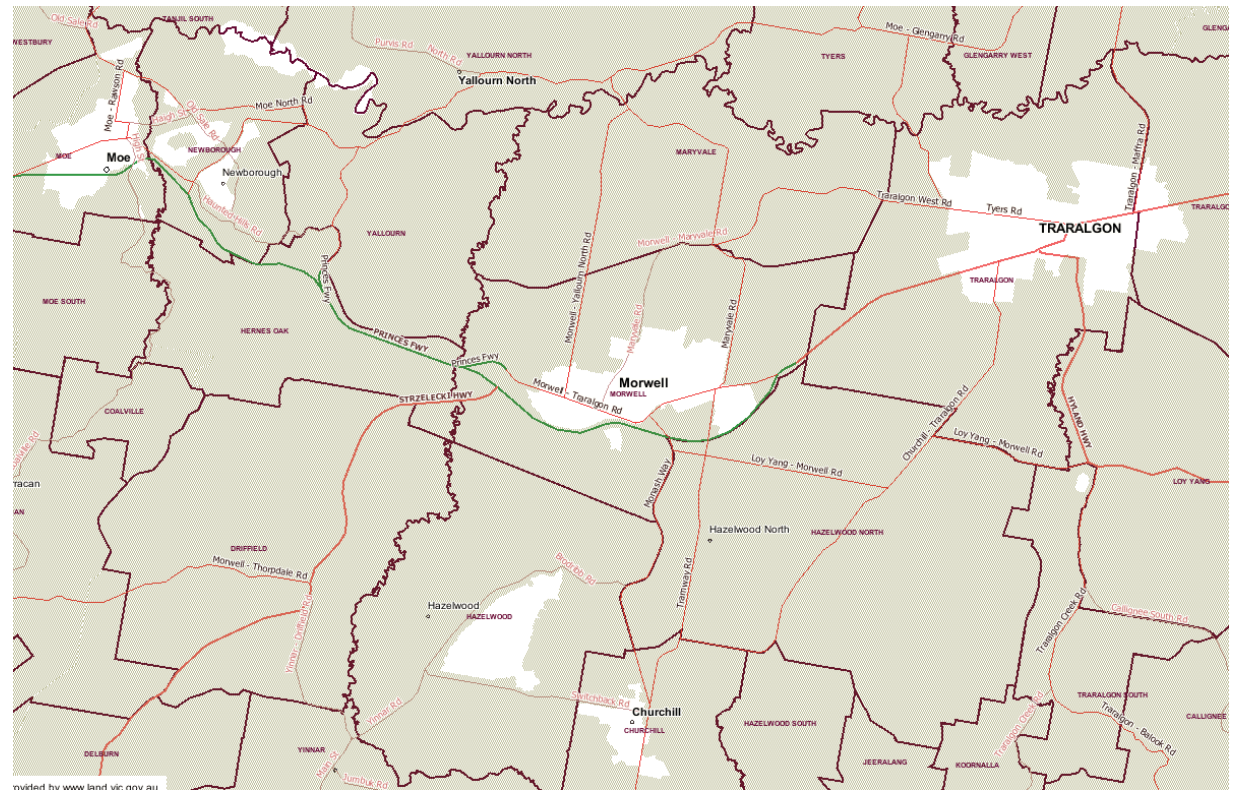


Figure 14: Bushfire Prone Areas within Latrobe City

 Bushfire Prone Areas

PART B:

- **Live Work Latrobe summary and consultation on fire related matters.**
- **Consideration of Bushfire as related to exhibited Amendment C105, and informed by matters raised by submissions.**
- **Recommended changes to exhibited Amendment C105 necessary to better respond to bushfire risk.**

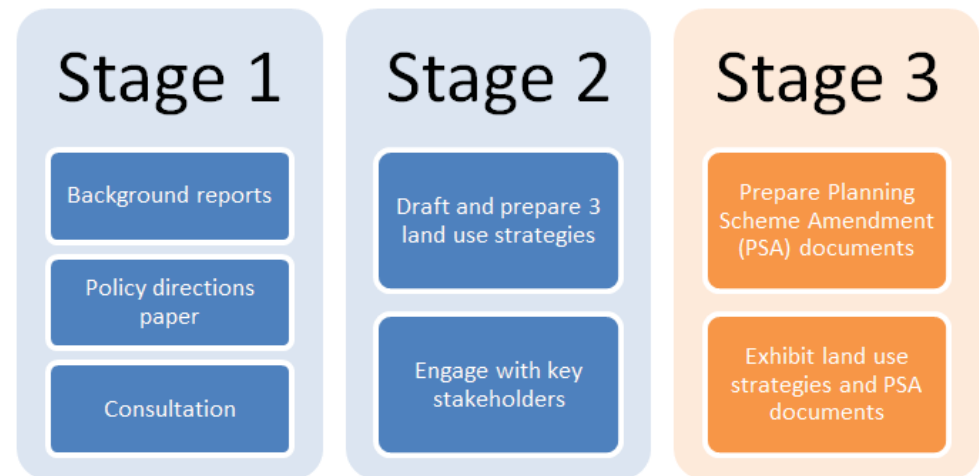
7. LIVE WORK LATROBE

Amendment C105 implements key recommendations of the *Live Work Latrobe* project, which aims to rationalise the land base and leverage the strategic advantages of Latrobe City's built and natural assets to sustain long term growth, target new investment and promote collaborative action with businesses, community agencies and authorities. The project comprises three distinct yet complementary land use strategies including; *Housing Strategy*, *Industrial and Employment Strategy* and *Rural Land Use Strategy*.

The project has been delivered over three stages; with stage one seeing the completion of extensive community engagement, background research and Council endorsement of a range of policy directions that informed the preparation of each of the land use strategies. This stage involved targeted consultation with key stakeholders. Stage three of the project is the current stage of the project and involves the preparation and finalisation of amendments to the Latrobe Planning Scheme in order to give effect to each of the land use strategies.

The exhibited Amendment C105 applies to the majority of land within the municipality, and primarily affects land by way of the application of new schedules to a zone, rezoning land, and the introduction of policy objectives and direction for the use and development of land located within a:

- Residential Zone.
- Rural Living Zone.
- Farming Zone.
- Industrial Zone.



- Development Plan Overlay Schedule 5 and 6.

In order to give effect to the objectives and directions of the three land use strategies, the exhibited amendment also proposes significant changes to the Municipal Strategic Statement.

Latrobe City Council's Explanatory Report includes reference to the views of the relevant fire authority having been sought and that these views form part of the Amendment.

In relation to Bushfire Risk, the exhibited explanatory report provides that:

"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.

Recognising the recently revised areas to which the Bushfire Management Overlay applies, and the considerations required by this Overlay for particular uses and development, there is no need for the amendment to include further provisions to address bushfire risk."

However this pre-dates the introduction of Amendment VC140 into the Latrobe Planning Scheme. Whilst Bushfire Risk was considered as part of the preparation of the amendment the introduction of changes introduced by Amendment VC140 are significant.

7.1 CONSULTATION WITH COUNTRY FIRE AUTHORITY

Throughout the preparation of each of the Land Use Strategies, extensive consultation with government stakeholders and industry representatives has been completed to gather information, test emerging directions and refine the Strategies. Consultation was undertaken in the form of one-on-one meetings and workshops.

STAGE 1:

Targeted consultations undertaken during Stage 1 of the project included discussion with CFA, with advice provided to Stage 1 of the project stating:

Live Work Latrobe documents seem to have anticipated the fire matters that CFA would be interested in. In strategic planning and settlement proposals, CFA advocates for:

- *Direction of development to locations of lower bushfire risk;*
- *Careful consideration of development in locations where there is significant bushfire risk that cannot be avoided;*

- *Avoiding development in locations of extreme bushfire risk; and*
- *Avoiding development in areas where planned bushfire protection measures may be incompatible with other environmental objectives*

(Source: *Consultation Summary report: Stage 1 Live Work Latrobe*).

STAGE 2:

During the preparation of each of the land use strategies, consultation with the CFA focused on those matters considered to be of direct interest including:

- Locations proposed for rezoning to a Rural Living Zone;
- Proposed introduction of schedules to the Farm Zone and associated local policy; and
- Identification of the potential Strzelecki – Alpine Biolink.

Discussion and advice at this time did not highlight an objection to proceeding with the land use strategies to a formal planning scheme amendment process, noting that the CFA would be notified directly during the anticipated public exhibition period of an amendment to the Latrobe Planning Scheme. CFA Officers later provided additional information and supporting documents to assist the consideration of fire risk within the municipality, as part of the finalisation of the draft land use strategies.

At the time this report was prepared, 159 written submissions from community members and key agencies had been received.

STAGE 3:

Latrobe City Council formally requested Ministerial authorisation to exhibit Amendment C105 to the Latrobe Planning Scheme 18 October 2017. Amendment VC140 was subsequently introduced to Victorian Planning Schemes. After reviewing the amendment, Council sought advice from CFA regarding the implications of these changes. From this discussion, Council determined that further assessment of bushfire risk to the proposed rural living precincts was necessary. CFA advised at this time that there was significant bushfire risk related information available for Latrobe City that would assist Council in its further consideration of bushfire risk and the Live Work Latrobe project.

Council later received authorisation to proceed to exhibition 2 March 2018. The exhibition period commenced 22 March 2018 and concluded 11 May 2018. Notification of Amendment C105 was provided to all relevant agencies including CFA's Fire Safety Referrals (Fire and Emergency Management) department.

Whilst Council's Explanatory Report includes reference to the views of the relevant fire authority having been sought and that these views form part of the amendment; this pre-dates the introduction of Amendment VC140 into the Latrobe Planning Scheme. Latrobe City Council has since worked to further review the proposed amendment against new policy in regarding bushfire risk. This has resulted in the identification of a number of post exhibition edits as outlined at Section 8.1 of this report.

During the exhibition period Council met with CFA to provide a briefing of the amendment and additional work undertaken to assess bushfire risk in proposed rural living locations as exhibited by the amendment.

A submission from CFA was later received outlining a range of concerns, most of which stem from the absence of an assessment of the amendment against the provisions introduced by the Planning Scheme by Amendment VC140. This report has been prepared largely in response to the CFA submission.

8. ASSESSMENT OF BUSHFIRE RISK AS IT RELATES TO EXHIBITED AMENDMENT C105

An outline of components of Amendment C105 considered to be of particular relevance to the consideration of bushfire risk is provided below. The identification of these elements is informed (in part), by submissions and subsequent consultations undertaken with CFA and representatives of DELWP Forest Fire Management. Recognising the physical context of the exhibited *Rural Land Use Strategy*, the threat of bushfire is a highly relevant consideration to this part of the amendment, in particular subsequent revisions proposed to the amendment (i.e. consideration of Rural Living Zone locations).

GENERAL THEMES	HOUSING STRATEGY	RURAL LAND USE STRATEGY	INDUSTRIAL AND EMPLOYMENT STRATEGY
<ul style="list-style-type: none"> Integration of Bushfire Risk within the Municipal Strategic Statement Settlement Planning (directing growth) 	<ul style="list-style-type: none"> Consideration of mine fire risk to residential land south of Commercial Road, Morwell. Requirements for the provision of canopy trees referenced by exhibited residential schedules and <i>Urban Design Guidelines</i>. CFA services and growth area planning (i.e. access). 	<ul style="list-style-type: none"> Rural Living Zone locations Introduction of schedules to the Farming Zone Biodiversity objectives Forestry (including agro forestry) <i>Rural Tourism Local Policy</i> <i>Rural Dwellings and Subdivision Local Policy</i> 	<ul style="list-style-type: none"> Mine fire

Each of the above elements is further discussed in the following section along with corresponding recommendations (including proposed post exhibition edits to the exhibited amendment, further strategic work and other initiatives outside of the planning process).

8.1 INTEGRATION OF BUSHFIRE RISK WITHIN THE MUNICIPAL STRATEGIC STATEMENT

KEY MATTERS RAISED BY SUBMISSIONS

- **Opportunity to better integrate bushfire risk into the Municipal Profile and more broadly into the MSS exists i.e. identify areas at highest risk.**

The exhibited Clause 21.04-4 does not alter prior references to bushfire within the Planning Scheme (i.e. content is not changed). However, in order to better respond to VC140 and matters raised by submissions (including CFA's submission), a number of post-exhibition changes are proposed to the exhibited Clause 21.

DISCUSSION

- *PPN 64* provides guidance to how bushfire may be integrated within the former MSS structure, stating:

Include an outline of the bushfire hazard that affects the municipality. This should include the local characteristics that create the bushfire hazard, such as vegetation extent and topography, and where it correlates with key features, such as settlements.

The *Latrobe City Bushfire Profile* provides a comprehensive assessment of bushfire risk within Latrobe City. Opportunity to reference this information has been considered as a post exhibition change.

- Planning for bushfire should not be repeated in a local planning policy. Clause 13.02 embeds the consideration of bushfire within the Planning Scheme.
- Additional changes to the new format of PPF and bushfire within the municipal profile are to be considered by work presently being undertaken by the Planning in the Economic Growth Zone (PEGZ) planning scheme process (which focuses on applying the PPF to the Latrobe Planning Scheme).
- The provisions of Clause 44.06 Bushfire Management Overlay and Clause 52.47 Planning for Bushfire should not be repeated in a local planning policy.
- In responding to the changed policy requirements for the consideration of bushfire risk within the planning schemes, it is considered that further alignment of the FMP and planning scheme will be necessary. This will be particularly relevant whereby the planning approval of new uses and development will be cognisant with the ongoing management of land enforced by measures identified in the FMP. This matter was noted by the Royal Commission in their report which stated:

"... land-use planning and building controls to minimise or reduce bushfire risk presents challenges, that it can only control development from the day the control is applied and cannot retrospectively enact policy".

The Royal Commission further noted that a bushfire policy that broadly outlines how to incorporate risk management in land-use planning should include the policy's links with the council's municipal fire prevention plan and municipal emergency management plan (Source Victorian Bushfire Royal Commission pg 230). It is proposed to include reference to the FMP alignment with land use planning decisions made as a post exhibition change.

RECOMMENDATIONS

Amend Clause 21.04-1 (Greenhouse and Climate Change) to include reference to: *'A likely increase in the frequency and severity of days of elevated fire danger.'*

Amend Clause 21.04-4 Bushfire as follows as outlined in draft ordinance provided at Attachment 13 to:

- Revise the reference to the FMP 2017-2020 and acknowledging the increasingly important role in land use planning, particularly where consideration of continued land management is necessary.
- Include reference to locations with high risk of bushfire
- Insert the following strategies:
 - *Ensure the application of, and compliance with, the BMO, in highest risk parts of the municipality.*
 - *Outside of the BMO, in BPA parts of the municipality:*
 - *Ensure new development and uses are appropriately located and designed in response to the bushfire hazard.*
 - *Ensure that larger or more vulnerable developments and uses as identified at Clause 13.02, incorporate measures to acceptably mitigate any identified bushfire risk, including as appropriate;*
 - *Assessment of the landscape risk;*
 - *For subdivisions of more than 10 lots, a lot layout that responds to the risk and incorporates a perimeter road and two ways in and out of the development where possible;*
 - *A construction standard no higher than BAL-29 unless there are significant siting constraints, with commensurate vegetation management for defensible space;*
 - *A reliable water supply for property protection and fire fighting;*
 - *Adequate access for emergency management vehicles; and*
 - *Development of a Bushfire Emergency Management Plan (BEMP) as appropriate, including triggers for closure or restricted operation on days of elevated fire danger.*
 - *Ensure the alignment of, and consistency between, planning policy and practices, and the Latrobe City Municipal Fire Management Plan.*

As part of the Planning in the Economic Growth Zone (PEGZ) project, ensure references to the description of bushfire risk within the municipal profile and related strategies within Clause 21 are retained in the new Planning Policy Framework (PPF).

8.2 SETTLEMENT PLANNING (DIRECTING GROWTH)

KEY MATTERS RAISED BY SUBMISSIONS

- Local area growth planning should better identify and reference bushfire risk and where development should be encouraged and avoided.

CONTEXT

Housing Strategy (Stage 2)

The Housing Strategy includes recommendations to apply a revised *Settlement Framework Plan* and a revised *Settlement Hierarchy* to direct future growth. The exhibited framework plan is consistent with the Settlement Hierarchy contained in the Gippsland Regional Growth Plan and is reflected in the exhibited Clause 21.02 Built Environment and Settlement.

The *Settlement Hierarchy* defines the role of different settlements and describes the relationships and interdependencies between localities. This recognises the alternative housing and lifestyle opportunities provided by smaller townships, particularly District towns, and their long term capacity to accommodate growth and demand. Existing land use and development patterns, extent of infrastructure and extent of sensitivity to environmental hazards, particularly bushfire and flooding were also considered (*Source: Housing Strategy*).

SETTLEMENT HIERARCHY



FUTURE GROWTH



Promote growth – Pro-actively encourage and facilitate opportunities for major-scale development in areas identified for future growth.

Support growth – Support growth consistent with Structure Plans and/or settlement boundaries for the area.

Manage growth – Support small scale residential development and change.

Definitions and summary of the *Settlement Hierarchy* categories is provided at Section 3.2, Table 2 of the exhibited *Housing Strategy*.

AMENDMENT C105

Relevant to this report, the exhibited Planning Scheme Amendment C105 includes:

Inserts a revised *Latrobe City Strategic Land Use Framework Plan* at **Clause 21.01**; stating: *“The Strategic Framework Plan represents the interdependencies between existing land use and development patterns, settlement hierarchy, extent of infrastructure, environmental assets and hazards.”*

Clause 21.02-1:

“Latrobe City contains a variety of residential settings, ranging from compact urban areas, to conventional Australian suburbs and expansive rural acreages.

Latrobe City’s smaller towns and rural living settlements provide important diversity of housing and lifestyle choice. Some also function as service centres which provide commercial and community facilities and services for the townships and surrounding district.”

Clause 21.02-3 provides strategies to guide the application of the *Settlement Hierarchy* as follows:

Objective 2

Support land use and development which aligns with the settlement hierarchy in the Strategic Framework Plan.

Strategies

- *Promote growth in Traralgon-Morwell as the primary population centre, serving as the dominant residential, commercial and retail node.*
- *Promote growth in Moe-Newborough and Churchill as supporting network towns, serving as secondary urban centres with a wide range of services, high level amenity with good access to public transport.*
- *Support growth in Glengarry, Tyers, Yallourn North and Yinnar as district towns which serve as key retail and service centres for a moderate population base and hinterland, providing important alternative lifestyle opportunities within commuting distance of the larger centres.*
- *Support growth in Boolarra, Toongabbie and Traralgon South as small towns providing a limited range of educational, retail and recreation services, for residents and the community in the surrounding rural areas.*
- *Manage growth in rural living precincts including Flynn, Jeeralang, Hazelwood North, Hazelwood South, Callignee and Moe South, comprising clusters of housing on small rural lots, with limited services.*

Exhibited Clause 21.09 (Local Areas) includes further directions regarding future growth, including Structure Plans and Housing Framework Plans.

BUSHFIRE CONTEXT:

Figure 16 shows all locations in the municipal area assuming no fire history (maximum fuel load).

As stated in the *Latrobe City Bushfire Risk Profile* (2015) report “this indicates that not all areas have a significant risk of bushfire, particularly those localities through the centre of the municipality.”

Residual risk has also been assessed at a local level for Latrobe City. Figure 15 lists the 15 highest risk localities in Latrobe City (note: Cowwarr is not located within the municipal area).

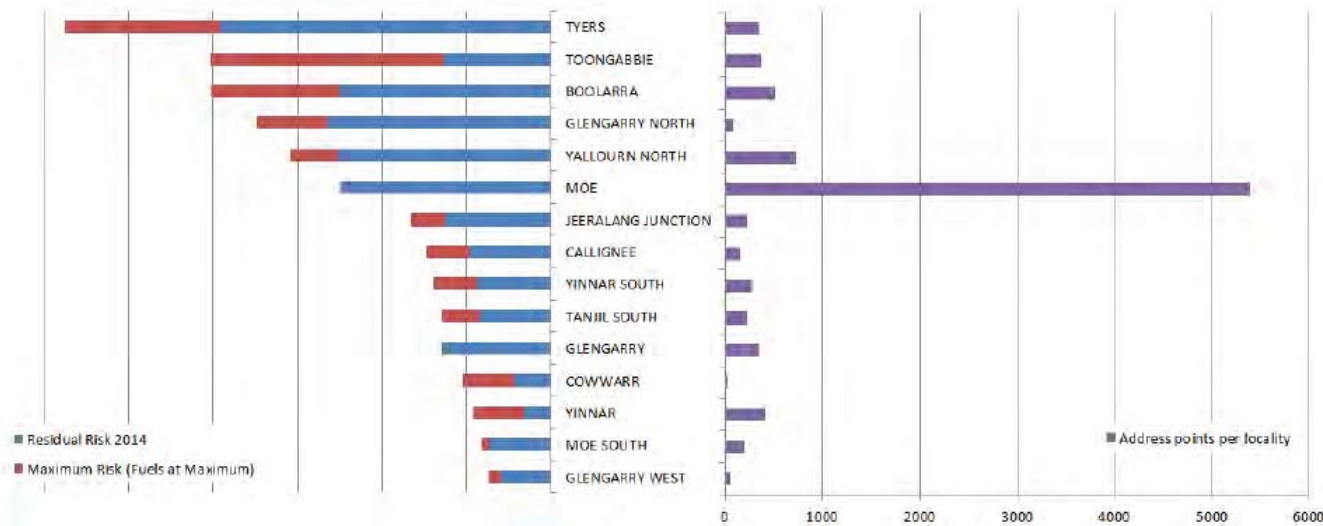


Figure 15: Residual risk for 15 highest localities from Phoenix modelling and the number of address points per locality.

The extent of the red bars shows the difference between the maximum residual risk and the current residual risk, while the blue bar shows the remaining residual risk as at 2014. The longer the blue/red bar, the higher the risk the locality has, but the shorter the blue bar, the lower the risk the locality currently has. The purple bars on the right show the number of address points in each locality.

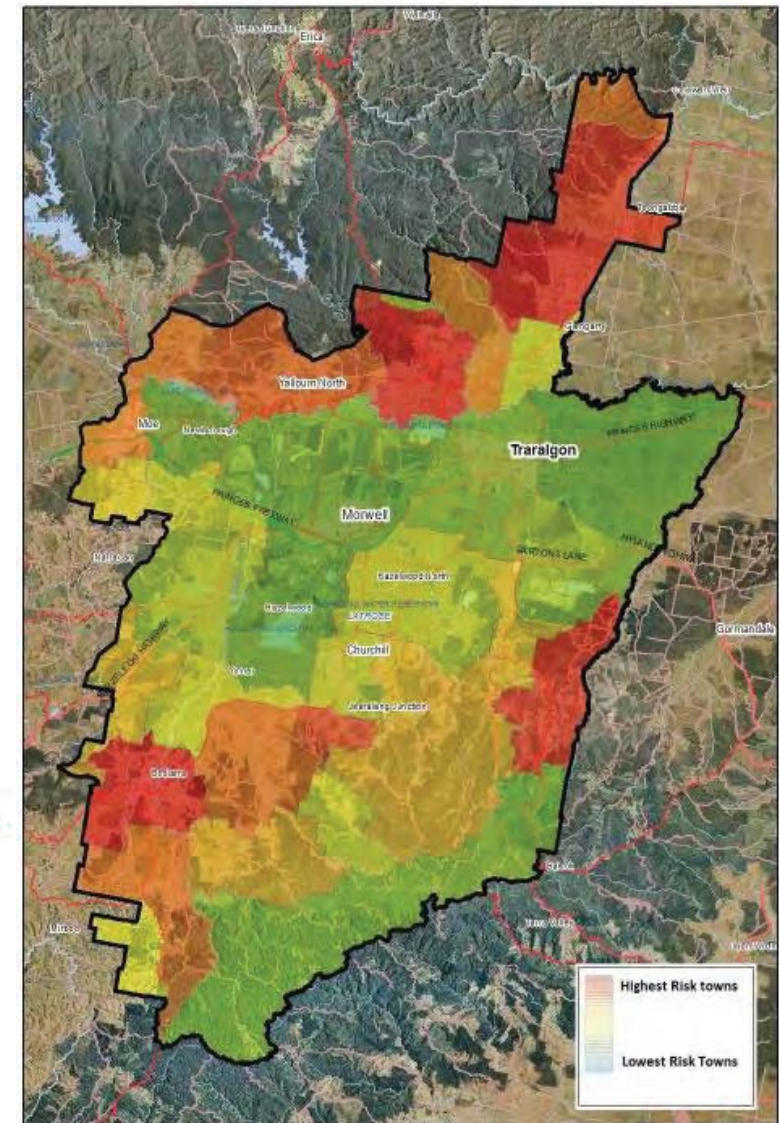


Figure 16: Localities in the municipality ranked by Phoenix modelled risk.

DISCUSSION

- In combination with the *Gippsland Regional Growth Plan*, the individual planning frameworks are included within the planning scheme for each town to give direction for the use and development of land within Latrobe City. A central objective of the Live Work Latrobe Project has been to establish a ‘whole of city’ planning approach for the development of a single urban system servicing the broader Gippsland region.
- Latrobe City is a unique in that there are a number of small townships and rural living settlement areas situated away from the main activity centres. As recognised in Council’s MSS, the small towns of Latrobe City offer attractive lifestyle choice, providing rural living options nearby to the main towns of Latrobe City. The communities in Latrobe City are small but close, with residents often opting to utilise shops, schools and community facilities provided within the small towns (*Background Report 2016*).
- The amendment does not alter Structure Plan boundaries (new residential growth locations subject to rezoning and DPO process to which CFA is referred etc).
- The exhibited *Settlement Hierarchy* included at Clause 21.01-5 does not indicate the promotion of urban growth in locations considered to be within the localities at highest risk of bushfire in Latrobe City (considering both VFRR and Phoenix modelling as shown at Figure 6 and 7), with the exclusion of Moe. The promotion of growth for Moe is not however materially altered by the exhibited amendment; rather it is considered that the promotion of growth is established by the current planning scheme, approved Development Plans and the Lake Narracan Precinct Structure Plan.
- The *Settlement Hierarchy* provides support for the growth of selected District Towns. Growth planning in these localities will be required to consider the provisions of Clause 13.02, including directions specific to future Settlement Planning.

RECOMMENDATIONS

Amend exhibited Clause 21.09 to ensure local area growth planning identifies bushfire risk, considering where and how new development should be undertaken.

8.3 RURAL LIVING AREAS (MOE SOUTH, TOONGABBIE AND CHURCHILL)

KEY MATTERS RAISED BY SUBMISSIONS

- Support and objection to the proposed rezoning, considering matters not related to bushfire.
- It is considered that prior submission of support to the proposed rezoning of Rural Living precincts may be considered as opposing submissions in response to the recommended exclusion of this component of the exhibited Amendment C105.
- CFA submission (number 155): there is likely to be greater support for changes to the RLZ in Churchill comparatively to Toongabbie and Moe South. Further information will need to demonstrate how bushfire risk will be addressed at Churchill.

There is a higher bushfire risk in Moe South and CFA would discourage re-zoning land to RLZ in this area. However, should Council continue to seek the RLZ, more information must be submitted that details why this would be appropriate given the extent of the bushfire risk and other associated issues (i.e. access limitations) in the context of Clause 10.1 and 13.05 of the Planning Scheme (Clause 13.02 under revised PPF).

CONTEXT

Rural Land Use Strategy

Rural residential development occurs across the municipality and provides a valuable and highly sought after lifestyle choice for current and future residents of Latrobe. This *Rural Land Use Strategy* identifies five new rural living precincts in order to provide adequate long term land supply for Latrobe City. The exhibited amendment proposed rezoning of land to a Rural Living Zone for three precincts.

Amendment C105

Amendment C105 exhibited three new rural living precincts and proposed to rezone an existing rural living precinct in Yinnar South to the proposed Farming Zone – Schedule 2 (Mixed Farming).

Relevant to this report, exhibited Clause 21.02 includes policies to direct future rural living opportunities as follows:

21.02-18 Rural living

“Residential use of land in a rural setting is a popular and attractive lifestyle choice in Latrobe City and continues to attract residents. It is intentionally accommodated in the Low Density Residential Zone in urban areas and in the Rural Living Zone in rural areas.

There are a range of rural residential opportunities in Latrobe City, including locations adjoining the main townships of Moe, Morwell, Traralgon and Churchill. Isolated subdivisions are another form of rural living found in the municipality. Rural residential development needs to be managed to ensure it does not compromise agricultural productivity or impede the long term urban growth of settlements.

An emerging issue in the Farming Zone relates to resident amenity concerns with animal husbandry, forestry operations and other more intensive agricultural pursuits. While agricultural, tourism and rural enterprises are allowed with a permit in areas zoned for rural living, it should retain its ability to accommodate rural residential land uses and small scale farming pursuits.”

21.02-19

Objective 1

To identify and support rural living and associated land use within appropriate locations.

Strategies

- *Encourage rural living where there will be minimal or no negative environmental impact or conflict with commercial agriculture.*
- *Support rural living where it can be demonstrated that improved land management outcomes will result.*
- *Discourage rural living where there is substantial risk to life and property.*

BUSHFIRE CONTEXT

Map information showing the location of each of the exhibited rural living precincts in relation to Phoenix bushfire modelled data is shown at Figure 17. Note this modelling assumes a maximum fuel load scenario.

For the three new rural living precincts exhibited by the amendment (Moe South, Toongabbie and Churchill), further investigation of bushfire risk has been completed.

These reports are included as at Attachment 11 to this report. It is noted that, subject to consideration of the amendment by a Planning Panel, Council has determined to defer the progression of this component of the exhibited Amendment C105, in part due to the recommendations of these reports.

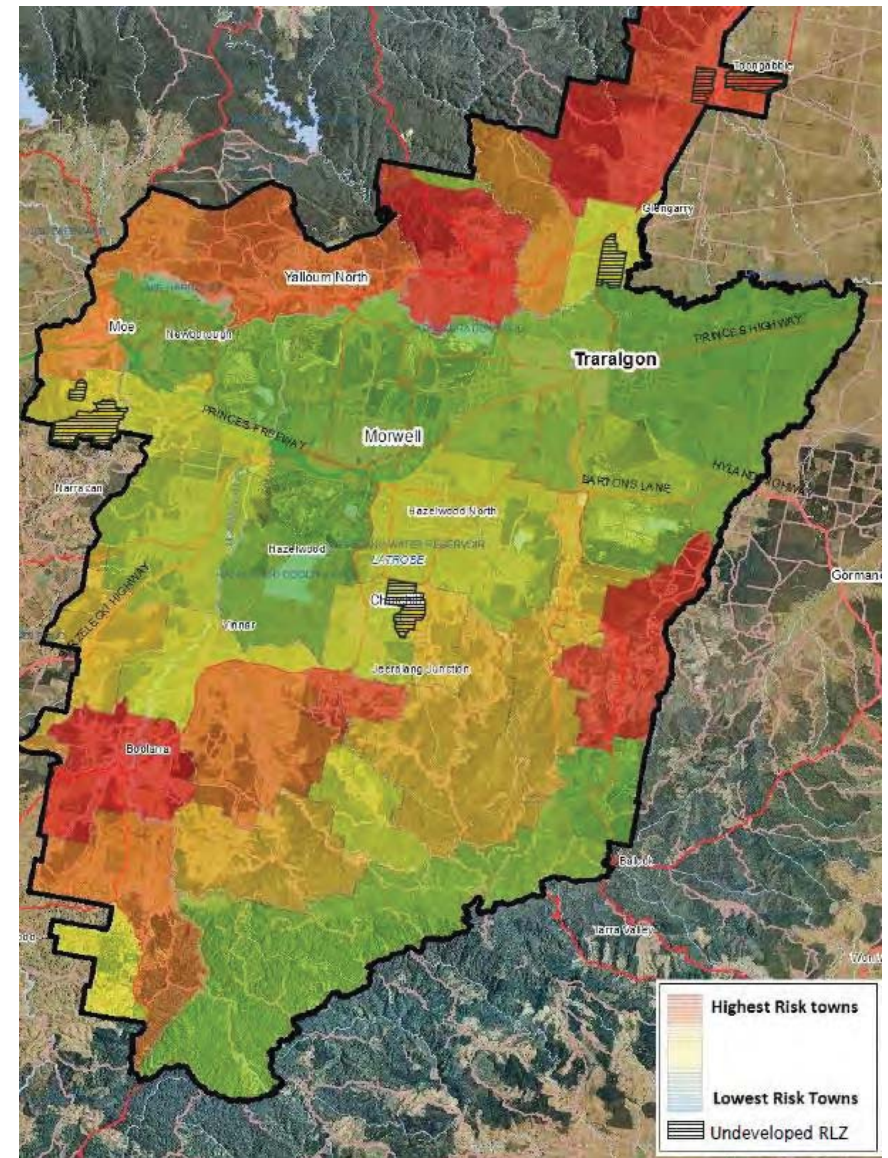


Figure 17: Rural living precincts in relation to Phoenix bushfire model

DISCUSSION

- Following Council's assessment of the VC140 requirements and the further advice of CFA, Council undertook to seek a further detailed assessment of bushfire risk of those precincts proposed for rezoning to a Rural Living Zone. The resultant reports are provided at Attachment 11 to this report.
- The FMP currently includes mitigating actions to reduce fire risk across the municipality (i.e. Toongabbie). These and other bushfire risk mitigation measures will inform a future Rural Living Study (and Structure Plan process for Toongabbie).
- There is a need for greater alignment of the planning scheme and the FMP in achieving the objectives of ongoing land management.
- Additional consideration will be given to zone changes at Toongabbie as part of the preparation of a Structure Plan for the town (to be commenced 2019) including a comprehensive assessment of bushfire risk and mitigation undertaken on both private and public land.
- Development Plan Overlay (DPO) – Schedules 5 and 6 to be reviewed as part of any suite of policy changes being applied to Rural Living Zoned land (i.e. provision of bushfire management zones to be identified and aligned to the FMP).

RECOMMENDATIONS

Defer the progression of new rural living areas as part of Amendment C105 (Moe South, Toongabbie and Churchill).

Undertake a separate Rural Living Study to further consider opportunities for rural living within Latrobe City. This work will consider and respond to recommendations of the Bushfire Assessments completed for each of the proposed rural living precincts exhibited by Amendment C105.

8.4 FARMING ZONE – SCHEDULE 1 AND 2

KEY MATTERS RAISED BY SUBMISSIONS

- Objections and support to the overall increase of planning permit requirements for a dwelling in the Farm Zone.
- Support and objections to the application of the Farm Zone – Schedule 2 in Yinnar South.
- Support for the application of the Farming Zone – Schedule 2 to the precincts as exhibited.
- Requests to apply the Farming Zone – Schedule 1 and 2 to locations not exhibited by the amendment.

CONTEXT

Rural Land Use Strategy

The exhibited *Rural Land Use Strategy* explains the results of community consultation undertaken during Live Work Latrobe Stage 1. This indicated that community members sought a more site specific approach to assessing applications for dwellings and the subdivision of land in Farming Zone areas which has regard to farming productivity as opposed to relying on minimum lot size provisions.

In response, the *Rural Land Use Strategy* seeks to provide clear direction to Council and the community regarding locations where productive agricultural land is located, should be protected and commercial agriculture is to be the primary land use. It recommends that Farming Zone schedules be tailored to identify areas of productive agricultural land and areas where commercial scale agriculture should be protected from fragmentation and residential encroachment. It also recommends that Local Planning Policy be developed to inform the assessment of applications for dwellings and subdivision as well as clarifying discretionary uses to be considered or discouraged in the Farming Zone on a site-by-site basis.

An overview of the resultant planning scheme changes considered relevant to bushfire risk is provided below.

Amendment C105

Exhibited Clause 22.02 - Rural Dwelling and Subdivision Policy:

This policy builds on and supports Clause 21.05-1 Agriculture to facilitate the following: 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. Provide direction for the use and development of land within the Farming Zone - Schedule 2 for the purpose of niche and mixed farming, tourism and hobby farms in locations compatible with existing infrastructure investment, biodiversity values, land holding patterns and adjacent land use.

Farming Zone – Schedule 1 Commercial Agriculture (FZ1)

In the Farming Zone Schedule 1:

- To ensure that the use, development or subdivision of land does not adversely impact on the productive use of land for food and fibre.
- To discourage the proliferation of dwellings not associated with agriculture.
- To ensure that the siting of dwellings does not prejudice existing and future agricultural activities on surrounding land.
- To limit the fragmentation of land by subdivision and discourage the creation of irregular shaped or small lots.
- To preserve and encourage the creation of large land parcels through consolidation and/or re-subdivision.

Subdivision opportunity:

- Increases the subdivision area to 80 hectares and permit requirement for a dwelling from 40 hectares to 100 hectares.
- Subdivision opportunity change:
 - Currently **49 properties** above 80 ha (with subdivision opportunity)
 - Currently **30 properties** above 160 ha (with subdivision opportunity under proposed Amendment C105)

There are currently 183 properties that are subdividable within the Farming Zone. Under the proposed Farming Zone, a total of 68 properties would have further subdivision opportunity (including land presently used for forestry). This equates to a difference of 115 properties. The difference in land area is 12,230 Hectares. Currently 55,962.25 Hectares is subdividable, under the proposed FZ1 there is 43, 732.01 Hectares that would have subdivision opportunity.

The following Figure 18 and Figure 19 (over page) show Farm Zone land with further subdivision opportunity:

Figure 18: Orange – Greater than 80ha within Farm Zone (all land).

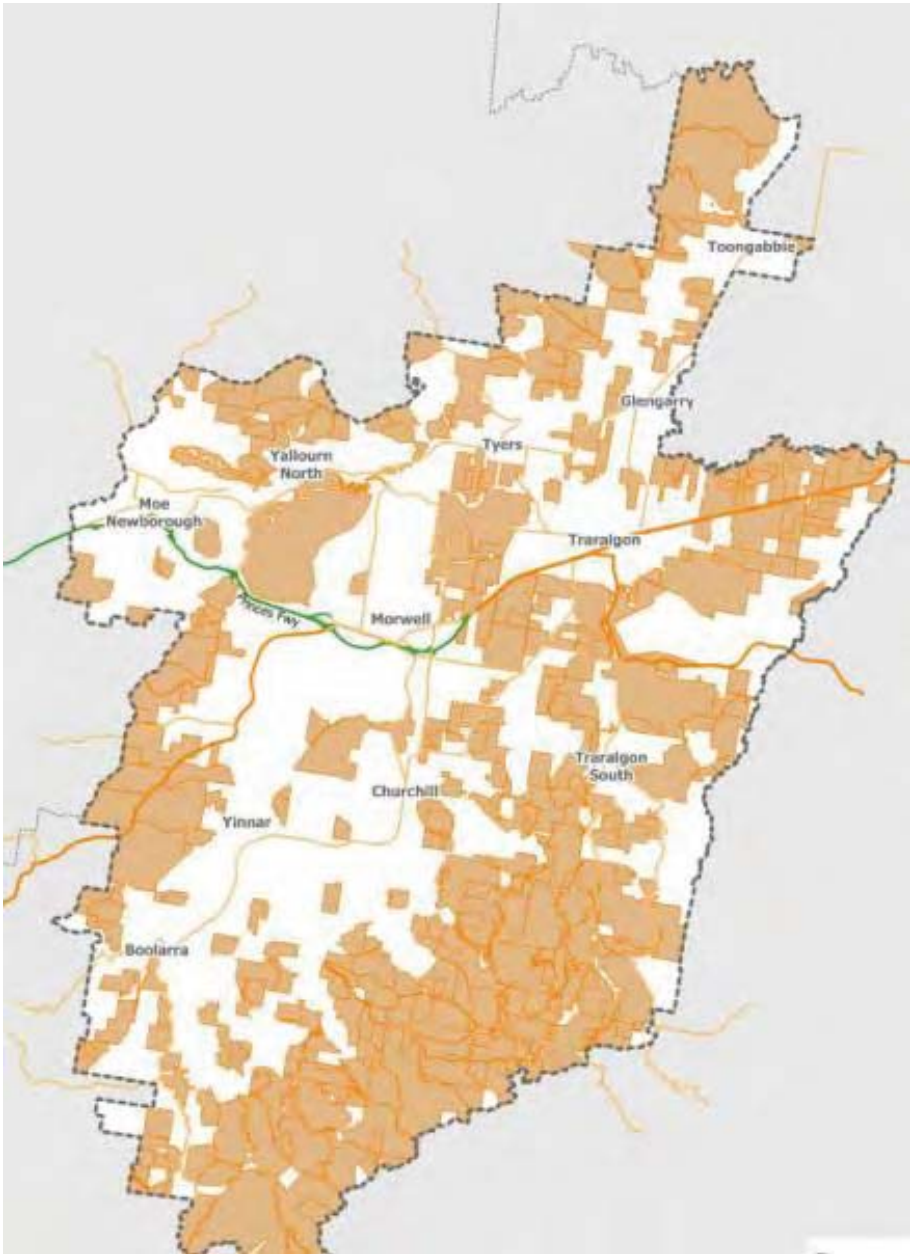
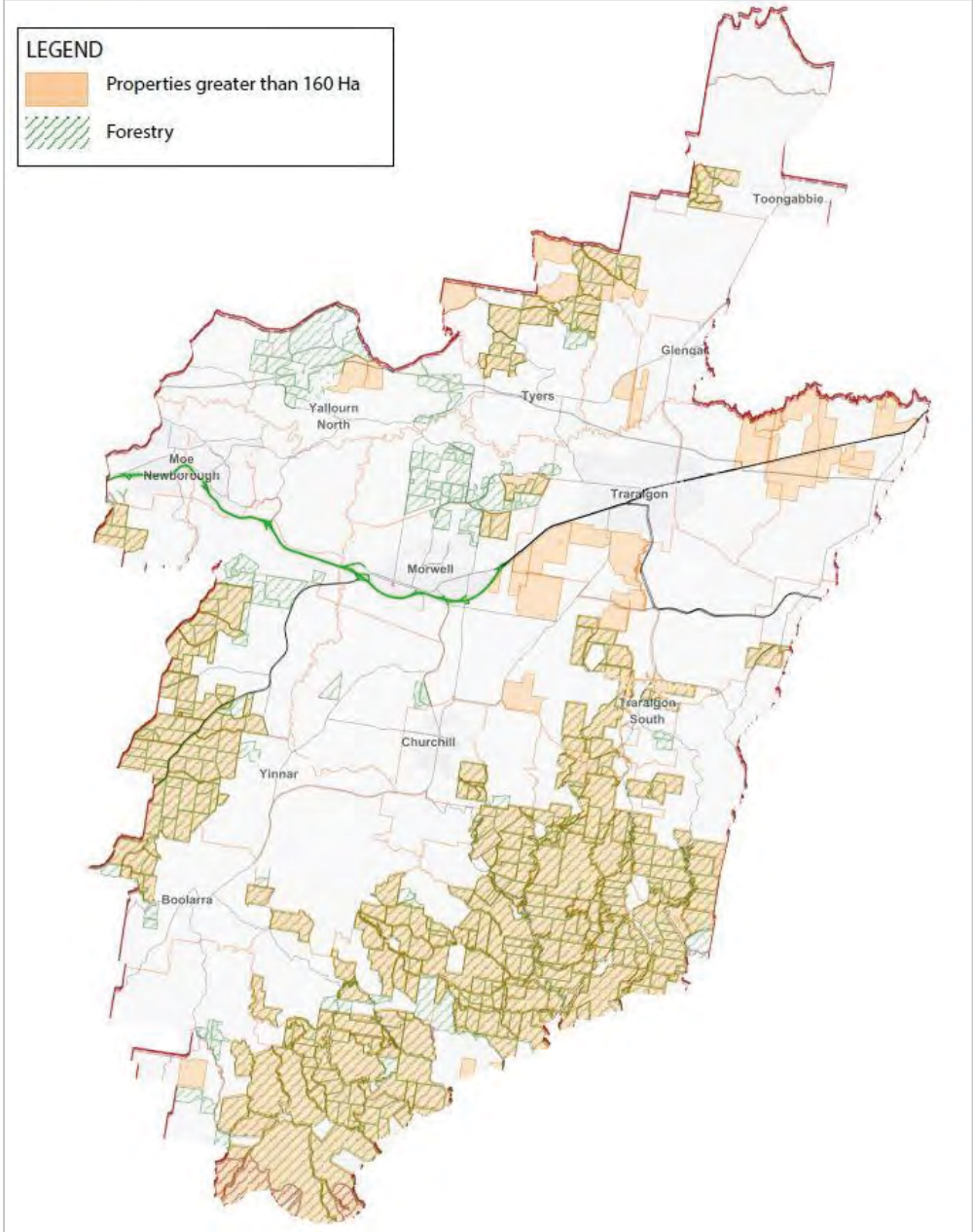


Figure 19: Orange – Greater than 160ha within Farm Zone (all land).



Dwelling opportunity:

- Increases the minimum lot size where no planning permit is required for a dwelling from 40 hectares to 100 hectares.
- Dwelling permit requirement change:
 - Currently **163 properties** above 40 ha (as of right dwelling)
 - Currently **38 properties** above 100 ha (as of right dwelling under proposed Amendment C105)
 - Difference of **125 properties**

The following Figures 20 to 22 show Farm Zone land with further dwelling opportunity:

Figure 20: **Pink:** All properties currently located in a Farm Zone greater than 100ha.

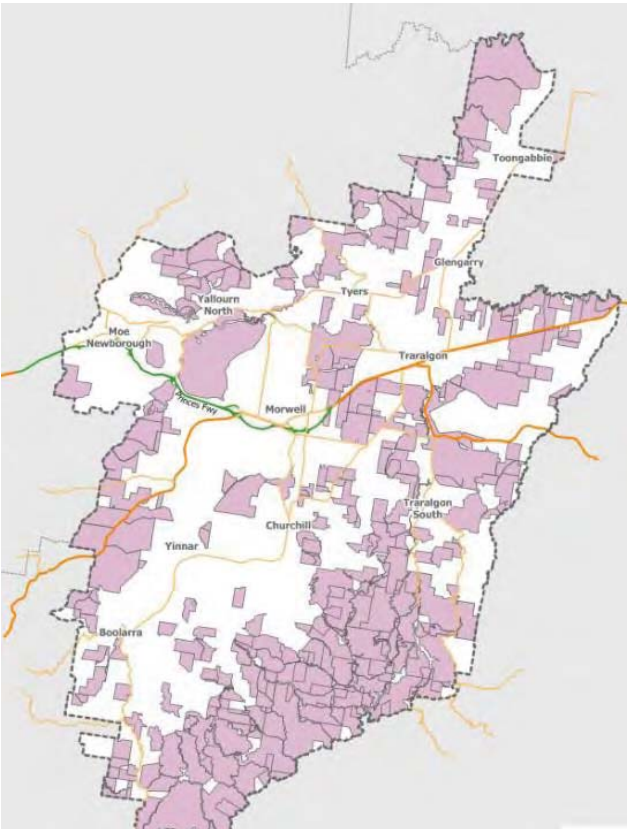


Figure 21: **Green:** All properties currently in a Farm Zone greater than 40ha (excluding properties developed with a dwelling or land managed by DEPI and forestry industries).

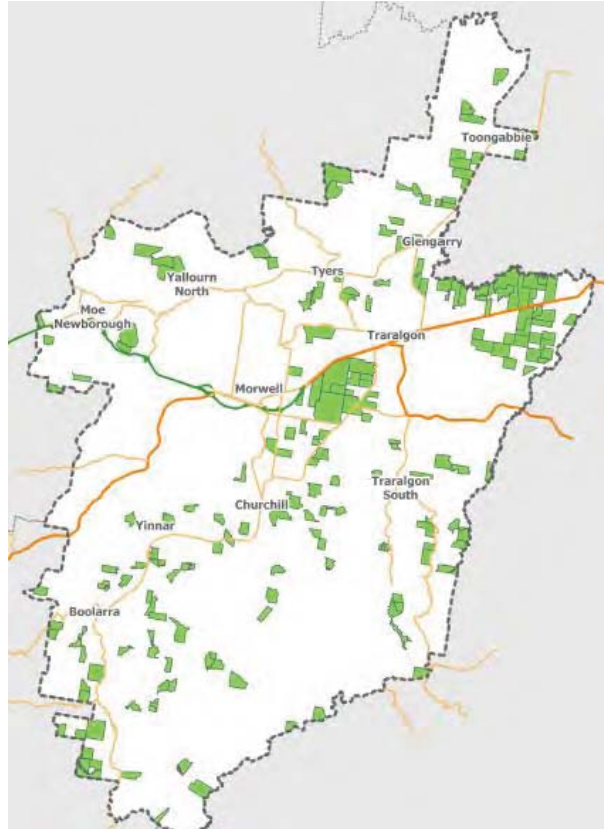
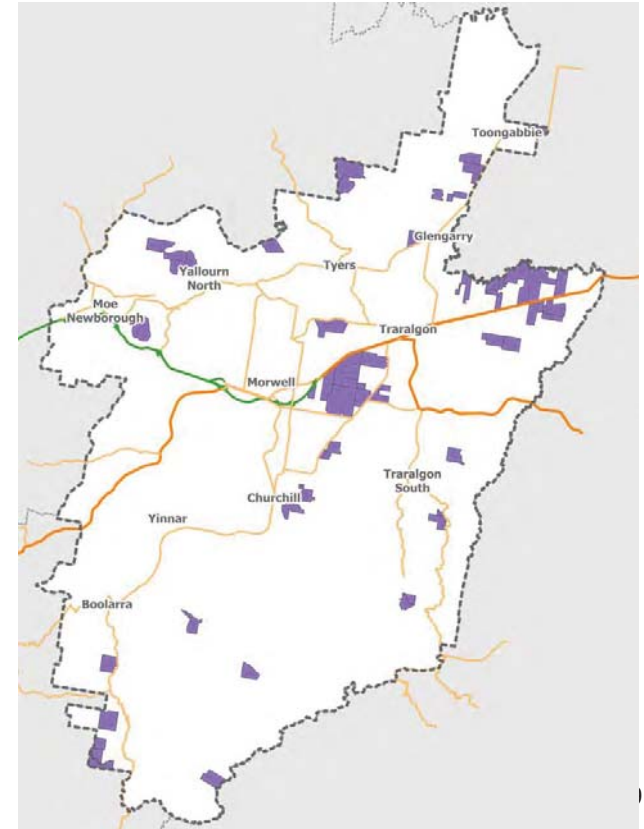


Figure 22: **Purple:** All properties currently in a Farm Zone greater than 100ha, (excluding properties developed with a dwelling or land managed by DEPI and forestry industries).



FARMING ZONE – SCHEDULE 2 MIXED FARMING (FZ2)

Farming Zone – Schedule 2 is proposed to apply to four localities including Yinnar South, Moe South, Yallourn North and Callignee. All areas proposed for inclusion within the Schedule 2 are included within a BMO and BPA area. These are shown at Figure 23.

Amendment C105

The exhibited Clause 22.02 provides direction for the assessment of dwellings and rural subdivision within Schedule 2. In relation to the Farming Zone – Schedule 2, this policy includes:

Clause 22.02

Objectives

- *To provide for the orderly and complimentary use of land for agriculture, tourism, niche and mixed farming and related purposes in attractive rural landscapes.*
- *To discourage dwellings in locations that will limit the operation of surrounding commercial agriculture enterprises – including buffers required by industry codes of practice.*
- *To ensure buildings are suitably designed and sited to protect the landscape characteristics of the area.*
- *To support improved biodiversity and conservation outcomes through improved land management.*

Policy

- *Encourage mixed use and niche farming enterprises, rural tourism, accommodation and produce sales.*
- *Support the establishment of small scale rural tourism opportunities, including agriculture related or nature based activities, bed and breakfasts, cabins, farm stays, cellar door and restaurants.*

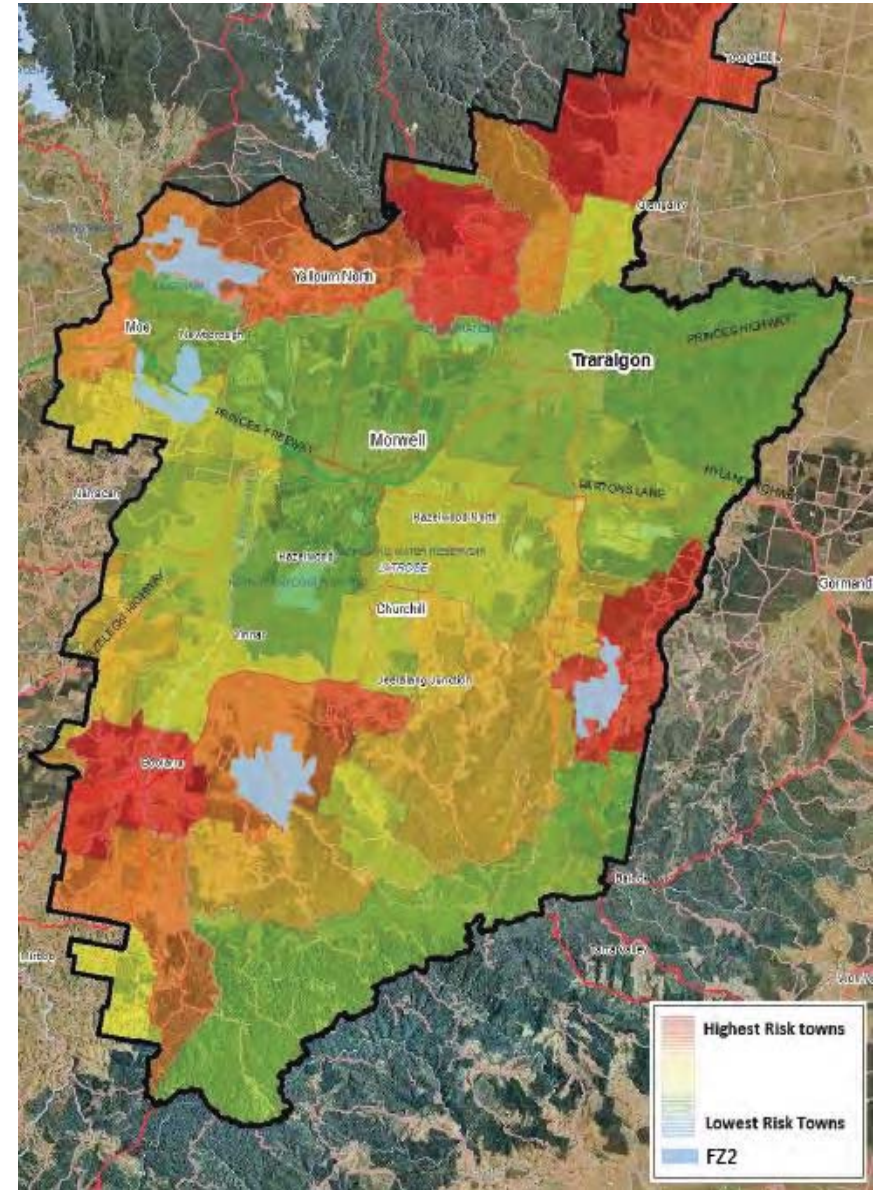


Figure 23: Phoenix modelled risk (2015) including proposed FZ2 locations.

- *Discourage tourism uses not related to or that would likely introduce conflict with agriculture uses or rural amenity including camping, caravan park, backpacker hostels, market or residential hotel.*
- *Discourage subdivision of land that will result in the creation of a lot below the minimum lot size.*
- *Encourage dwellings and associated development to be clustered together in the landscape by requiring similar setbacks from road frontages, providing site conditions enable this to be achieved.*
- *Support the construction of a dwelling, including accommodation, provided all of the following requirements are met:*
 - *No detriment is likely to result to adjoining agricultural activities.*
 - *It can be demonstrated that improved land management and or rehabilitation for conservation purposes, or improvements to degraded land will result.*
 - *The lot is of a size to retain all wastewater onsite.*

Proposed Farming Zone – Schedule 2 does not alter the minimum lot size of 40 hectares for subdivision or planning permit requirement for a dwelling. Further information specific to each precinct is provided below.

For each of the FZ2 precincts, a desk top assessment using Council’s GIS mapping system and review of Council property rates information was used to indicate current land use and development within each precinct. A description of the land use categories applied for precinct is outlined below. This information is provided in map format in the following pages of this report.

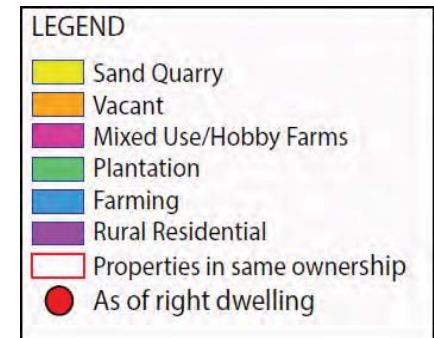
Quarry: Land use for extraction of stone, sand and other earth resources.

Vacant: No dwelling is present and no underlying land use has been determined. Where a vacant parcel of land (i.e. no dwelling) is in single ownership with an adjoining property, the adjoining land use has been applied as relevant.

Mixed Use /Hobby Farms: Dwelling is present along with pens and associated infrastructure required for livestock. Land with a dwelling that is that predominantly covered in vegetation and is not used extensively for agriculture.

Farming: Land use identified through the rates system as a mixed use farm or as a commercial farm. Property receives the Farm Rate discount.

As of right dwelling: Vacant land where a planning permit would not be required by the proposed Farming Zone – Schedule 2 for the use of land for a dwelling (i.e. above 40 hectares).



CALLIGNEE

- 2 lots above 40 ha (not requiring a planning permit for a dwelling).
- Callignee is ranked number 8 of the 15 highest risk localities in Latrobe based on Phoenix modelling combined with the number of address points. (Source: *Profile of Bushfire Risk within Latrobe City 2015*).
- The whole of this precinct is included within the BMO, to which all land use and development will need to comply.

Figure 24: Callignee FZ2 property classifications

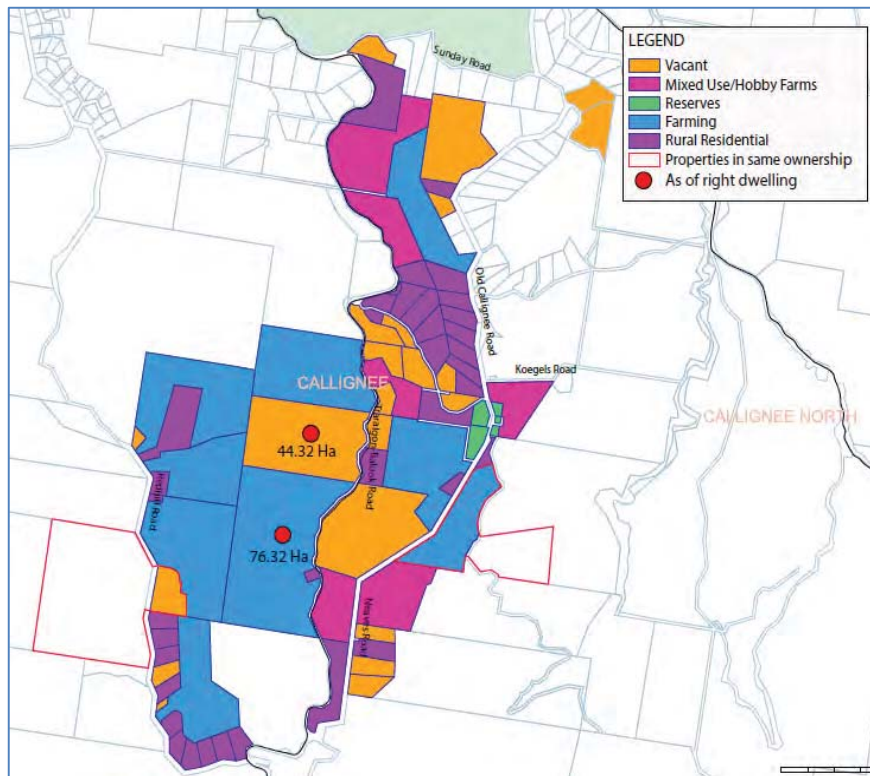
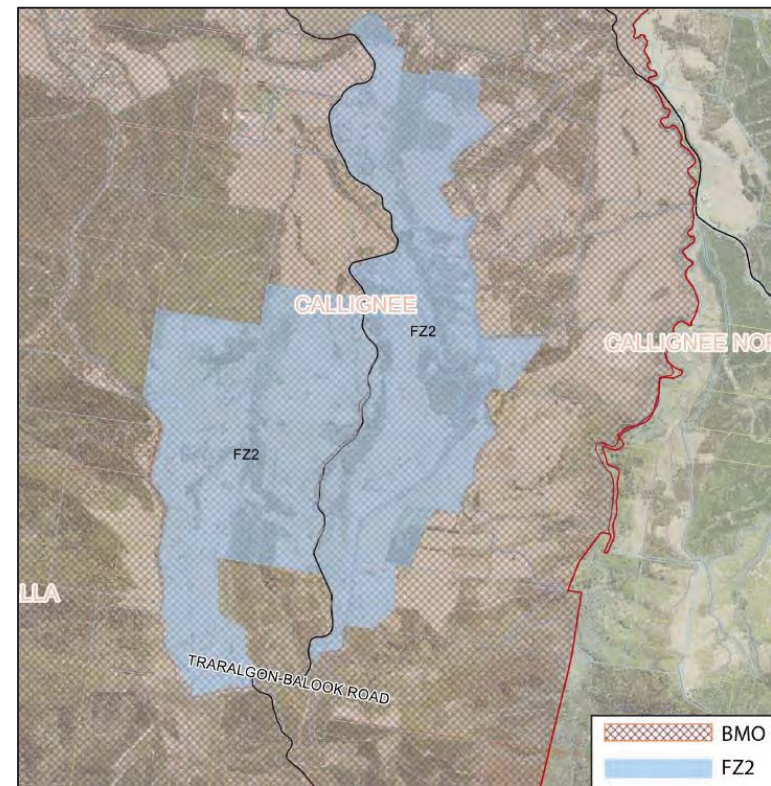


Figure 25: Callignee FZ2 precinct showing extent of BMO.



MOE SOUTH/HERNES OAK

- 3lots above 40 ha (not requiring a planning permit for a dwelling).
- Moe south is ranked number 14 within the 15 highest risk localities in Latrobe based on Phoenix modelling combined with the number of address points (Source: *Profile of Bushfire Risk within Latrobe City 2015*).
- Parts of this precinct are located within the BMO, with remaining areas located within the BPA. All development within the BPA area must be constructed to BAL rating of 12.5, whereas specified uses and developments at Clause 13.02 are required to complete a bushfire hazard assessment, to which the advice of CFA will be necessary.

Figure 26: Moe South /Hernes Oak property classifications

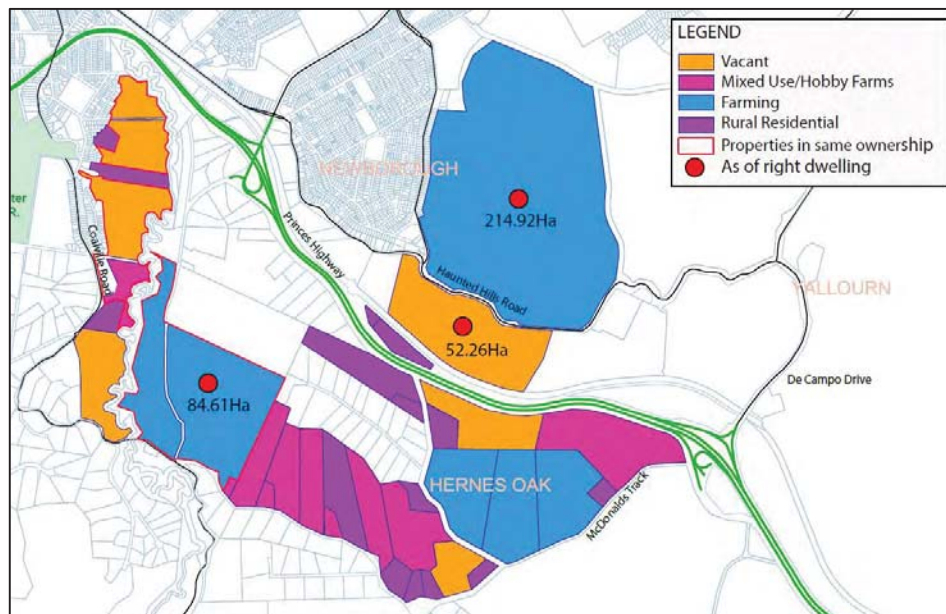


Figure 27: Moe South /Hernes Oak showing extent of BMO



LAKE NARRACAN NORTH SHORE (WEST OF YALLOURN NORTH)

- 2 lots above 40 ha (not requiring a planning permit for a dwelling).
- Yallourn North is ranked number 5 within the 15 highest risk localities in Latrobe based on Phoenix modelling combined with the number of address points (Source: *Profile of Bushfire Risk within Latrobe City 2015*).
- Parts of this precinct are located within the BMO, with remaining areas located within the BPA. All development within the BPA area must be constructed to BAL rating of 12.5, whereas specified uses and developments at Clause 13.02 are required to complete a bushfire hazard assessment, to which the advice of CFA will be necessary.

Figure 28: Lake Narracan North Shore precinct property classifications

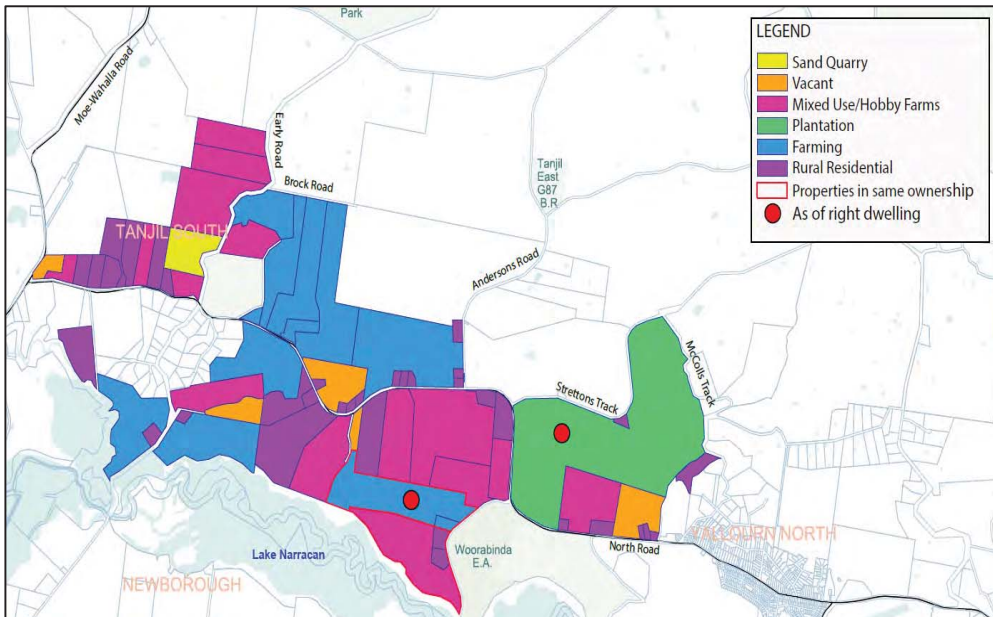
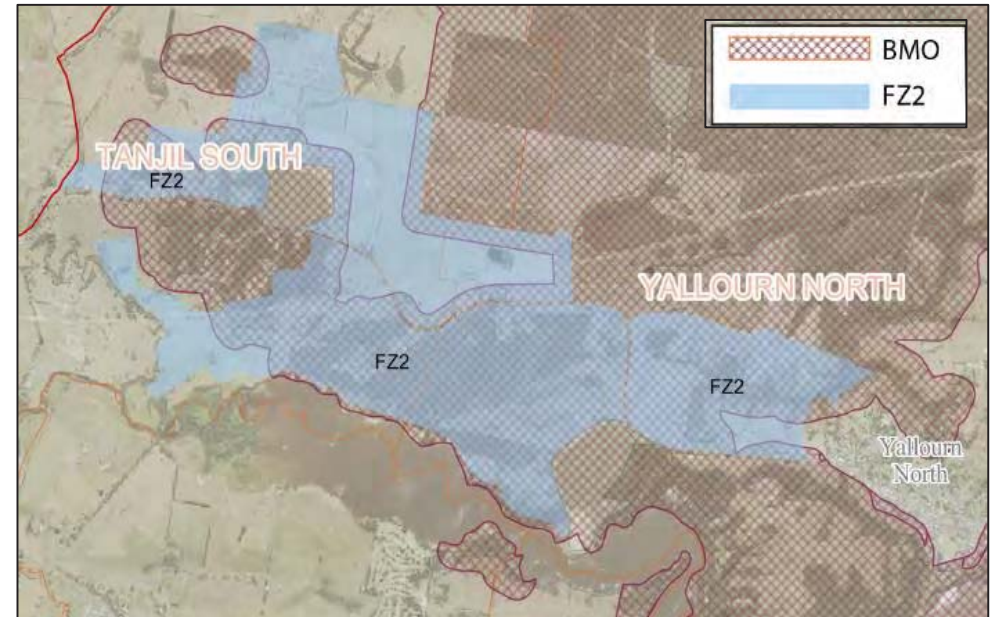


Figure 29: Lake Narracan North Shore precinct showing BMO.



YINNAR SOUTH

- Yinnar South is presently located within a Rural Living Zone – Schedule 4 and Schedule 6.
- Amendment C105 proposes to rezone this precinct to Farming Zone – Schedule 2. As part of Council’s consideration of submissions, it is proposed to retain the Rural Living Zone classification on those lots where there is limited or no further subdivision opportunity.
- Under the proposed Farming Zone – Schedule 2 – 2 lots are above 40 ha (not requiring a planning permit for a dwelling).
- It is also proposed to apply the Farming Zone – Schedule 1 to 2 lots in the northern most extent of the precinct.
- Yinnar South is ranked number 9 within the 15 highest risk localities in Latrobe based on Phoenix modelling combined with the number of address points (Source: *Profile of Bushfire Risk within Latrobe City 2015*).
- The majority of land is located within the BMO, with remaining areas located within the BPA. All development within the BPA area must be constructed to BAL rating of 12.5, whereas specified uses and developments at Clause 13.02 are required to complete a bushfire hazard assessment, to which the advice of CFA will be necessary.

Figure 30: Yinnar South precinct property classifications

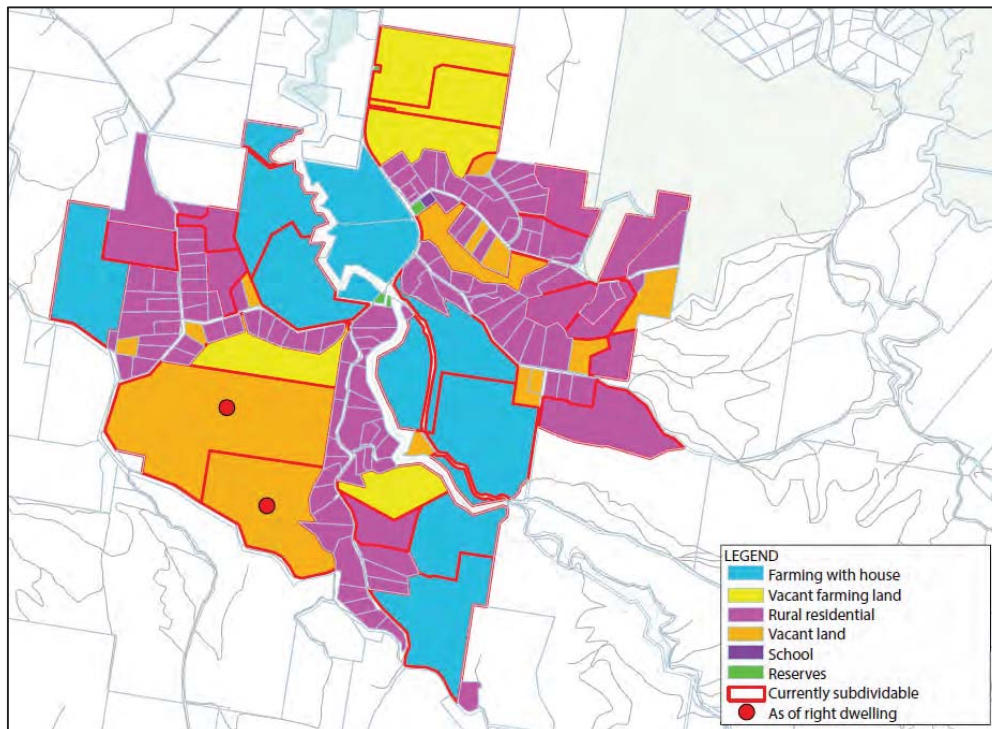
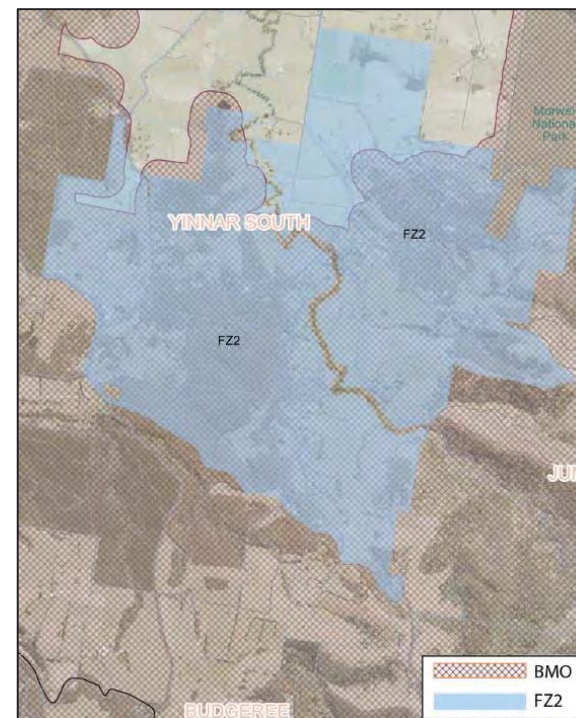


Figure 31: Yinnar South precinct showing BMO



DISCUSSION

- Where land is identified as having an extreme bushfire risk, the BMO applies and will require necessary assessment and thresholds to be achieved for certain uses and development (including the use of land for a dwelling).
- Phoenix bushfire modelling shows that Yinnar South and Lake Narracan North are located in areas with moderate to high risk of bushfire. Moe South is considered to have a lower risk, whereas Callignee is shown as having a higher risk.
- All precincts proposed for inclusion within the Farming Zone – Schedule 1 and 2 are located within either a BMO or BPA. In BMO areas all developments must be constructed to a BAL 12.5. This is evident in that the BMO is generally applied to locations within 150m of established vegetation.
- The proposed application of schedule 1 to the Farm Zone provides a net reduction in opportunity for further subdivision of farming zoned land (estimated 12,230 hectares) and number of properties where the use of a dwelling is as of right under the Zone (163 properties reduced to 38).
- The application of the Farming Zone – Schedule 2 from a Rural Living Zone in Yinnar South will reduce the opportunity for significant further subdivision and rural living development, and therefore risk to life and property from bushfire.
- It is considered that the proposed application of the Farming Zone – Schedule 2 is not inconsistent with the requirements of Clause 13.02 of the Planning Scheme.
- A landscape assessment of bushfire risk for each of the proposed Farming Zone – Schedule 2 precincts is provided at Attachment 12.

RECOMMENDATIONS

Amend local Policy Clause 22.02 (Dwellings and Rural Subdivision) to refer to bushfire considerations as follows:

- **Insert the following requirement for the use of land for a dwelling:** *New dwellings or other buildings requiring a BAL, should demonstrate that they will be sufficiently setback from any bushfire hazard to achieve a BAL construction standard no higher than BAL-29, unless there are significant siting constraints.*
- **Insert additional decision guideline:**
The proposed BAL construction standard and setback from hazardous vegetation.
The level of surety about ongoing vegetation management for the maintenance of defensible space or bushfire risk mitigation.
For subdivision applications:
Whether a section 173 agreement pursuant to the Planning and Environment Act 1987 is required in the following circumstances: Where bushfire risk mitigation requires ongoing vegetation management.

8.5 BIODIVERSITY

KEY MATTERS RAISED BY SUBMISSIONS

- Support for the inclusion of biodiversity values in Latrobe City (including the potential Strzelecki-Alpine Biolink);
- CFA submission notes that the amendment includes significant changes to Clause 21.03 around environmental and landscape values, however, there is poor reference to bushfire policy at Clause 21.04. This may set up an unintended conflict between these policies and biodiversity values and Clause 13.05;
- CFA submissions recommends: that the future development of a plan for the bio link (referred to in Clause 21.10), should include a bushfire report addressing relevant policy and requirements and how fire risks will be mitigated; and
- Where new vegetation is encouraged, policy should lead to ecological outcomes that help manage fire risk. For example, encourage certain vegetation types or fuel management zones.

CONTEXT

Rural Land Use Strategy:

The exhibited *Rural Land Use Strategy* (RLUS) states:

“Latrobe’s natural environment significantly contributes to local identity, the municipality’s attractiveness as a place to live and work as well as providing a range of recreation opportunities for locals and visitors. Community consultation undertaken during Live Work Latrobe Stage 1 also identified a collective desire for a cleaner and greener City. This Rural Land Use Strategy seeks to protect and enhance these important assets.”

The RLUS includes a number of recommendations to amend the Latrobe Planning Scheme in order to achieve the above, including changes to the Municipal Strategic Statement to recognise:

- *Interrelationship between the preservation of biodiversity values, farm productivity, amenity, liveability and tourism.*
- *Nationally significant biodiversity values within the Cores and Links area.*
- *Nationally significant Strzelecki Koala population.*
- *Include reference to Strzelecki Alpine Biolink*

Additional recommendations to provide greater recognition and enhancement of important biodiversity values within the Planning Scheme are included at Section 9.1 of the RLUS.

Potential Strzelecki – Alpine Biolink:

The West Gippsland Catchment Management Authority has prepared mapping that identifies a potential biolink, within which there is an opportunity to achieve significant gains in ecological connectivity - a critical element in habitat restoration and climate change adaptation (See RLUS, Figure 21). This corridor provides the opportunity to create a biodiversity link between the Strzelecki bioregion in the south with the southern fall of the Victoria's Alpine region to the north. The existing vegetated connections, extend through farm land, plantation forestry, state park (nature reserves) and waterway corridors extending through partly urbanised areas of Moe, South, Newbrough and Yallourn North.

Council, with the support of Federation University, is undertaking further work to explore key values and opportunities to strengthen the Strzelecki-Alpine Biolink. As part of this work, consultation with CFA will be a key component.

Amendment C105

Relevant to the consideration of bushfire risk, proposed amendments to the Latrobe Planning Scheme prepared in response to the recommendations of the RLUS are shown below:

Exhibited Clause 21.03 – 1: *'Council recognises the interconnected nature of a strong economy, cleaner and greener environment and healthy and connected community.*

Exhibited Clause 21.03-9:

- *There is a positive interrelationship between the preservation of biodiversity values, farm productivity, amenity, liveability and tourism.*
- *Latrobe City's bioregions support a wide range of ecosystems. These contain varied plant communities, individual species and vegetation classes, a number of which are significant and protected under State and Federal legislation such as the Strzelecki Koala.*
- *The 'Cores & Links' agreement identifies core biodiversity sub-catchments and linking corridors across the Strzelecki Ranges, including the significant biodiversity of the College Creek catchment.*
- *The Rural Land Use Strategy 2017 identifies further opportunities to strengthen a passage of remnant vegetation clusters extending between the Strzelecki Ranges bioregion in the south to the southern fall bioregion of Australian Alps.*

Exhibited Clause 21.03-10:

Objective

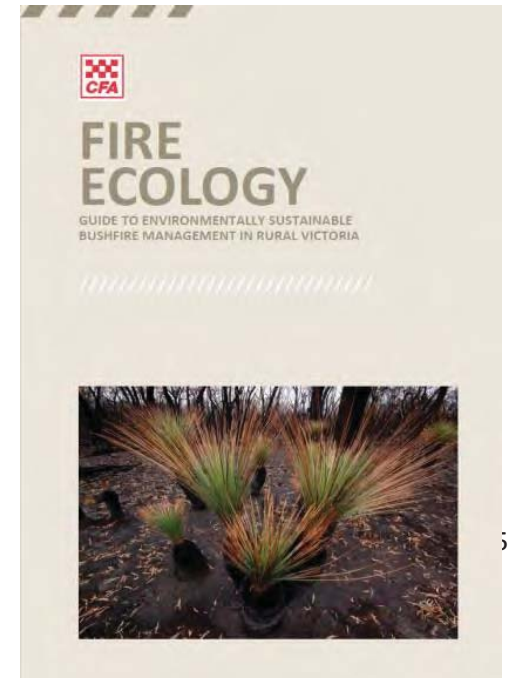
Support the retention and enhancement of habitat and biodiversity values.

Strategies

- *Support and facilitate the creation of a biolink from the Strzelecki Ranges bioregion to the southern fall bioregion through research, the subsequent use of planning tools, and landowner and community support.*
- *Protect roadside vegetation, especially in the Strzelecki Ranges from Boolarra to Gormandale, that provides actual or potential linkages between public and private native vegetation remnants from destructive or disturbance processes.*
- *Achieve a reversal within the municipality of the long-term decline in the extent and quality of native vegetation and biodiversity, leading to a net gain.*
- *Improve the retention of native vegetation in the landscape on roadsides, and public and private land to facilitate healthy habitats to improve biodiversity.*
- *Strengthen biodiversity conservation in both rural and urban landscapes and across all land tenures.*
- *Encourage rural landholders to pursue a target of 30% native vegetation across their properties and the landscape as a critical threshold for biodiversity conservation.*
- *Engage and inform local communities as to the benefits of supporting biodiversity values and the health of the natural environment.*

Bushfire Context

In recommending changes to the Planning System's approach to bushfire management, the 2009 Victorian Bushfires Royal Commission highlights the tension between the need to manage land to protect against bushfires and giving due consideration to biodiversity conservation objectives. This balance is sought through the discouragement of settlement growth and development in bushfire affected areas that retain a high biodiversity conservation value. However, these strategies must be considered in conjunction with clause 12.01 (Biodiversity), the objectives of which must be considered when applying bushfire protection measures and bushfire planning strategies at the settlement and site scale.



In response to 2009 Victorian Bushfires Royal Commission, the *Fire Ecology* guide was prepared by the CFA. It is a useful resource for the achievement of biodiversity outcomes and sustainable fire management practices, noting that opportunities to protect and improve the environment should be identified as part of every fire management activity. This document will be a key resource in future exploration of the potential Strzelecki- Alpine Biolink.

Amendment VC138 (December 2017) introduced changes to native vegetation removal following the release of *Protecting Victoria's Environment Biodiversity 2037*. This forms part of the Victorian government's commitment to ensure that planning provisions relating to native vegetation removal sensibly protect biodiversity.

This amendment introduced reference to a new incorporated document, *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (Department of Environment, Land, Water and Planning, 2017), which states:

"The strategic planning process is the most effective planning mechanism to protect and manage native vegetation and to achieve the objectives of the SPPF. Considering how native vegetation will be protected and managed through strategic planning - allows for identification of areas of higher value native vegetation at a landscape scale."

Relevant to the consideration of bushfire risk, Amendment VC138 states:

The Amendment clarifies the extent to which land managers, public authorities and fire authorities can remove, destroy or lop native vegetation for emergency works and fire protection activities. This includes for firefighting, planned burning and for the making and maintenance of strategic fuel breaks and access tracks.

Strategic plans for native vegetation protection and management including the establishment Property Vegetation Plans (PVP) introduced by Amendment VC138 will also be valuable in exploring how biodiversity enhancement and connectivity may be achieved across Latrobe City.

DISCUSSION

- Council has legislative responsibilities to protect biodiversity values.
- The improvement of biodiversity outcomes is a leading objective of the *Live Work Latrobe* project and was highlighted during community engagement.
- Clause 13.02 of the Planning Scheme direct that bushfire risk is to be considered above every other planning consideration. The avoidance of repeating State Policy Provisions under the new *Planning Policy Framework (PPF)* is therefore a consideration in preparing further changes to the exhibited amendment.

- Amendment VC138 introduces guidelines for fire protection and the achievement of biodiversity objectives. CFA publications (*Fire Ecology*) also provide valuable guidance.
- The *Planning Advisory Note 68* also provides guidance to achieving biodiversity outcomes and mitigation of bushfire risk.
- The Biolink may provide the opportunity for consistent management of fire risk across public and private land assets. This aligns with efforts currently being explored by DELWP through its *Safer Together* initiative. No zone or overlay changes are proposed by the amendment in relation to the Biolink.
- Fire behaviour and risk is variable, influenced by topography, vegetation type, prevailing wind direction and weather.
- Council is to ensure initiatives to improve the extent of vegetation for biodiversity, liveability and future nature based tourism must ensure no net increase to risk to life and property from bushfire.

RECOMMENDATIONS

Insert the following strategy at exhibited Clause 21.03-10:

Ensure that the enhancement of biodiversity outcomes, including the establishment of a potential biodiversity corridor, considers bushfire risk and does not pose an unacceptable increase in risk to existing residents and infrastructure.

8.6 RURAL TOURISM IN THE FARMING ZONE (CLAUSE 22.03)

KEY MATTERS RAISED BY SUBMISSIONS

- **Support for the enhancement of rural and nature based tourism uses.**
- **CFA submission: Where land is at risk from bushfire, this policy should ensure that bushfire risk is also considered in the objectives, policy, application requirements and decision guidelines.**

CONTEXT

Victoria's 2020 Tourism Strategy and *Visitor Economy Strategy* both identify rural and nature based tourism to bolster regional economies. The enhancement of rural and nature based tourism opportunities are also recognised as a key opportunity to further diversifying Latrobe City's visitor economy in the *Gippsland Tourism Strategy*.

Rural tourism is a key industry within Gippsland, which is linked to the environmental assets of the region and its cultural landscapes. Latrobe City is centrally located to many of Gippsland's tourism destinations, and attracts a lower level of recreational tourism visitation than other areas of Gippsland. The *Gippsland Tourism Strategic Direction 2013-2018* advocates that the Gippsland region, including Latrobe, tap into the growing Chinese and wider Asia market by supporting a range of visitor facilities and experiences including: walking and cycling, food and wine, spa and well-being, adventure activities, art and cultural (including Indigenous) experiences and nature –based activities.

Clause 21.07-9 of the Latrobe Planning Scheme outlines that there are identified tourism opportunities within Moe-Newborough, Lake Narracan and Hazelwood Pondage and for conferences and major events. The 2011 Tourism Audit identified agri-tourism and nature-based tourism as opportunities for increased tourism in Latrobe City's rural areas (*Live work Latrobe – Background Report*).

Rural Land Use Strategy (RLUS):

As part of the research undertaken for the Live Work Latrobe project, rural tourism opportunities were identified and supported during community consultation; including the Gippsland Plains Rail Trail, farm gate opportunities and leveraging areas of landscape value. The RLUS identifies that there is an opportunity to build on existing tourism strengths and the City's attractive rural areas to provide a wider choice of tourism experiences by supporting rural based tourism such as farm stays and bed and breakfasts.

The RLUS provides the recommendations:

- *Introduce a Local Policy to guide assessment of planning permits for tourism activities in the Farming Zone.*
- *Support the development of large scale tourism facilities in accordance with the principles outlined in this Strategy.*
- *Support the development of accommodation and infrastructure in conjunction with key tourism assets such as the Gippsland Plains Rail Trail and Grand Ridge Road.*
- *Promote nature-based tourism and agri-food experiences such as glamping, farm stays, bed and breakfasts in appropriate locations*
- *Apply the Rural Activity Zone in appropriate locations, as necessary, to support development associated with the agri-tourism sector.*

Amendment C105

The associated amendments to the Latrobe Planning Scheme prepared in response the recommendations of the RLUS relating to rural tourism are provided below.

Exhibited Clause 22.03 Rural Tourism in the Farming Zone

This policy builds on and supports Clause 21.05-1 Agriculture and Clause 21.07-7 Tourism, to facilitate the following:

- *Land uses that complement and enhance the viability of agricultural activity through small scale rural based tourism.*
- *The development of low impact rural tourism and related activities within the Farming Zone where it is consistent with settlement patterns, landscape, amenity and environmental values.*

Application requirements:

An application for a rural tourism within the Farming Zone must include the following information, as appropriate:

- *Description of safety measures to be deployed in response to fire risk and other hazards, where present.*

DISCUSSION

- Community consultation undertaken as part of Council's Live Work Latrobe project, identified rural and nature based tourism opportunities as key opportunity for Latrobe City amidst efforts to diversify the economy.
- State and regional policy initiatives highlight the significance of the visitor economy to regional Victoria.
- Locations sought after and suited to rural and nature based tourism opportunities, commonly are in locations with a risk of bushfire.
- Ensuring tourism related uses and development do not increase risk to life and property will be a necessary requirement in the achievement of these objectives.
- It is considered that bushfire risk associated with tourism uses may be managed through the assessment and issuing of planning permit conditions for such uses (i.e. closure plans during high fire risk days, building siting, design and access).
- The requirement to consider bushfire risk as part of the assessment of proposed rural and nature based tourism opportunities, may be better reflected within the exhibited Clause 22.03.

RECOMMENDATIONS

Amend the exhibited Clause 22.03 Rural Tourism to include the following:

Objectives:

- *Buildings should be designed and sited to respond to bushfire risk.*

Application requirements:

- *A bushfire risk assessment report for a tourism development must be prepared by a suitably qualified or experienced bushfire practitioner, and show:*
- *Siting of buildings that responds to the hazard such that buildings can achieve a construction standard no higher than a BAL-29*
- *Adequate access for emergency services*
- *An adequate water supply for fire fighting and property protection*
- *A Bushfire Emergency Management Plan (BEMP) detailing emergency management arrangements and procedures for the site on days of elevated fire danger.*

Decision guideline:

- *The views of the relevant fire authority.*
- *Whether any identified bushfire risk will be able to be acceptably mitigated in an ongoing capacity, for the life of the development.*

8.7 CANOPY TREES IN SUBURBAN FRINGE AND ADJOINING RESERVES

KEY MATTERS RAISED BY SUBMISSIONS

- CFA submission notes that, the *Urban Design Guidelines* which apply to all residential land, may lead to inappropriate outcomes for land located in the Bushfire Management Overlay or where there is an interface between a dwelling and reserve or even where the land is located in the Bushfire Prone Area.

Housing Strategy

The *Urban Design Guidelines* (UDGs) provide further guidance alongside the implementation of Council's Live Work Latrobe land use strategies applying to residential, industrial and commercial land. The guidelines specify requirements for new development and streetscapes within both established and greenfield areas based on a preferred future character for various development typologies.

A feature of the UDGs and residential schedules exhibited by Amendment C105 encourage the planting of canopy trees within front setbacks of new development, and include the following objective:

To ensure new developments provide generous landscape responses to enhance the streetscape and maintain the landscape character of Latrobe.



In addition to the ResCode Standard B13 regarding landscaping treatments, the UDGs provide the following guidance:

- Development should provide for the retention or planting of trees.
- *1 large canopy tree (50m² soil) is to be accommodated for each dwelling facing the street within the front setback.*
- *Where there is no tree within the nature strip, new multi-dwelling developments are to provide 1 large canopy tree within the nature strip.*
- *Applications must comprise a landscape plan specifying hardscape and softscape finishes (i.e. paved areas, trees, garden beds etc.).*
- *Vegetation should be drought tolerant and reflective of the local landscape character.*
- *Landscaping of front gardens should be completed within 90 days of obtaining a Certificate of Occupancy.*

These objectives of the UDG are aligned to the exhibited Schedules to the residential zones. For example the schedule to the General Residential Zone – Schedule 3 (New Estates) includes the following the objective:

To establish and reinforce a spacious regional suburban character of new neighbourhoods by requiring adequate front and side setbacks of buildings and encouraging a garden streetscape with canopy trees.

This policy objective is consistent with other parts of the Latrobe Planning Scheme, including ‘Healthy-By Design’ principles. :

The consideration of subdivision design and appropriate measures to mitigate risk to bushfire are addressed during the application of Development Plan Overlays (DPO)’s which presently apply to all residential growth areas.

CFA guidelines for flame resilient tree species:

In response to recommendation 44 from the Victorian Bushfires Royal Commission, CFA has developed *Landscaping for Bushfire: Garden Design and Plant Selection* for new and established homes in high-risk areas. The focus is on residential gardens, but the design principles can be applied to larger developments and subdivisions. The report acknowledges that:

“Even though all plants burn, measures can be taken to reduce fire intensity from garden plants. This guide identifies what you can do within defensible space to minimise the risk of losing your house or threatening the lives of occupants in a bushfire.”

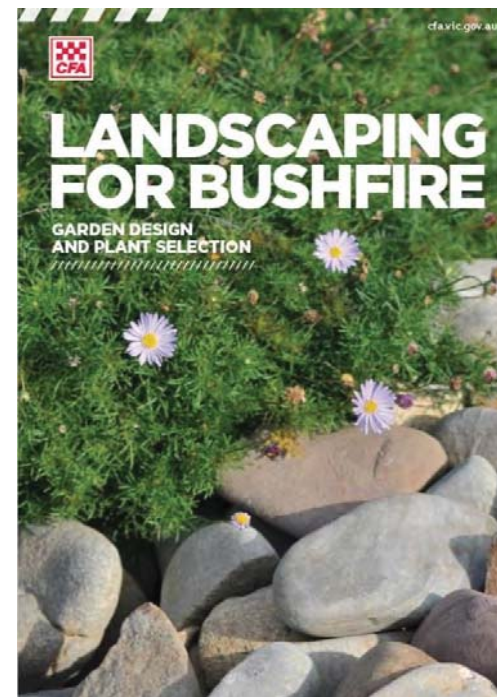
Determining the flammability of plants is not straightforward. However this publication does provide valuable guidance as to how select plant species for characteristics which are used in the ‘Plant Selection Key’ provided. This includes consideration of branching pattern, texture, density, leaves, bark, oils, waxes and resins.

This information will be useful in Council’s future review of recommended tree species to be referenced in the *Urban Design Guidelines* and the review of Council’s own street tree species to be used in locations identified as having risk of being impacted by bushfire (see discussion regarding this in below table).

Council Street Tree Plantings

Considering CFA’s concerns raised in response to tree plantings on the urban fringe, Council’s planning team believes it is also necessary to consider its own street tree plantings program.

Council reviews its street tree selection species annually. The main objective of Council’s street tree planting program focusses on planting the right tree in the right place, planting a balance of native trees, native indigenous trees and exotic, evergreen and deciduous trees.



When selecting a tree species, Council gives consideration to a range of criteria including: the area, site condition, the character of the area, aesthetic impact, toxicity and allergenic triggers, disease resistance, interference with overhead powerlines, how aggressive the root system and is the species prone to produce excessive fruiting, surface roots or sucker growth. Following further consultation with Council's outdoor maintenance teams, it was acknowledged that the consideration of bushfire impacting the fringe of urban areas, or land adjacent to reserves has not previously been a key consideration in the selection of street tree plantings.

From this discussion, it was agreed as part of their annual review of Council's tree selection species, that consideration would be given to the bushfire risk and the susceptibility of trees utilised in locations identified as being prone to bushfire (i.e. land within 150 meters of the urban edge and non-urban land, including land adjoining bushland reserves).

DISCUSSION

- The exhibited UDG is to be considered for the development of land, where a planning permit is required.
- The UDG is to be considered in the design and assessment of subdivisions, and in this way it is a resource that is to be applied in the preparation of Development Plans and Precinct Structure Plans.
- The ability for the planning scheme to regulate plantings within front setback of private dwellings is limited. The consideration of the need for 173 Agreements or targeted actions included within the FMP may therefore be considered necessary, considering the proposed use or development and the bushfire risk associated with the location.
- It is considered appropriate that Council's own street tree plantings recognise and respond to areas which be at risk to bushfire, by ensuring plantings and landscaping arrangements recognise and respond to bushfire risk on the urban fringe.
- Residential subdivisions of more than 10 lots will require the consideration of Clause 13.02.
- The recommended post exhibition changes to the UDG (outlined below) are expected to ensure clarity in the consideration of Bushfire as required by Clause 13.02.

RECOMMENDATIONS

In consultation with CFA, review Council's street tree species listings to be planted in road reserves and public open space areas within 150 meters of the urban edge (including land adjoining bushland reserves) to ensure tree species in such locations have a greater resilience to bushfire.

Amend the exhibited *Urban Design Guidelines* to:

- *Acknowledge bushfire risk to locations to the urban fringe, areas located in a Bushfire Prone Area (BPA) or adjoining bushland reserves; and the need to ensure landscaping and selected vegetation in such locations does not increase bushfire risk.*
- *Require tree species which have a high resilience to bushfire to be used for plantings on land within 150 meters of the urban edge and non-urban land, including land adjoining bushland reserves.*

8.8 MINE FIRE

Key matters raised by submissions:

- Objection to rezoning from General Residential Zone (GRZ) to Neighbourhood Residential Zone – Schedule 4 (NRZ4), south of Commercial Road Morwell.
- The proposed change will devalue the property and place further restrictions on what can be undertaken on the land.
- 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.
- Proposed rezoning will make property unsaleable.

CONTEXT

Whilst mine fire was not a matter directly raised by submissions, the risk of mine fire was considered during the preparation of the exhibited Amendment C105 as it relates to the exhibited *Housing Framework Plan* for Morwell, specifically in response to the 2014 Hazelwood Mine Fire event. The consideration of causal factors to mine fire (including bushfire) was previously introduced to the Latrobe Planning Scheme by Amendment C97.

The *Stage 1 Live Work Latrobe Background* (2016) report found that the Victorian Planning Provisions did not provide an obvious link to the consideration of fire risk associated with coal mines, stating:

“The inquiries to the Hazelwood mine fire (Hazelwood Mine Inquiry 2015-2016 and Hazelwood Mine Enquiry 2014) illustrated that buffer distances established for mining operations are not effective in managing impacts on the community associated with fire in these circumstances (Hazelwood Mine Fire Inquiry, 2014 and Hazelwood Mine Fire Inquiry, 2015). These issues and associated implications will need to be considered and addressed by each of the three strategies to be completed as part of Stage 2; whilst acknowledging the significance of coal resources to the Latrobe City economy and extensive opportunities for the exploration, development and investment in new and cleaner coal resource technologies in the future.”

The *Hazelwood Mine Fire inquiry* (2014) report informs much of the discussion provided below. The inquiry report notes the following points of relevance to the exhibited amendment:

- *The most likely cause of the Hazelwood mine fire (ignited 9 February 2014) was embers spotting from one or both of two bushfires outside the mine including the Hernes Oak fire, while spotting from the Driffield fire may have also contributed.*
- *The Latrobe Valley has inherited land use planning decisions that have resulted in a significant gap between the fire protection policies and strategies outlined in the Latrobe Planning Scheme and the reality of land use in the vicinity of the mine. Most notably, there is no buffer zone between the Hazelwood mine and the town of Morwell. The provisions of the Latrobe Planning Scheme that require a buffer zone of between 750 and 1,000 metres around a coal mine post-date the approval (in the 1940s) of a new open cut mine adjacent to Morwell. The Latrobe City Council is powerless to enforce this buffer zone within the boundaries of the mine licence.*
- *In addition, there are three timber plantations within 1,000 metres of the mine licence areas, each capable of catching fire and throwing embers into the Hazelwood mine. Although the Latrobe Planning Scheme currently provides that a permit is required for timber plantations this close to the mine, for historical reasons and other reasons that are difficult to remedy, each of these plantations operates without a permit.*
- *GDF Suez submitted that the establishment of timber plantations close to the Hazelwood mine represented a ‘fundamental failure in appropriate land use planning in the Valley.’ Information subsequently provided to the Board by the plantation owners paints a more complex picture in relation to both the establishment of the plantations and the risk they pose.*
- *The mine fire inquiry board was unable to assess the relative fire risk posed by eucalypt plantations and remnant vegetation containing mature trees. It accepts that both contribute to the risk of a bushfire spreading into an open cut coal mine such as the Hazelwood mine, there are numerous windbreaks and belts of remnant roadside vegetation within spotting distance that still pose a hazard during the passage of high intensity rural fires.*
- *There is considerable scope for improvement in the way that land use planning in the Latrobe Valley manages the risk of fire, particularly in the vicinity of open cut coal mines.*
- *The mine fire inquiry board considers that the Minister for Planning, advised by the Department of Transport Planning and Local Infrastructure and the Latrobe City Council, should investigate amending the Latrobe Planning Scheme to ensure that, so far as is reasonably practicable, it minimises the risk of embers from external rural fires, in particular in timber plantations, entering open cut coal mines in the Latrobe Valley. This should occur as part of the regular review of the Latrobe Planning Scheme that is due to be completed in 2014. NOTE: The incorporation of changes at Clause 21.04-5 (Mine Fire) to the Latrobe Planning Scheme was provided in response to this recommendation by Amendment C97).*

Latrobe Planning Scheme:

Clause 21.07-4 provides for coal buffers, of between 750 and 1,000 metres, between urban development and existing and future coal resource development. An objective of the coal buffer is to provide for uses and developments within the buffer area that are compatible with coal development. A strategy to achieve this is to ensure the management, use or development of land in all buffer areas minimises the potential fire risk to open cut mining.

For the most part, the separation of risk from urban areas and Latrobe City's open cut mines has been achieved by applying relevant overlays, in particular the *Environmental Significance Overlay–Schedule 1 Urban Buffers*. However in the instance of land to the south of Morwell, the extent of the ESO1 is significantly reduced to approximately 200 metres. It is also acknowledged that the impacts of mine fire smoke extend beyond the 1 kilometre ESO buffer area.

Special Use Zone–Schedule 1–Brown Coal (SUZ1).

The Hazelwood mine, and most of the land that surrounds it, is zoned 'Special Use Zone–Schedule 1–Brown Coal (SUZ1)'. The primary purpose of SUZ1 is to provide for brown coal mining, electricity generation and associated uses. The secondary purpose of SUZ1 is to allow for interim non-urban uses that will protect brown coal resources and discourage the use or development of land that is incompatible with future mining and industry. Dwellings are allowed within SUZ1 in restricted circumstances only.

The 'as of right' land uses specified under SUZ1 stipulate that a buffer zone of at least 1,000 metres between coal mining and related uses, and a residential zone, a business zone and land used for a hospital or a school, is required. However, the Latrobe City Council is not able to enforce this buffer zone within a mine licence boundary. Under Clause. 52.08 of the Victorian Planning Provisions (titled 'Earth and Energy Resources Industry'), no permit is required to use or develop land for mineral extraction licensed under the *Mineral Resources (Sustainable Development) Act 1990 (Vic)* (Mineral Resources Act). This exemption reflects Section 42 of the Mineral Resources Act.

The practical effect of these provisions is that the Mining Regulator (the Earth Resources Regulation Branch of the Department of State Development, Business and Innovation), is the relevant authority in relation to the use and development of land within the Hazelwood mine boundaries. SUZ1 requires a permit for timber plantations within 1,000 metres of land covered by a mining licence. Major bushfire events however can result in spotting several kilometres from the fire front.



Figure 32: Morwell Housing Framework Plan, highlighting land south of Commercial Road.

Amendment C105 (residential development south of Commercial Road Morwell)

Consultation with the Earth Resources Division of DEDJTR was undertaken in the preparation of each of the land use strategies during Stage 2 and subsequent preparation of the exhibited amendment (Stage 3). The advice of DEDJTR was also required as a condition of authorisation to the exhibited amendment. During preparation of the planning scheme amendment, it was agreed with DEDJTR that substantial increases in residential housing opportunities south of Commercial Road, Morwell should be deferred until such time that rehabilitation works were completed to the northern batter of the Hazelwood mine.

The Housing Framework Plan and exhibited amendment includes direction for this as follows:

Exhibited Clause: 21.09-5: Discourage increased housing densities south of Commercial Road (Area 13), until the completion of rehabilitation works to the northern batter of the Hazelwood mine area.

The above policy direction was included in response to the Hazelwood Mine fire event 2014 (and subsequent inquiry) and acknowledgment of the limited extent of the ESO1 in this location.

Following the announcement of the closure of the Hazelwood Power Station, works to rehabilitate the mine batters has commenced. Communications released by the mine operator (Engie) September 2018 announced that the northern batter works have been completed).

Latrobe City Council officers have consulted with the Engie regarding this advice, who believe that the impact of mine fire affecting the town as was seen during the 2014 mine fire event has been mitigated. At the time this report was completed, Council was awaiting advice from DEDJTR regarding the status of rehabilitation works to the northern batter area. Following receipt of this advice, Council will consider whether the current General Residential Zone (GRZ) would be retained on the land.

This General Residential Zone (GRZ) zoning correlates to the subject land being designated for 'Incremental Change' whereby unit and town house developments may be supported. This would form part of Council's post exhibition changes to be presented to the Planning Panel.

Work being undertaken by the Latrobe Valley Regional Rehabilitation Strategy (LVRRS) is currently determining options for the final remediation of the mine areas, with the preliminary focus of rehabilitation of the Hazelwood mine void being the use of water to establish pit-lake or full lake.



Northern batter works Hazelwood Mine (Source: Engie 2018).

DISCUSSION

- Whilst Mine Fire was not a matter directly raised by submissions, two objections were received with regard to the proposed NRZ4 being applied to land south of Commercial Road.
- The risk of mine fire was considered during the preparation of the exhibited *Housing Framework Plan* for Morwell which identifies land south of Commercial Road for 'Limited Change' in housing typology, subject the completion of rehabilitation works to the northern batter.
- The risk of fire entering exposed mine areas may extend several kilometres, including forested areas in neighbouring municipalities.
- Amendment C105 proposes to make minor additions to Clause 21.04-5 (Mine Fire) of the Planning Scheme to acknowledge *"the need for effective remediation of brown coal mines to a useable and stable landform."*
- The application of residential zones in the manner exhibited was undertaken in close consultation with the Department of Environment, Land, Water and Planning (DELWP) and Department of Economic Development, Jobs, Transport and Resources (DEDJTR).
- At the time this report was prepared, it is not proposed to change the exhibited Morwell Housing Framework Plan to show residential land south of Commercial Road Morwell as 'Incremental Change.'

RECOMMENDATIONS

Proceed with the exhibited application of the Neighbourhood Residential Zone – Schedule 4 to land South of Commercial Road Morwell.

Amendment C105 (Forestry in proximity to mine areas)

No submissions were received regarding proximity of forestry to open –cut coal mines.

Approximately 40% of land in Latrobe City is used for forestry. The location of existing forestry operations is included within the RLUS.

The exhibited RLUS provides support and directions to the forestry industry, recognising that forestry supports a regionally important timber processing and manufacturing sector, stating:

“Plantation timber has become increasingly important as access to state timber resources have reduced. Similar to the protection of productive agriculture, it is important that forestry land is strategically recognised and protected to provide long term business confidence “



The RLUS 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. Other advocacy related initiatives are also provided by the exhibited strategy.

The Mine Fire Enquiry report highlighted the failure of the planning system to prevent plantations within 1 km of a mine. Following the recommendations of the Mine Fire Inquiry, Amendment C97 to the Latrobe Planning Scheme included reference to mine fire as follows:

- *There is a risk of timber plantation fires around mines. Vegetating the coal buffer areas was a recommendation of the Land Conservation Council reports of the 1970's, however in light of the 2014 Hazelwood mine fire, there is a potential problem with plantations in close proximity to a fire source. This is particularly significant for towns that are near large timber plantations and raises town safety and amenity issues that became apparent with the 2014 Hazelwood mine fire.*
- *Many infrastructure assets are in areas that are at danger from mine and timber plantation fires.*
- *Timber plantations within buffer areas, plantation buffer distances from coal mines and separation distances between towns and mines all need to be assessed and considered.*

Objective

To minimise the risk to life, property and the environment from fire within and around mine sites.

Strategies

- *Encourage design, siting and layout of open cut mines that take into account the need for protection from fire risk.*
- *Encourage adequate buffers from open cut mines to timber plantations.”*

Whilst it is considered that the resolution of these matters is beyond the scope of the exhibited amendment, discussion and recommendations regarding how such matters may be further addressed may be appropriately sought by the Planning Panel.

DISCUSSION

- The Hazelwood Mine fire inquiry noted that policy was required to discourage plantation forestry in locations in close proximity to mines.
- Amendment C97 introduced strategic policy requiring consideration of the proximity of forestry operations to mine areas.
- Bushfire events which occur several kilometres from the mine have the potential to contribute to fire occurring within exposed coal mine areas.
- The Planning Scheme currently requires a planning permit for new plantation forestry for areas exceeding 100 hectares within the Farming Zone (FZ).
- Further, Special Use Zone – Schedule 1 (SUZ1) requires a permit for timber plantations within 1,000 metres of land covered by a mining licence.
- Council is unable to amend the content of the above mentioned zones.

RECOMMENDATIONS
In consultation with relevant stakeholders, further review planning scheme provisions in order to better respond to the recommendations of the Hazelwood Mine Fire Inquiry in regard to forestry operations and open cut coal mines.

9. LIST OF RECOMMENDATIONS

In response to the consideration of bushfire risk and the exhibited Amendment C105, the following recommendations are provided.

No.	List of Recommendations	Change required to exhibited Amendment C105	Other Action
1.	Amend Clause 21.04-1 (Greenhouse and Climate Change) to include reference to: <i>'A likely increase in the frequency and severity of days of elevated fire danger.'</i>	Yes See revised ordinance at Attachment 13.	
2.	Amend Clause 21.04-4 Bushfire as follows: <ul style="list-style-type: none"> ▪ Revise the reference to the FMP 2017-2020 and acknowledging the increasingly important role in land use planning, particularly where consideration of continued land management is necessary. ▪ Include reference to locations with high risk of bushfire ▪ Insert the following strategies: <ul style="list-style-type: none"> - <i>Ensure the application of, and compliance with, the BMO, in highest risk parts of the municipality.</i> - <i>Outside of the BMO, in BPA parts of the municipality:</i> <ul style="list-style-type: none"> • <i>Ensure new development and uses are appropriately located and designed in response to the bushfire hazard.</i> • <i>Ensure that larger or more vulnerable developments and uses as identified at Clause 13.02, incorporate measures to acceptably mitigate any identified bushfire risk, including as appropriate;</i> • <i>Assessment of the landscape risk;</i> • <i>For subdivisions of more than 10 lots, a lot layout that responds to the risk and incorporates a perimeter road and two ways in and out of the development where possible;</i> • <i>A construction standard no higher than BAL-29 unless there are significant siting constraints, with commensurate vegetation management for defensible space;</i> • <i>A reliable water supply for property protection and fire fighting;</i> • <i>Adequate access for emergency management vehicles; and</i> • <i>Development of a Bushfire Emergency Management Plan (BEMP) as appropriate, including triggers for closure or restricted operation on days of elevated fire danger.</i> - <i>Ensure the alignment of, and consistency between, planning policy and practices, and the Latrobe City Municipal Fire Management Plan.</i> 	Yes See revised ordinance provided at Attachment 13.	
3.	As part of the Planning in the Economic Growth Zone (PEGZ) project, ensure references to the description of bushfire risk within the municipal profile and related strategies within Clause 21 are retained in the new Planning		PEGZ project consideration

	Policy Framework (PPF).		2019
4.	Amend exhibited Clause 21.09 to ensure local area growth planning identifies bushfire risk, considering where and how new development should be undertaken.	Yes See revised ordinance provided at Attachment 13.	
5.	Defer the progression of new rural living areas as part of Amendment C105 (Moe South, Toongabbie and Churchill); and undertake a separate Rural Living Study to further consider opportunities for rural living within Latrobe City. This work will consider and respond to recommendations of the Bushfire Assessments completed for each of the proposed rural living precincts.	Yes It is proposed to defer the rezoning of land to RLZ by Amendment C105.	
6.	Insert the following strategy at exhibited Clause 21.03-10: <i>Ensure that the enhancement of biodiversity outcomes, including the establishment of a potential biodiversity corridor, considers bushfire risk and does not pose an unacceptable increase in risk to existing residents and infrastructure.</i>	Yes See revised ordinance provided at Attachment 13.	
7.	Amend local Policy Clause 22.02 (Dwellings and Rural Subdivision) to refer to bushfire considerations as follows: Insert the following requirement for the use of land for a dwelling: <i>New dwellings or other buildings requiring a BAL, should demonstrate that they will be sufficiently setback from any bushfire hazard to achieve a BAL construction standard no higher than BAL-29, unless there are significant siting constraints.</i> Insert additional decision guidelines: - <i>The proposed BAL construction standard and setback from hazardous vegetation.</i> - <i>The level of surety about ongoing vegetation management for the maintenance of defensible space or bushfire risk mitigation.</i> For subdivision applications: - <i>Whether a section 173 agreement pursuant to the Planning and Environment Act 1987 is required in the following circumstances: Where bushfire risk mitigation requires ongoing vegetation management.</i>	Yes See revised ordinance provided at Attachment 13.	
8.	Amend the exhibited Clause 22.03 Rural Tourism to include the following: Objectives: - <i>Buildings should be designed and sited to respond to bushfire risk.</i> Application requirements:	Yes See revised ordinance provided at Attachment 13.	

	<ul style="list-style-type: none"> - A bushfire risk assessment report for a tourism development must be prepared by a suitably qualified or experienced bushfire practitioner, and show: - Siting of buildings that responds to the hazard such that buildings can achieve a construction standard no higher than a BAL-29 - Adequate access for emergency services - An adequate water supply for fire-fighting and property protection - A Bushfire Emergency Management Plan (BEMP) detailing emergency management arrangements and procedures for the site on days of elevated fire danger. <p>Decision guideline:</p> <ul style="list-style-type: none"> - The views of the relevant fire authority. - Whether any identified bushfire risk will be able to be acceptably mitigated in an ongoing capacity, for the life of the development. 		
9.	In consultation with CFA, review Council's street tree species listings to be planted in road reserves and public open space within 150 meters of the urban edge (including land adjoining bushland reserves) to ensure tree species in such locations have a greater resistance to bushfire.	Progressing. Street tree species list has been amended to include fire resistant species.	
10.	<p>Amend the exhibited Urban Design Guidelines to:</p> <ul style="list-style-type: none"> ▪ Acknowledge bushfire risk to locations to the urban fringe, areas located in a Bushfire Prone Area (BPA) or adjoining bushland reserves; and the need to ensure landscaping and selected vegetation in such locations does not increase bushfire risk. ▪ Require tree species which have a high resilience to bushfire to be used for plantings on land within 150 meters of the urban edge and non-urban land, including land adjoining bushland reserves. 	Yes. The exhibited Urban Design Guidelines are to be amended in consultation with CFA.	
11.	Proceed with the exhibited application of the Neighbourhood Residential Zone – Schedule 4 to land South of Commercial Road Morwell.	Yes.	
14.	In consultation with relevant stakeholders, further review planning scheme provisions in order to better respond to the recommendations of the Hazelwood Mine Fire Inquiry in regard to forestry operations and open cut coal mines		Action to be progressed in consultation with DELWP, DEDJTR and plantation forestry representatives as part of the <i>Latrobe Regional Rehabilitation Strategy (LVRRS)</i> .

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Figure 26: Moe Sth/ Hernes Oak precinct property classifications.

Figure 27: Moe Sth/Hernes Oak precinct showing extent of BMO

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Figure 29: Lake Narracan North Shore FZ2 precinct showing extent of BMO.

Figure 30: Yinnar South precinct property classifications.

Figure 31: Yinnar South precinct showing extent of BMO

Figure 32: Morwell Housing Framework Plan, highlighting land south of Commercial Road.

11. ATTACHMENT - *Proposed Rural Living – Bushfire Risk Rating Assessments*

24 OCTOBER 2018

Bushfire Risk Rating Assessment Churchill Proposed Rural Living Precincts

Prepared for Latrobe City Council

Bushfire Planning

Bushfire Planning is a town planning service that works with public and private sector clients to understand and apply planning scheme bushfire policies and requirements. It is led by Kevin Hazell who is a qualified town planner with extensive experience working on bushfire planning at State and local levels in Victoria.

Disclaimer

The views expressed in this report are those of the author. Information in this document is current at the time of writing. While all professional care has been undertaken in preparing the document, the author accepts no liability for loss or damages incurred because of reliance placed upon its content.

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The maps in this report were prepared by PLC Consulting Pty Ltd.



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Attachments

1. Assumptions

2. Fire operations plans in the landscape

1.0 INTRODUCTION

1.1 Purpose

This report considers the bushfire merits of a planning scheme amendment to enable the subdivision of land in Churchill for rural-residential purposes. The report establishes the bushfire planning context at the landscape and site scales, considers other factors relevant to the bushfire risk and evaluates the planning scheme amendment according to bushfire policies contained within the Latrobe Planning Scheme (the ‘*planning scheme*’).

This report has been prepared at the request of Latrobe City Council (the ‘Council’). It forms part of the Council’s approach to assessing bushfire risk through its planning scheme decision making for Churchill. More specifically, Clause 13.02 of the *planning scheme* requires bushfire to be considered by:

Ensuring that [...] planning scheme amendments [...] properly assess bushfire risk and include appropriate bushfire protection measures.

This report has been prepared in response to the changes introduced by Amendment VC140 in December 2017 by the Minister for Planning.

1.2 The study area

The study area comprises land adjoining the settlement of Churchill that is identified in Amendment C105 for further subdivision. The study area is currently within the Farming Zone and would, as a result of the exhibited amendment, be included in the Rural Living Zone.

Study area	Existing minimum lot size – Farming Zone	Proposed minimum lot size – Rural Living Zone	Potential new lots
All	40ha	2ha (schedule 1)	144

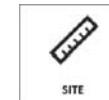
1.3 Planning scheme bushfire context

The study area is partially subject to the Bushfire Management Overlay in Clause 44.06 of the *planning scheme*. The study area is within a Bushfire Prone Area as declared by the Minister for Planning under r155 of the *Building Regulations 2018*. See Figure 4 for where planning scheme bushfire controls apply.

1.4 Assessment methodology

This report uses the following steps to deliver on the project brief. They are derived from Clause 13.02 and provide a logical approach to working through the applicable requirements.

1. Assessing the bushfire hazard at different scales



2. Considering other factors relevant to bushfire risk



3. Assessing the proposed planning scheme amendment



1.5 Using this report

This report has been prepared to assist the Council, as planning authority under the *planning scheme*, to consider the bushfire merits of exhibited planning scheme changes to the study area. This report should not be used to prepare or assess a planning application. Planning permit considerations are different to those that apply for planning scheme amendments.

1.0 INTRODUCTION

Figure 1: Study area

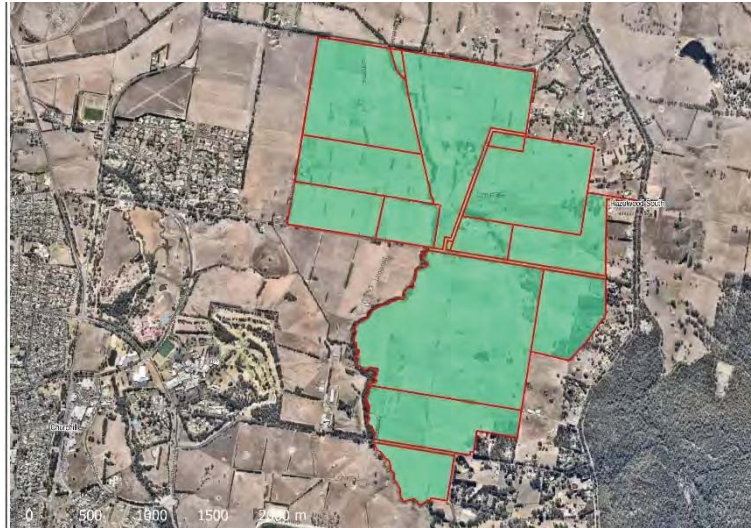


Figure 3: Existing lot sizes

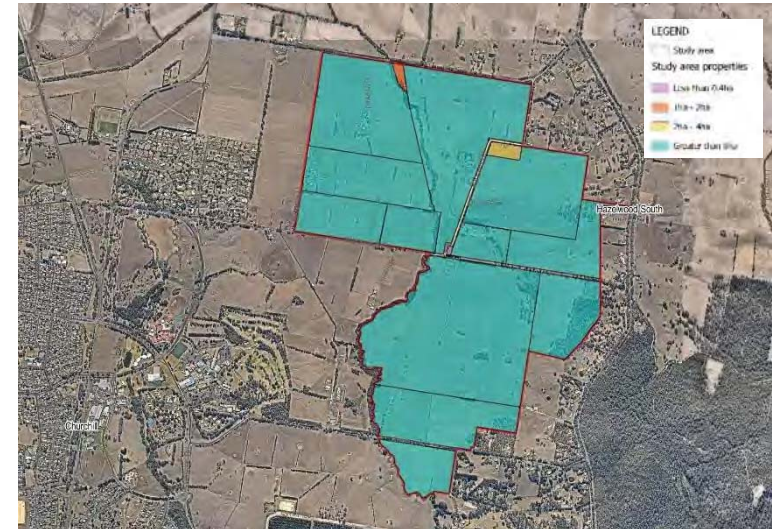


Figure 2: Existing zones

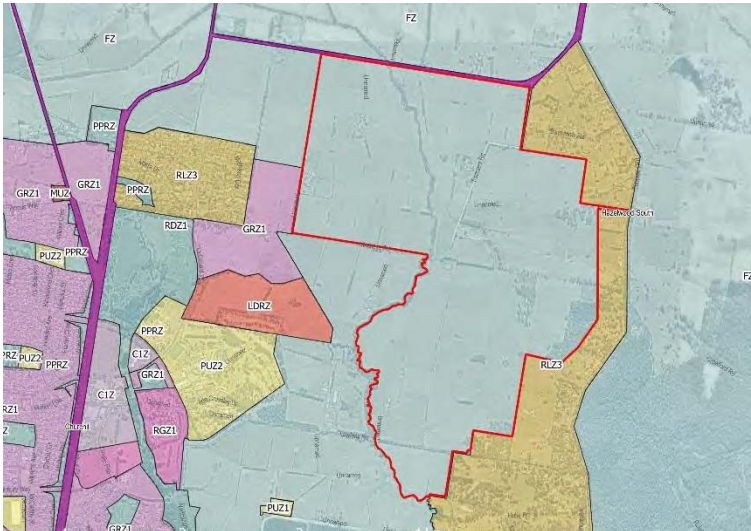
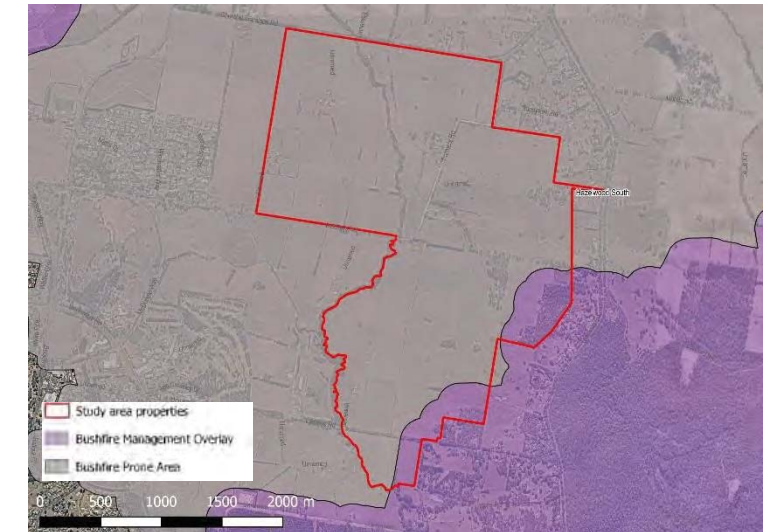


Figure 4: Bushfire planning and building controls



2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

The Latrobe Planning Scheme contains policies and tools that are used to inform decisions on proceeding with a planning scheme amendment where the bushfire hazard could be an influence on future land use and development. This section provides an overview of these policies and tools. **Figure 5** summarises the considerations.

2.1 Integrated decision making (Clause 71.02-3)

Clause 71.02-3 requires planning authorities, in bushfire areas:

[T]o prioritise the protection of human life over all other policy considerations.

Bushfire considerations are not to be balanced in favour of net-community benefit, as occurs for all other planning scheme matters. Bushfire policy must now be prioritised over all other considerations and, only if they can be satisfied, could a planning authority proceed with a planning scheme amendment. The bushfire emphasis in Clause 71.02 was introduced through Amendment VC140 in December 2017. Such policy settings were recommended in 2011 by the 2009 Victorian Bushfires Royal Commission.

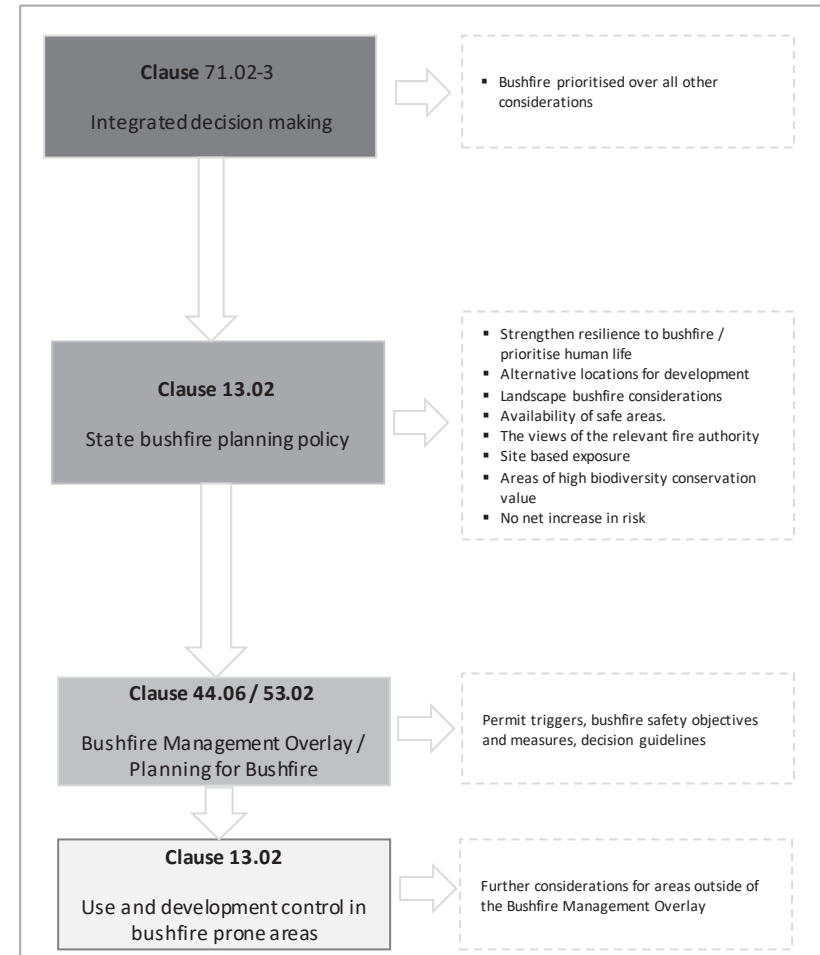
2.2 State planning policy for bushfire (Clause 13.02)

The objective of the State planning policy for bushfire is:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 13.02 contains a series of strategies to meet the above objective and these are summarised below.

Figure 5: Summary of bushfire considerations in planning schemes



2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

2.2.1 Protection of human life

Give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

2.2.2 Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

- *Applying the best available science to identify vegetation, topographic and climate conditions that create a bushfire hazard.*
- *Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.*
- *Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard.*
- *Considering and assessing the bushfire hazard on the basis of:*
 - *Landscape conditions – meaning conditions in the landscape within 20km (and potentially up to 75km) of a site;*
 - *Local conditions – meaning conditions in the area within approximately 1 kilometre of a site;*
 - *Neighbourhood conditions – meaning conditions in the area within 400 metres of a site; and*
 - *The site for the development.*
- *Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.*
- *Ensuring the strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.*

- *Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.*

2.2.3 Settlement Planning

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- *Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*
- *Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.*
- *Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.*
- *Achieving no net increase risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.*
- *Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.*
- *Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.*
- *Not approving any strategic planning document, local planning policy, or planning scheme amendment that 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 AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*

2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

2.2.4 Areas of biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.

2.3 Bushfire Management Overlay (Clause 44.06)

The purpose of the Bushfire Management Overlay is:

- *To ensure that the development of land prioritises the protection of human life and*
- *strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

The Bushfire Management Overlay is generally applied to distinct patches of vegetation (except grasslands) that are larger than 4ha in size. Where such a patch of vegetation exists, a 150m ember protection buffer is added and this land is also included in the Bushfire Management Overlay. Areas of extreme hazard are separately included in the Bushfire Management Overlay. Where this is the case, a buffer larger than 150m may be applied. [Source: *Planning Advisory Note 46 Bushfire Management Overlay Mapping Methodology and Criteria*, DTPLU, 2013]

The Bushfire Management Overlay is accompanied by Planning for Bushfire (Clause 53.02) which specifies the requirements that apply.

2.4 Bushfire prone areas (Clause 13.02 and building regulations)

Bushfire Prone Areas are areas that are subject to or likely to be subject to bushfires. The Minister for Planning, under r155 of the *Building Regulations 2018*, determines that specific areas are designated Bushfire Prone Areas for the purposes of the building control system.

Bushfire Prone Areas include all areas subject to the Bushfire Management Overlay. Bushfire Prone Areas also include grassland areas and, occasionally, smaller patches of non-grassland vegetation.

Specific bushfire construction standards apply in these areas and these are implemented by the relevant building surveyor as part of the building permit. These construction standards are referred to as bushfire attack levels (BAL). There is a minimum construction of BAL12.5 in designated Bushfire Prone Areas under r157 in the *Building Regulations 2018*. Where land included in the Bushfire Prone Area is also included in the Bushfire Management Overlay, the requirements of the Bushfire Management Overlay apply in the first instance.

2.5 Use and development control in Bushfire Prone Areas (Clause 13.02)

Clause 13.02 of the planning scheme includes planning requirements for Bushfire Prone Areas. These are in the form a 'use and development control' that applies to certain uses that are in a Bushfire Prone Area but not subject to the Bushfire Management Overlay.

The use and development control is to be considered when assessing planning applications for specified uses and developments. This includes accommodation and subdivisions for more than 10 lots. The use and development control requires:




When assessing a planning permit application [...]:

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts (Clause 13.02).*




3.0 ASSESSMENT OF THE HAZARD AT THE LANDSCAPE SCALE CHURCHILL STUDY AREA



Key points on the extent of the bushfire hazard

-  Extensive forest fire runs to the south-west
-  Extensive grassland areas
-  Existing settlement of Churchill provides a low-fuel buffer on the western aspect

Key points on the likely bushfire behaviour

-  Forested areas capable of generating a dangerous bushfire, with flame contact and radiant heat exposure on the southern edge of the study area
-  High levels of ember attack likely across the study area
-  Forested areas will generate ember attack into grassland areas, increasing the likelihood of grassfires

Discussion

Fire runs in the surrounding landscape

The dominant vegetation type is forest and grasslands.

From the south-west, extensive forested areas exist. Many of these forested areas are plantations. The forested areas provide many kilometres of vegetation where a bushfire can start and develop into a large bushfire. These long fire runs combined with steep topography is capable of generating dangerous fire behaviour.

Fire runs closer to the study areas to the north and south-west are through grasslands.

On the east, even more extensive forested areas exist but these are least likely to bring a bushfire towards the subject site under Victoria's dominant bushfire weather. They are not a landscape-scale bushfire factor that impacts on the landscape risk to the study area and can be addressed at the site-scale.

Lower fuel areas

Lower fuel areas are located to the west of the study area and comprise existing rural living development to the immediate west and, beyond that, the settlement area of Churchill where land is developed for urban purposes on lots generally less than 1,000sq.m in size.

These lower fuel areas provide a place where people can avoid exposure to dangerous levels of flame contact and radiant heat. The presence of these lower fuel areas is a significant life-protective feature of Churchill.

3.0 ASSESSMENT OF THE HAZARD AT THE LANDSCAPE SCALE CHURCHILL STUDY AREA



Discussion

Bushfire History

Bushfire history data shows that the landscape was extensively affected by bushfire in 2009 and sits within a much broader landscape that has been subject to bushfire on many occasions.

Fire management planning

A series of fuel management interventions occur in the much wider landscape. Due to their distance from the study area they are not considered to be providing any specific landscape bushfire protection for the study area (see Attachment 2).

Victorian Fire Risk Register (VFR)

Existing rural living development on the eastern boundary of the study area is identified as a 'very high' risk on the VFR.

Landscape bushfire impacts on the study area

The forested areas have the ability to generate larger bushfires. Under Victoria's dominant bushfire weather a bushfire in these areas will be pushed towards the study area. The southern edge of the study area will be impacted, with exposure to flame contact and higher levels of radiant heat from a fire front along its edges.

There are two secondary impacts arising from the forested areas.

- Enhanced likelihood of grassfires

Higher levels of ember attack will increase the likelihood of grassfires, with ember attack into the grassland areas creating grassfires. These may be ahead of the main fire front in the forested areas as ember can travel many kilometres ahead of the fire front. The increased likelihood of grassfires from ember attack may exist for many hours.

- Ember attack

Ember attack is likely across the study area. Due to the forest fire runs in the wider landscape the level of ember attack may be high. Embers are capable of igniting vegetation, including in gardens, and also impacting directly on assets, such as dwellings.

Grassfires will interact with all edges of the study area. At these edges higher levels of radiant heat and flame contact is expected. However, grassland areas are not in isolation a landscape risk (whilst noting that they are a significant risk at the site level – see next section).

The type and extent of the bushfire hazard makes the study area a high bushfire risk on the spectrum of landscape risk across Victoria.

Landscape Type

The *Bushfire Management Overlay Technical Guide* (DELWP, 2017) identifies landscape typologies to assist in understanding relative risk across Victoria. The landscape assessment identifies the residual risk as being moderate within the risk spectrum across Victoria and corresponds with Landscape Type Two.

The key characteristics of this landscape type is that the extent of type and extent of hazard may result in neighbourhood scale destruction but the area is located (or will be located) in a township or urban areas managed in a minimal fuel condition and access is available to a place that provides shelter from a bushfire.

Note that minimal fuel conditions could be described as an area that complies with the defensible space requirements in Clause 52.02 or an area capable of being assessed as BAL:Low under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

Figure 6: Bushfire hazard landscape assessment

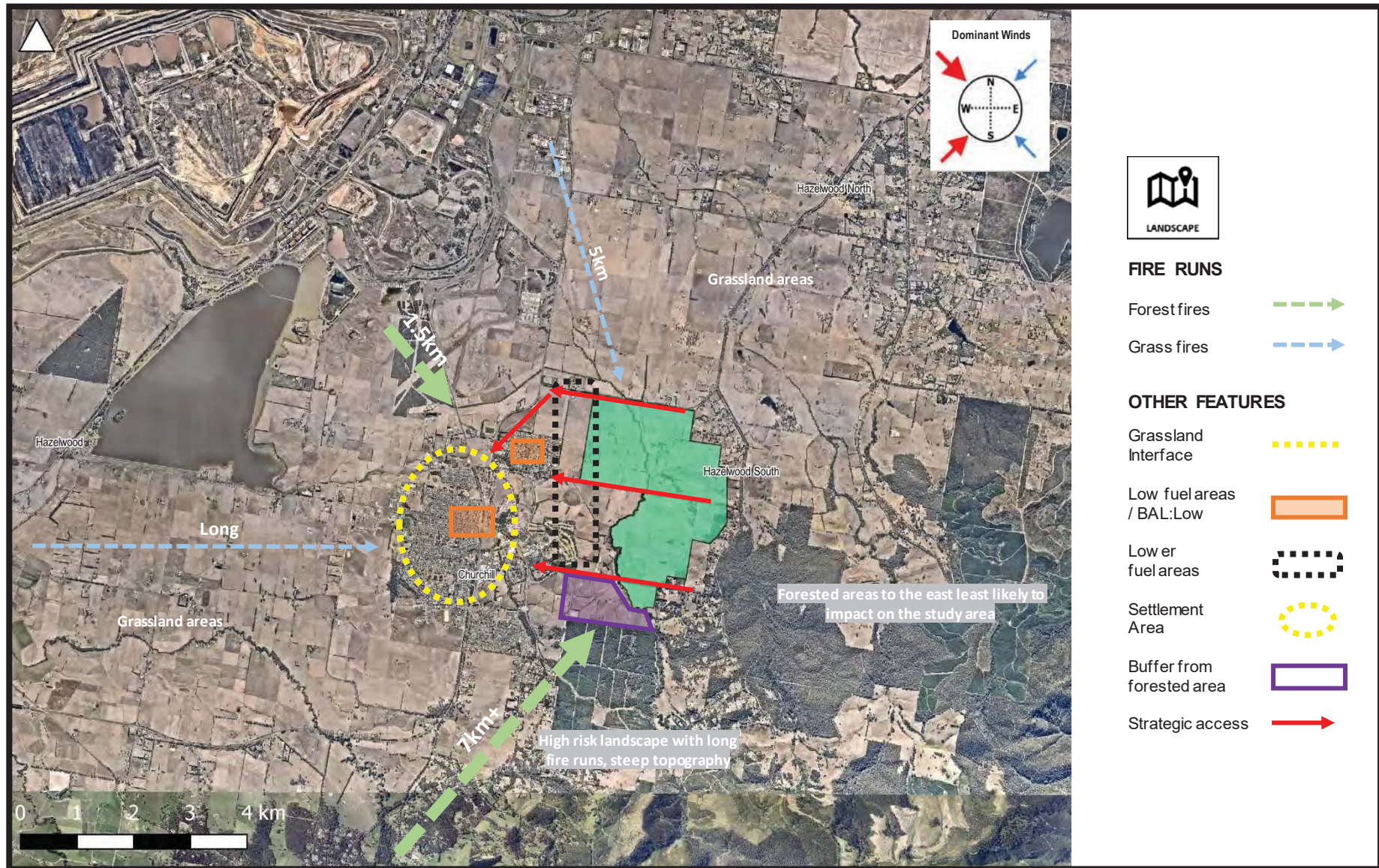
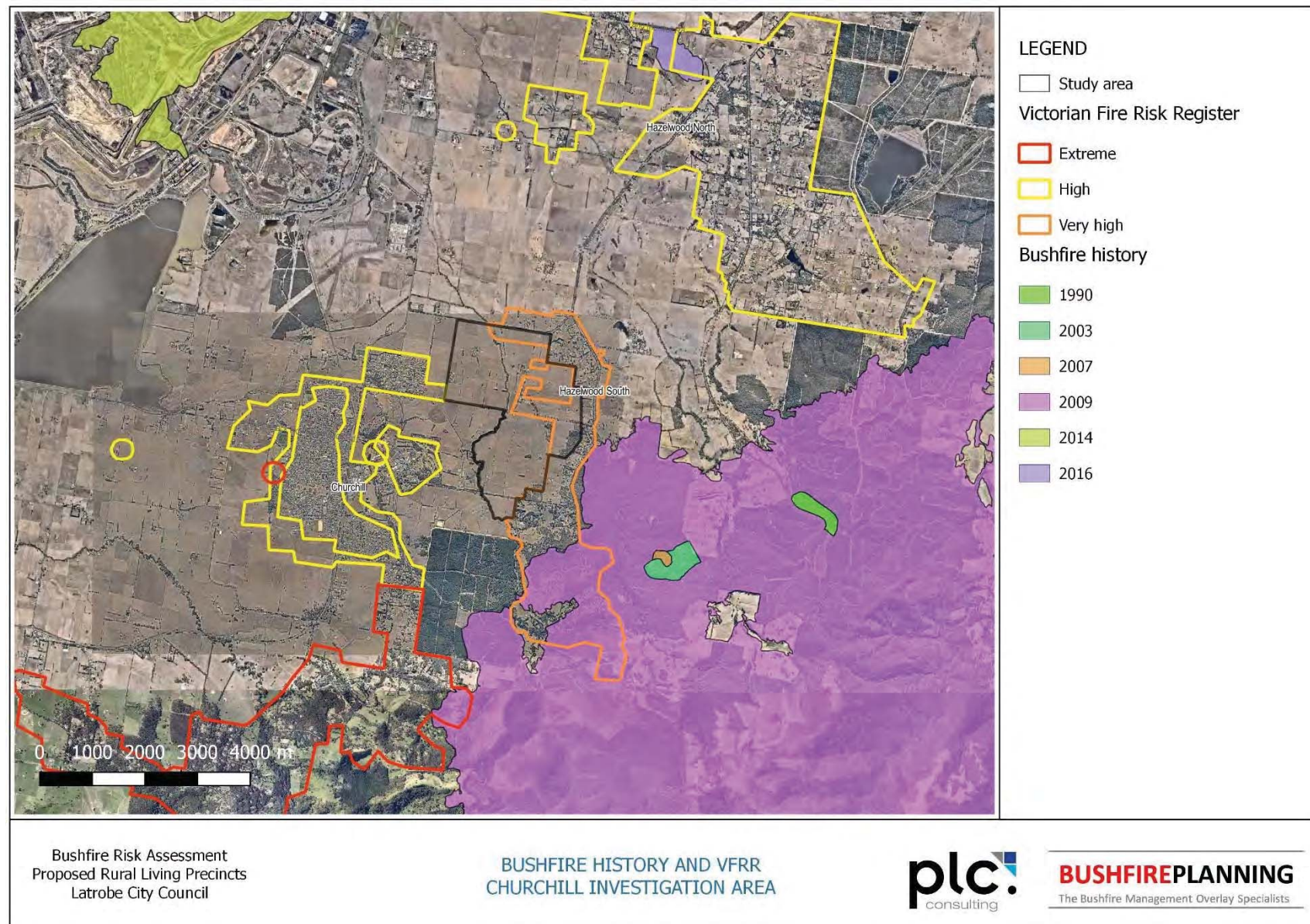
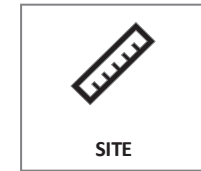


Figure 7: Bushfire history and Victorian Fire Risk Register



4.0 ASSESSMENT OF THE HAZARD AT THE SITE SCALE CHURCHILL STUDY AREA



Key points



Study area is relatively flat



Managed grasslands and areas of woodland are present



Site based exposure from a bushfire can be reduced to BAL12.5 or less

Discussion

The site level includes land subject to a planning scheme amendment (i.e. the study area). The key consideration is the level of exposure of future development, such as a dwelling, to flame contact and radiant heat from a bushfire. The level of exposure is determined based on how much defensible space, or separation, is provided from a permanent hazard to an asset.

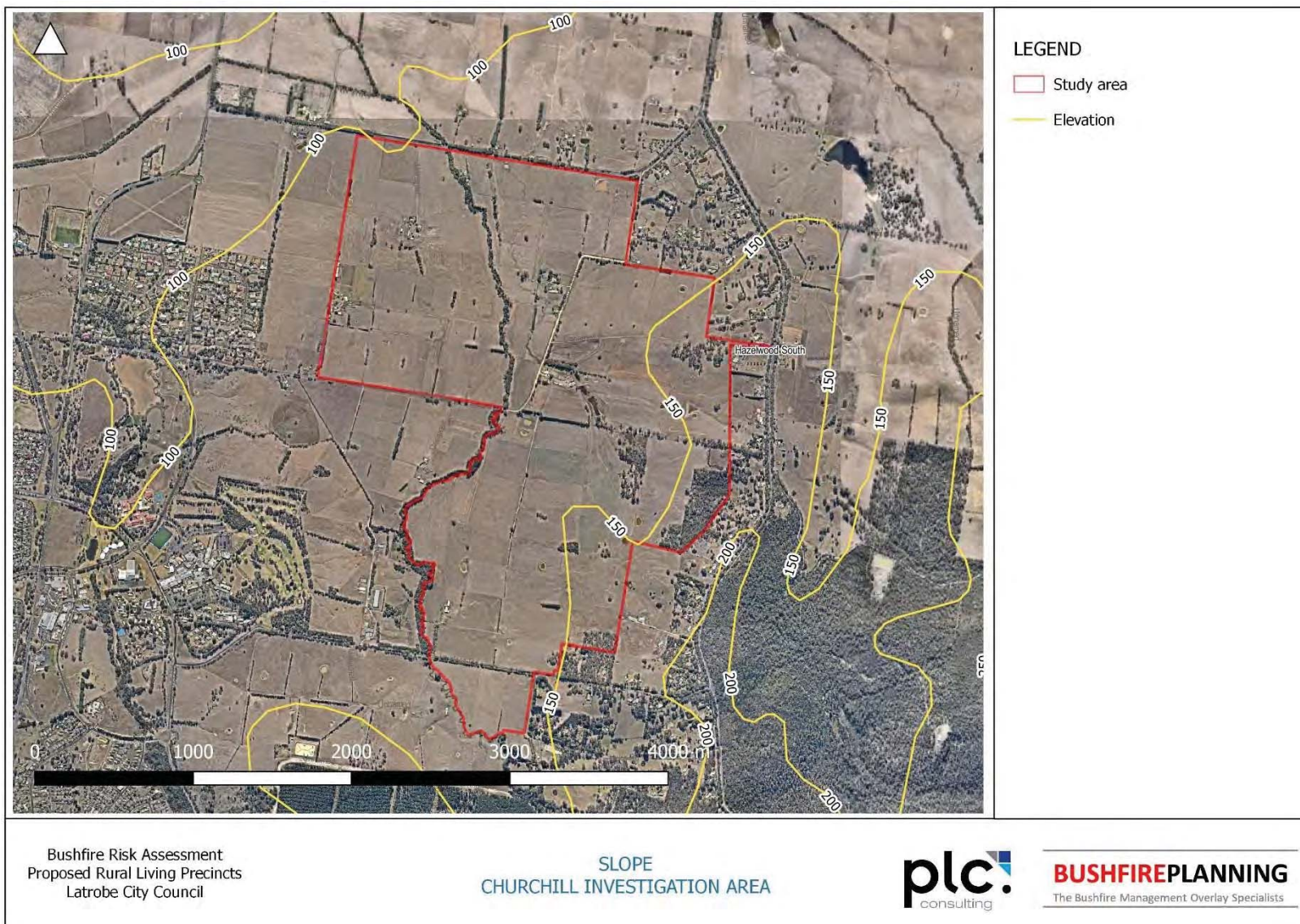
The study area is relatively flat in the west and is undulating in parts of the east. The dominant vegetation type is managed grasslands. The areas of woodland can be accommodated as they will not have a significant bearing on future exposure and can be mitigated at the site level through subdivision design and building envelope locations.

The following defensible space requirements arise for new assets enabled by any planning scheme amendment, as required by Clause 13.02:

- Grassland: **23m** of defensible space / Column A in Clause 53.02 / **BAL12.5**
- Woodland: **33m** of defensible space / Column A in Clause 53.02 / **BAL12.5**

On the basis of the above, maximum exposure of no more than BAL12.5 can be achieved. This can be achieved through appropriate subdivision design that positions building envelopes that do not exceed the exposure benchmark.

Figure 8: SLOPE



5.0 SHELTER OPTIONS CHURCHILL STUDY AREA



Key points



There are no designated places of last resort in Churchill



An area of BAL:Low is available within the developed urban area of Churchill

Discussion

Designated places of last resort

A Neighbourhood Safer Place and a Community Fire Refuge can be designated by local councils after consultation with the Country Fire Authority. Strict criteria relating to radiant heat exposure must be met. A Community Fire Refuge is a building, whereas a Neighbourhood Safer Place may be a building or be an outside space. They are intended to be used by people when their primary bushfire plan has failed. They are promoted by local councils and fire authorities as places of last resort.

There is no Neighbourhood Safer Place or Community Fire Refuge located in or around Churchill.

BAL:Low locations

BAL:Low is a typology of location used in *AS3959-2009 Construction of buildings in bushfire prone areas* (Standards Australia). It defines a location that is not exposed to flame contact or levels of radiant heat from a fire front that is harmful to people. BAL:Low does not consider the risk from ember attack, especially where ember attack arises from vegetation more than 100m from a location.

An area of BAL:Low is available in the developed urban areas of Churchill.

- An area arises in the area of urban land accessed via Winchester Way from Mackeys Road.
- An area arises in urban land accessed via Tramway Road and Matta Drive.
- An area arises in and around Federation University.

The areas of BAL:Low are notionally mapped on **Figure 6: Bushfire Hazard Landscape Assessment**.

6.0 STRATEGIC ACCESS CHURCHILL STUDY AREA



Key points

- Strategic access to a place of absolute safety is available on relatively lower-fuel roads
- Mackeys Road provides a low-fuel access to places of absolute safety and this can be reinforced as part of the introduction of new development
- Boldings Road and Lawless Road are exposed to permanent hazards but these can be managed through fire prevention activities

Discussion

The east-west road network through the study area provides three possible options for access to the places of absolute safety in the existing urban areas of Churchill.

Mackeys Road is the preferred route. It is currently low-fuel in terms of roadside vegetation. It adjoins well managed rural living / agriculture land. As part of a planning scheme amendment all adjoining land will have defendable space applied, creating a permanent low fuel interface of the road with adjoining land. The Council may need to intervene through its fire prevention function in the interim before all lots are subdivided, although this is readily achievable.

Boldings Road is exposed to grassfires from the north. Lawless Road is exposed to higher levels of roadside vegetation (in parts). The journey along Lawless Road would also be vulnerable to grassfires, particularly from ember attack from large forested areas to the south. Multiple grassfires in this environment is likely. The journey would be particularly vulnerable under a south-west wind change that could bring ember attack towards the road from the large forested areas to the south.

For Boldings Road and Lawless Road, the hazard at the point of exposure to the road is grasslands. These are capable of being managed through the Council's fire prevention function. Evidence of this exists along Lawless Road currently.



Given the interface with permanent hazards for Boldings Road and Lawless Road, there may be a need for a north-south road network to be created so that all parts of the study area can access Mackeys Road as the preferred strategic access route.

The strategic access options are notionally mapped on **Figure 6: Bushfire Hazard Landscape Assessment**.

7.0 BIODIVERSITY CHURCHILL STUDY AREA



Key points

-  Biodiversity factors are unlikely to impact on implementing bushfire safety measures
-  Areas of woodland in the eastern part of the study area may require modification in conjunction with development

Discussion

The study area comprises existing rural living areas and agricultural land. It contains some scattered trees and two more dominant areas of vegetation:

- A corridor of scattered trees along the watercourse running north-south through the study area.
- A number of pockets of more heavily treed areas in the eastern parts of the study area. These would most likely be assessable as woodland given their more open canopy cover and patch size.

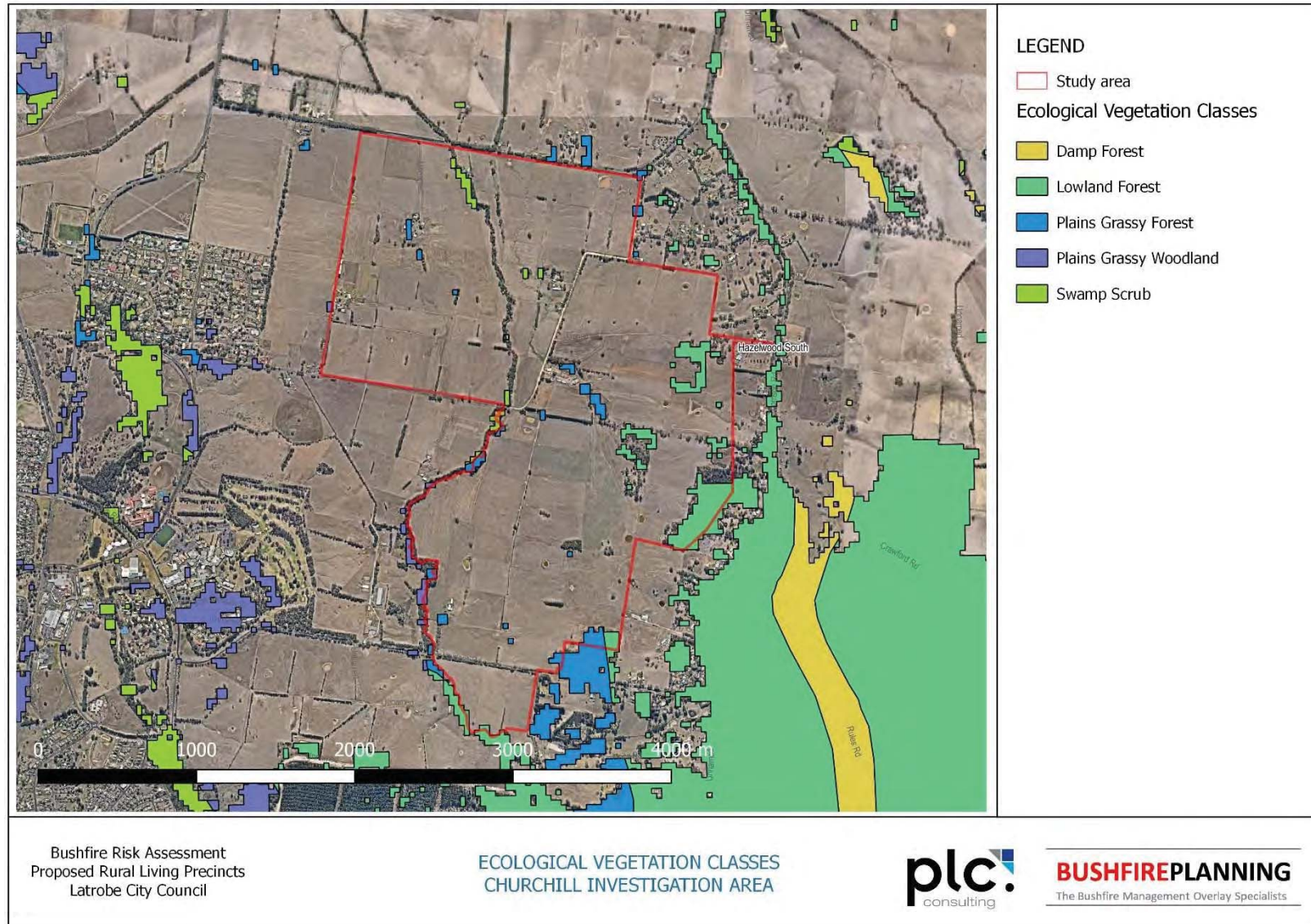
However, the prevailing vegetation type is managed grasslands throughout most of the study area. The ecological vegetation classes for the study area are shown on **Figure 9**.

The study area is not subject to vegetation protection planning scheme overlays. Lots over 0.4ha are subject to State-wide native vegetation requirements specified in Clause 52.17.

It is expected that the study area could readily achieve defensible space requirements either based on existing conditions, through subdivision design that avoids exposure from woodland areas, with modest modification to areas of woodland, or a combination of all of these.

The main objective in terms of biodiversity, in the context of enabling new risk through a planning scheme amendment, will be to secure through statutory planning instruments (i.e. planning permits, s173 agreements) the continuation of the existing low fuel conditions and, where necessary, modifying the patches of woodland areas to bring them into a more managed condition.

Figure 9: Ecological vegetation classes



8.0 CLAUSE 13.02 ASSESSMENT



Key points on landscape risk

- Residual risk to life is from ember attack
- Shelter options are good
- Strategic access to places of absolute safety are available
- Landscape risk is high
- Landscape Type Two best applies

Landscape Risk

The landscape-scale assessment concluded that the landscape risk is **high** arising from the heightened potential for grassfires and the potential for high levels of ember attack across Churchill, both driven by the forested areas to the south. This risk is moderated by the availability of lower fuel areas in Churchill, relatively good strategic access to those areas, and the existing lower fuel character of the study area and ability to achieve site-based exposure benchmarks.

The *Bushfire Management Overlay Technical Guide* (DELWP, 2017) identifies landscape typologies to assist in understanding relative risk across Victoria. The landscape assessment identifies the residual risk as being moderate within the risk spectrum across Victoria and corresponds with Landscape Type Two.

The key characteristics of this landscape type is that the type and extent of hazard may result in neighbourhood scale destruction but the area is located (or will be located) in a township or urban areas managed in a minimal fuel condition and access is available to a place that provides shelter from a bushfire. These apply to the study area.

Landscape Type Two best applies to the study area.

The landscape risk is high but the study area has locational advantages, such as good shelter options, that mean Landscape Type Two arises. In combination, **the study area is capable of meeting the landscape risk considerations in Clause 13.02.**

8.0 CLAUSE 13.02 ASSESSMENT



Key points on site-based exposure



Site based exposure benchmarks can be met

Key points on biodiversity



Biodiversity factors are unlikely to impact on implementing bushfire safety measures

Site based exposure benchmarks as defined by Clause 13.02

The study area can achieve site based exposure benchmarks for radiant heat flux of less than 12.5 kilowatts/square metre (BAL12.5) as required by Clause 13.02. This is made possible by the existing low-fuel characteristic of the study area meaning that defensible space can be provided to reduce exposure to radiant heat and flame contact from a fire front to the required levels.

The site based exposure requirements of Clause 13.02 can be met.

Areas of high biodiversity conservation value

It is beyond the scope of this report to make conclusions on the merits or otherwise of protecting vegetation that exists in the study area. However, the lack of existing vegetated areas may indicate that biodiversity factors are unlikely to impact on implementing bushfire safety measures.

The biodiversity requirements of Clause 13.02 are likely to be met.

However, if biodiversity issues arise there is no scenario that would enable biodiversity values to be balanced with bushfire considerations that would, in any way, reduce the level of bushfire protection to be provided. If the biodiversity impacts of implementing bushfire protection measures are not acceptable then the exhibited planning amendment should not proceed.

8.0 CLAUSE 13.02 ASSESSMENT



Key points on alternative locations



The study area is capable of being assessed as lower risk relative to other locations

Alternative locations for development

Clause 13.02 includes strategies that seek to direct new development to low risk locations. Given the moderate landscape risk and Landscape Type Two applying to the study area, it is reasonable to assess the study area as a location where directing new development is sensible on a municipal and landscape basis.

The planning scheme amendment directs development to lower risk location as required by Clause 13.02.

Key points on views of the relevant fire authority



Proceeding with a planning scheme amendment is consistent with bushfire planning scheme requirements

The views of the relevant fire authority

Clause 13.02 identifies that a key element of a risk assessment is to consult early with the relevant fire authority to receive their recommendations and implement appropriate bushfire protection measures.

The Council has advised that consultation with the Country Fire Authority was undertaken during the preparation of the Rural Land Use Strategy which identified precincts for inclusion within a Rural Living Zone and which forms the basis for the exhibited planning scheme amendment.

Following preparation and endorsement of the Rural Land Use Strategy and Council approval to progress a planning scheme amendment, bushfire requirements were updated by Amendment VC140 in December 2017.

In response to this, Council commissioned further assessments (this report) and is currently working with the Country Fire Authority.

9.0 CONCLUSIONS



Key points

- The landscape risk can be mitigated by favourable characteristics of the locality and the planning scheme amendment
- The availability of a credible shelter option is a significant life-protective feature of the location

Conclusions

Clause 71.02-3 requires planning authorities, in bushfire areas, to prioritise the protection of human life over all other policy considerations. Clause 71.02-3 requires planning authorities, in bushfire areas, to prioritise the protection of human life over all other policy considerations. Clause 13.02 sets the objective for the State planning policy for bushfire as:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

A planning scheme amendment to enable further subdivision in the study area benefits from the existing low-fuel areas in the settlement of Churchill, including areas of BAL:Low, and the ability to meet site based exposure benchmarks for development to achieve no more than BAL12.5. Combined with limited biodiversity issues and the presence of credible shelter options, a planning scheme amendment is consistent with Clause 13.02.

10.0 RECOMMENDATIONS



Key points

- Proceed with exhibited planning scheme amendment
- Provide for enhanced resilience in the exhibited planning scheme amendment and fire prevention actions
- Work closely with the Country Fire Authority on suitable planning scheme controls

Recommendations

It is recommended that the Council proceed with a planning scheme amendment for the reasons set out in this report and subject to the following recommendations.

Recommendation 1: Access to low fuel areas in Churchill

Safe access to places of absolute safety in the existing urban areas of Churchill should be documented as part of the Council's fire management plan, including any interventions necessary to manage road side grasslands.

Initial advice from the Council's fire prevention officer on the feasibility of securing safe access should be prepared before an amendment is adopted. Any required mitigation should be committed to by the Council as part of adopting the planning scheme amendment and included as part of the Municipal Fire Management Plan.

Given the interface with permanent hazards for Boldings Road and Lawless Road, there may be a need for a north-south road network to be created so that all parts of the study area can access Mackays Road as the preferred strategic access route. This should be considered before a planning scheme amendment is adopted and, if needed, be accommodated in planning scheme controls.

Recommendation 2: Vegetation management

The study area is mostly cleared except for some isolated trees. If subdivided, defensible space management requirements should be applied to the entire subdivided area. This will ensure limited additional fuels will be introduced.

The requirement for this should be included as part of any changes to the exhibited planning scheme amendment through the use of a suitable planning scheme tool (for example, Design and Development Overlay, Development Plan Overlay).

10.0 RECOMMENDATIONS



It will be important that suitable mechanisms are established (for example, planning permit conditions, section 173 agreements, actions for municipal fire prevention planning) to secure these low-fuel conditions in perpetuity. This should include consideration of passive vs active compliance regimes and the Council's willingness to enforce non-compliance if it occurs.

Recommendation 3: Southern edge of study area

The study area includes a parcel of land south of Lawless Road. This parcel is approximately 11ha in size and would, under Schedule 1 to the Rural Living Zone, be capable of being subdivided into 5 lots. This would provide an additional 5 dwellings.

The balance of the study area is located north of Lawless Road, with a grassland area providing a 580m buffer from the forested areas to the south. For these areas, the road itself forms a fairly logical boundary between future developed, low fuel areas and the bushfire hazard.

The parcel of land south of Lawless Road reduces this buffer to 280m and does not benefit from a road interface, although a creek forms its southern boundary. The larger buffer is preferable and the use of Lawless Road as the boundary is preferable. However, land immediately to the east is used for rural living purposes and this parcel of land would be an extension to this.

Further, with defensible space being applied to the whole area, if subdivided, it would be considerably lower fuel than the existing adjoining development that is relatively higher fuel.

A judgement needs to be made as to the suitability of this parcel to be included in a planning scheme amendment. It is suggested that if a planning scheme amendment proceeds then a suitable control should ensure that no dwelling or structure be located on this parcel more than 80m south of the Lawless Road. Battle-axe type lots should not be permitted. The effect of this is that lots would need to be long and narrow. It is considered that this is achievable in the context of a 2ha minimum lot size.

This would provide a substantial large buffer only marginally smaller than for development north of Lawless Road. With defensible space applying to the entire area, a low fuel interface can be created.

ATTACHMENT 1: ASSUMPTIONS

Discussion

Assumptions

Likely bushfire weather in Victoria

The Department of Environment, Land, Water and Planning (DELWP) identifies the typical features of bushfire weather as:

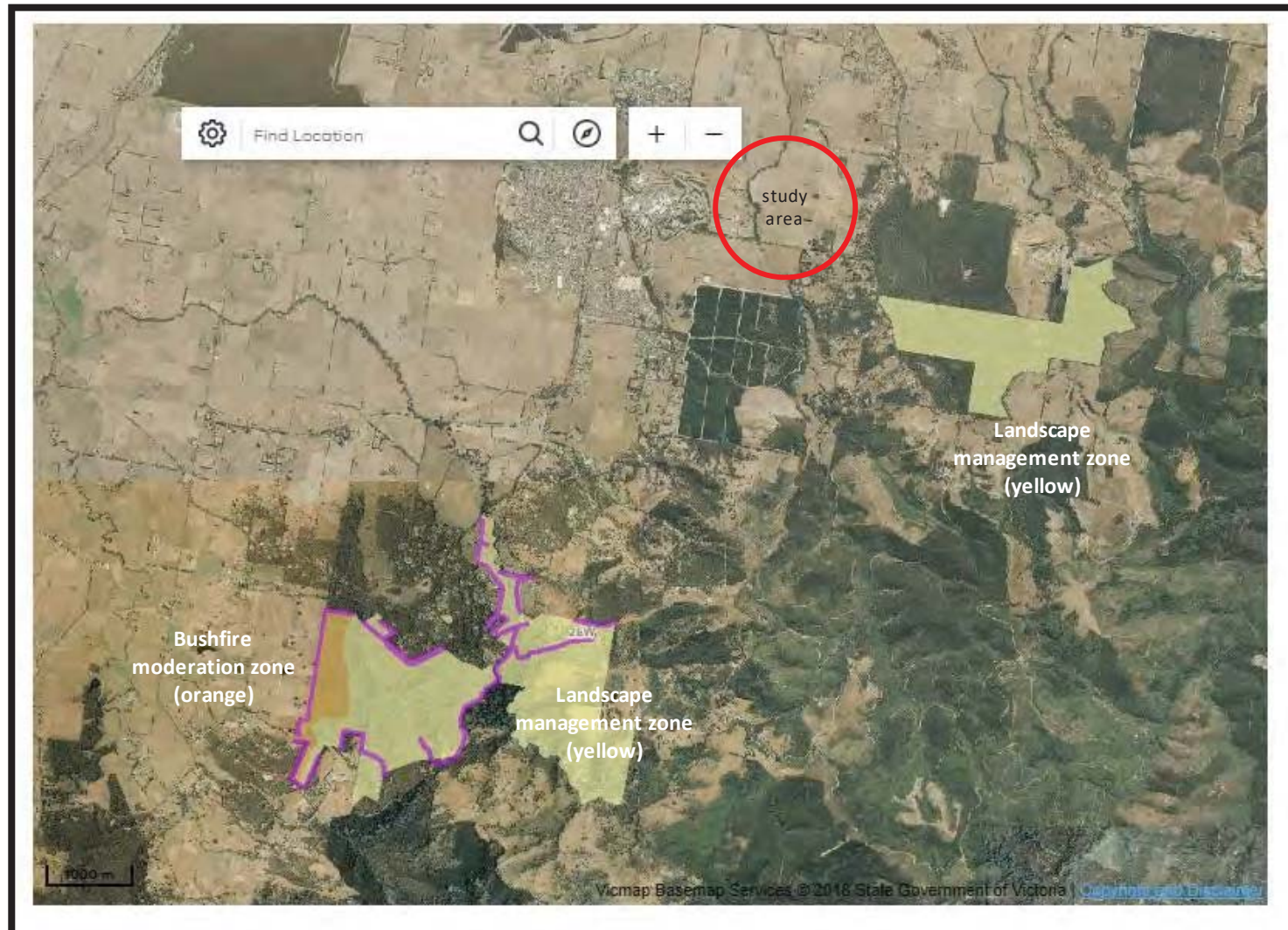
- A forest fire danger index of well over 100.
- Severe drought conditions.
- Temperatures above 40°C.
- Relative humidity below 10%.
- Strong to gale-force north-westerly winds.
- A strong to gale-force west-south-westerly wind change that turns the eastern flank of a running bushfire into a wide new fire front.

DELWP notes that these weather conditions are representative of where a bushfire does most of its damage in a single day. The greatest loss of life and property have historically been caused by such single day bushfires. It is also noted that in some landscapes multi-day bushfires can also arise, typically in heavily forested areas such in alpine areas and parts of Gippsland (Source: *Measuring Bushfire Risk in Victoria*, DELWP (2015)).

Fire authority attendance at a specific bushfire event

Under Victoria's likely bushfire weather, as seen for example on Black Saturday and Ash Wednesday, multiple bushfire arise and place considerable pressure on the resources of emergency services. This report therefore assumes that, when combined with the likely bushfire weather in Victoria, fire authority resource depletion is likely and on this basis fire authority attendance at a specific bushfire event is not to be expected or relied upon.

ATTACHMENT 2: FIRE OPERATIONS PLANS



Source: Victorian Government (<https://www.ffm.vic.gov.au/bushfire-fuel-and-risk-management/fire-operation-plans>)

24 OCTOBER 2018

Bushfire Risk Rating Assessment Moe South Proposed Rural Living Precincts

Prepared for Latrobe City Council

Bushfire Planning

Bushfire Planning is a town planning service that works with public and private sector clients to understand and apply planning scheme bushfire policies and requirements. It is led by Kevin Hazell who is a qualified town planner with extensive experience working on bushfire planning at State and local levels in Victoria.

Disclaimer

The views expressed in this report are those of the author. Information in this document is current at the time of writing. While all professional care has been undertaken in preparing the document, the author accepts no liability for loss or damages incurred because of reliance placed upon its content.

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The maps in this report were prepared by PLC Consulting Pty Ltd.



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Attachments

1. Assumptions
2. Fire Operations Plans
3. Plantation areas (HPV assets)

1.0 INTRODUCTION

1.1 Purpose

This report considers the bushfire merits of a planning scheme amendment to enable the subdivision of land in Moe South for rural-residential purposes. The report establishes the bushfire planning context at the landscape and site scales, considers other factors relevant to the bushfire risk and evaluates the planning scheme amendment according to bushfire policies contained within the Latrobe Planning Scheme (the ‘*planning scheme*’).

This report has been prepared at the request of Latrobe City Council (the ‘Council’). It forms part of the Council’s approach to assessing bushfire risk through its planning scheme decision making for Moe South. More specifically, Clause 13.02 of the *planning scheme* requires bushfire to be considered by:

Ensuring that [...] planning scheme amendments [...] properly assess bushfire risk and include appropriate bushfire protection measures.

This report has been prepared in response to the changes introduced by Amendment VC140 in December 2017 by the Minister for Planning.

1.2 The study area

The study area comprises land to the south of Moe that is identified in Amendment C105 for further subdivision. The study area is currently within the Farming Zone and would, as a result of the exhibited amendment, be included in the Rural Living Zone.

Study area	Existing minimum lot size – Farming Zone	Proposed minimum lot size – Rural Living Zone	Potential new lots
West	40ha	6ha (schedule 3)	6
East	40ha	2ha (schedule 1)	76

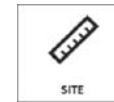
1.3 Planning scheme bushfire context

The study area is partially subject to the Bushfire Management Overlay in Clause 44.06 of the *planning scheme*. The study area is within a Bushfire Prone Area as declared by the Minister for Planning under r155 of the *Building Regulations 2018*. See Figure 4 for where planning scheme bushfire controls apply.

1.4 Assessment methodology

This report uses the following steps to deliver on the project brief. They are derived from Clause 13.02 and provide a logical approach to working through the applicable requirements.

1. Assessing the bushfire hazard at different scales



2. Considering other factors relevant to bushfire risk



3. Assessing the proposed planning scheme amendment



1.5 Using this report

This report has been prepared to assist the Council, as planning authority under the planning scheme, to consider the bushfire merits of exhibited planning scheme changes to the study area. This report should not be used to prepare or assess a planning application. Planning permit considerations are different to those that apply for planning scheme amendments.

1.0 INTRODUCTION

Figure 1: Study area

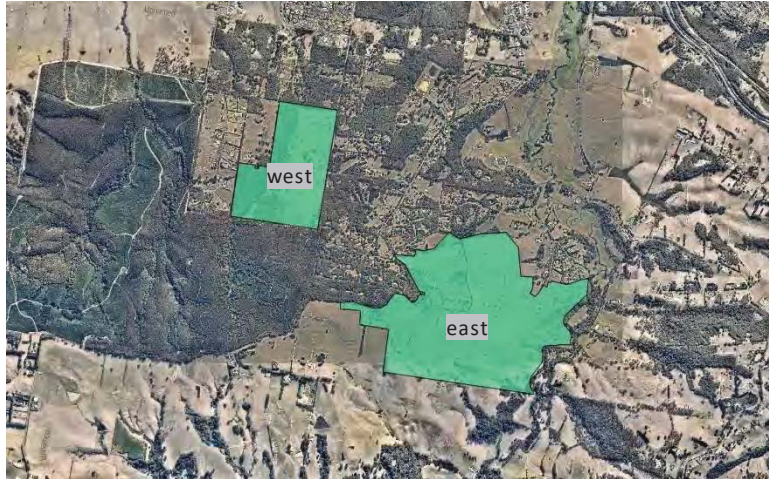


Figure 3: Existing lot sizes

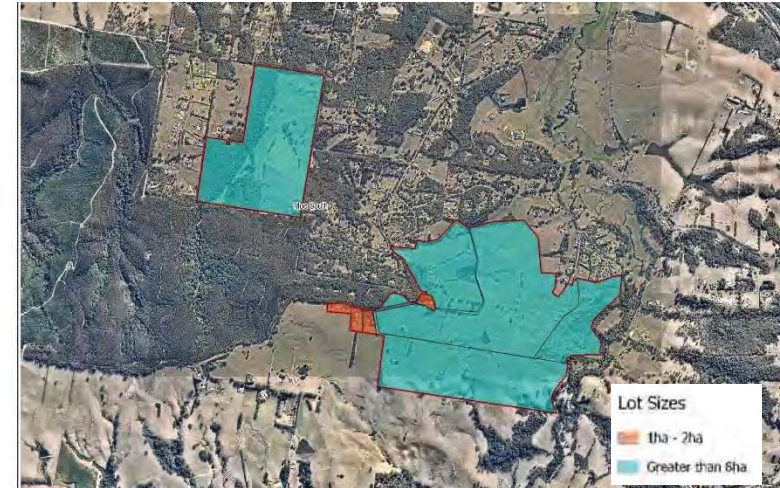


Figure 2: Existing zones

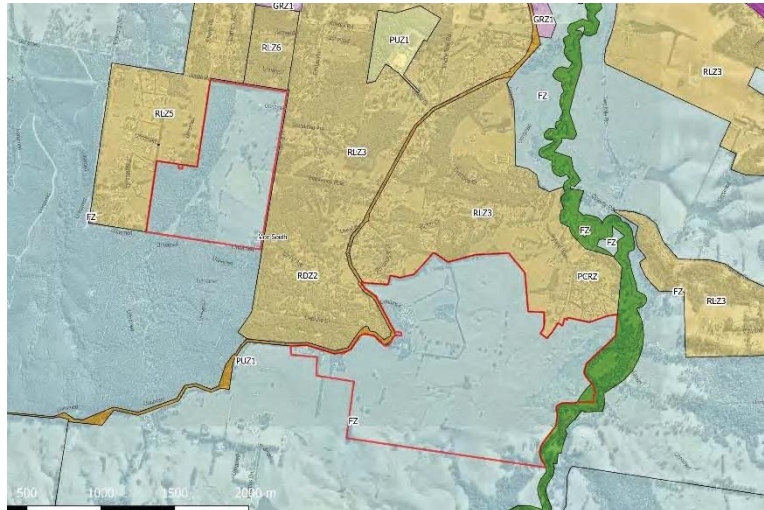
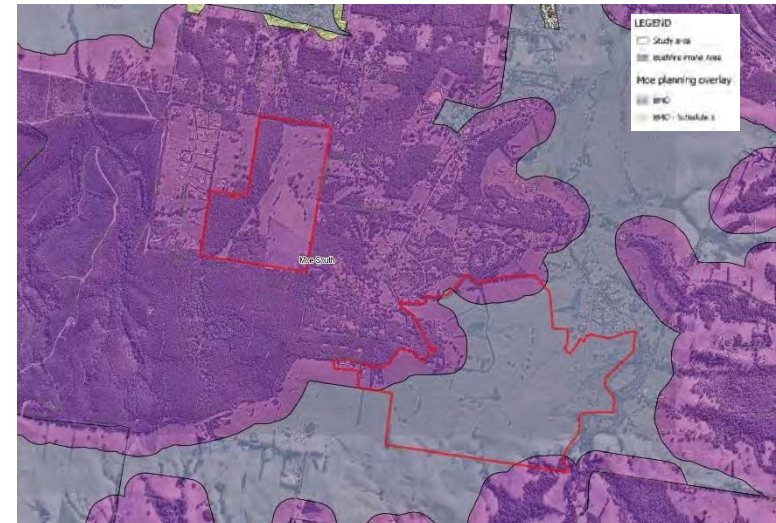


Figure 4: Bushfire planning and building controls



2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

The Latrobe Planning Scheme contains policies and tools that are used to inform decisions on proceeding with a planning scheme amendment where the bushfire hazard could be an influence on future land use and development. This section provides an overview of these policies and tools. Figure 5 summarises the considerations.

2.1 Integrated decision making (Clause 71.02-3)

Clause 71.02-3 requires planning authorities, in bushfire areas:

[T]o prioritise the protection of human life over all other policy considerations.

Bushfire considerations are not to be balanced in favour of net-community benefit, as occurs for all other planning scheme matters. Bushfire policy must now be prioritised over all other considerations and, only if they can be satisfied, could a planning authority proceed with a planning scheme amendment. The bushfire emphasis in Clause 71.02 was introduced through Amendment VC140 in December 2017. Such policy settings were recommended in 2011 by the 2009 Victorian Bushfires Royal Commission.

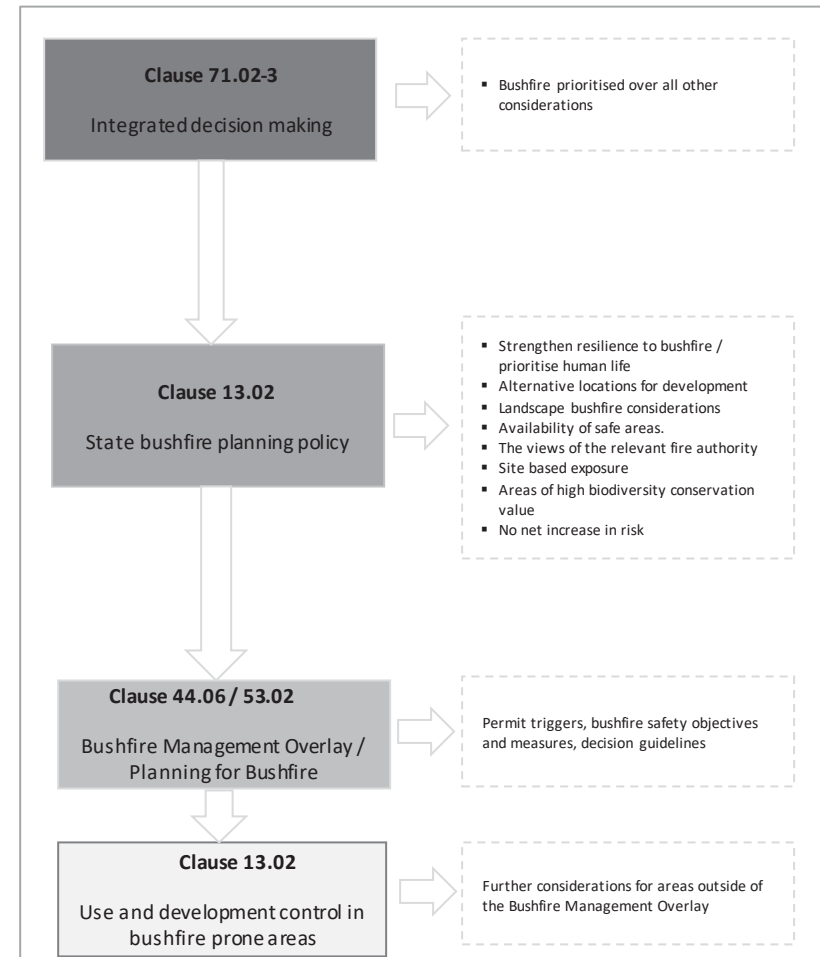
2.2 State planning policy for bushfire (Clause 13.02)

The objective of the State planning policy for bushfire is:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 13.02 contains a series of strategies to meet the above objective and these are summarised below.

Figure 5: Summary of bushfire considerations in planning schemes



2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

2.2.1 Protection of human life

Give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

2.2.2 Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

- *Applying the best available science to identify vegetation, topographic and climate conditions that create a bushfire hazard.*
- *Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.*
- *Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard.*
- *Considering and assessing the bushfire hazard on the basis of:*
 - *Landscape conditions – meaning conditions in the landscape within 20km (and potentially up to 75km) of a site;*
 - *Local conditions – meaning conditions in the area within approximately 1 kilometre of a site;*
 - *Neighbourhood conditions – meaning conditions in the area within 400 metres of a site; and*
 - *The site for the development.*
- *Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.*
- *Ensuring the strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.*

- *Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.*

2.2.3 Settlement Planning

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- *Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*
- *Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.*
- *Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.*
- *Achieving no net increase risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.*
- *Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.*
- *Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.*
- *Not approving any strategic planning document, local planning policy, or planning scheme amendment that 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 AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*

2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

2.2.4 Areas of biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.

2.3 Bushfire Management Overlay (Clause 44.06)

The purpose of the Bushfire Management Overlay is:

- *To ensure that the development of land prioritises the protection of human life and*
- *strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

The Bushfire Management Overlay is generally applied to distinct patches of vegetation (except grasslands) that are larger than 4ha in size. Where such a patch of vegetation exists, a 150m ember protection buffer is added and this land is also included in the Bushfire Management Overlay. Areas of extreme hazard are separately included in the Bushfire Management Overlay. Where this is the case, a buffer larger than 150m may be applied. [Source: *Planning Advisory Note 46 Bushfire Management Overlay Mapping Methodology and Criteria*, DTPLI, 2013]

The Bushfire Management Overlay is accompanied by Planning for Bushfire (Clause 53.02) which specifies the requirements that apply.

2.4 Bushfire prone area (Clause 13.02 and building regulations)

Bushfire Prone Areas are areas that are subject to or likely to be subject to bushfires. The Minister for Planning, under r155 of the *Building Regulations 2018*, determines that specific areas are designated Bushfire Prone Areas for the purposes of the building control system.

Bushfire Prone Areas include all areas subject to the Bushfire Management Overlay. Bushfire Prone Areas also include grassland areas and, occasionally, smaller patches of non-grassland vegetation.

Specific bushfire construction standards apply in these areas and these are implemented by the relevant building surveyor as part of the building permit. These construction standards are referred to as bushfire attack levels (BAL). There is a minimum construction of BAL12.5 in designated Bushfire Prone Areas under r157 in the *Building Regulations 2018*. Where land included in the Bushfire Prone Area is also included in the Bushfire Management Overlay, the requirements of the Bushfire Management Overlay apply in the first instance.

2.5 Use and development control in Bushfire Prone Areas (Clause 13.02)

Clause 13.02 of the planning scheme includes planning requirements for Bushfire Prone Areas. These are in the form a 'use and development control' that applies to certain uses that are in a Bushfire Prone Area but not subject to the Bushfire Management Overlay.

The use and development control is to be considered when assessing planning applications for specified uses and developments. This includes accommodation and subdivisions for more than 10 lots. The use and development control requires:




When assessing a planning permit application [...]:

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts (Clause 13.02).*




3.0 ASSESSMENT OF THE HAZARD AT THE LANDSCAPE SCALE MOE SOUTH STUDY AREA



Key points on the extent of the bushfire hazard

-  Large fire runs in forested areas
-  Fragmented areas of forest vegetation contain higher levels of fuels
-  Grasslands areas to the south

Key points on the likely bushfire behaviour

-  Extensive forested areas capable of generating a dangerous bushfire, with flame contact and radiant heat exposure on the study area
-  High levels of ember attack likely across the study area
-  Forested areas will generate ember attack into fragmented and grassland areas, potentially creating multiple fires and a complex bushfire scenario

Discussion

Fire runs in the surrounding landscape

The dominant vegetation type is forest, grasslands and modified vegetation.

West of the study areas are forest landscapes. These comprise in most part plantations. The forested areas provide fire runs of up to 5km into the study area. The forested areas provide a hazard where a bushfire can start and develop into a large bushfire. These fire runs combined with steep topography is capable of generating dangerous fire behaviour.

South of the study area are grassland areas.

Throughout the broader landscape are areas of fragmented and modified vegetation. They are fragmented as a result of rural living development and urban infrastructure, such as roads. Whilst at a landscape scale they are fragmented, they do carry significant levels of fuels and often arise in distinct patches, many over 10ha in area with high levels of connectivity between different areas of vegetation.

Lower fuel areas

There are no lower fuel areas located within the landscape itself. Lower fuel areas are found within the settlement of Moe, located to the north of the study area. For the western precinct, this is approximately 1km away. For the east precinct, this is approximately 2.5km away.

Bushfire History

Bushfire history data does not show a bushfire affecting the landscape.

Fire management planning

A series of fuel management interventions occur in the much wider landscape. Due to their distance from the study area they are not considered to be providing any specific landscape bushfire protection for the study area (see Attachment 2).

3.0 ASSESSMENT OF THE HAZARD AT THE LANDSCAPE SCALE MOE SOUTH STUDY AREA



Discussion

Victorian Fire Risk Register (VFRF)

The western part of the study area, along with existing rural living areas, are identified as 'extreme' on the VFRF. Part of the eastern part of the study area and its surrounds, that contain existing rural living areas, are identified as 'very high' on the VFRF.

Landscape bushfire impacts on the study area

The forested areas, which comprise mostly plantation forests, have the ability to generate larger bushfires. Under Victoria's dominant bushfire weather a bushfire in these areas will be pushed towards the study area. The western part of the study area will be impacted, with exposure to flame contact and higher levels of radiant heat along its edges.

There are two secondary impacts arising from the forested areas.

- Bushfires entering the fragmented areas of forest vegetation

Given the level of fragmentation any fire travelling across these areas are unlikely to move in a consistent or uniform manner as assumed in the modelling which underpins the bushfire-related planning scheme provisions. However, if a bushfire starts in these areas as a result of a fire running into it, or from ember attack, the potential for multiple smaller bushfires will arise. These will create flame contact and radiant heat throughout the eastern part of the study area.

- Ember attack

Ember attack is likely across the study area. Due to the forest fire runs in the wider landscape the level of ember attack may be high. Embers are capable of igniting the fragmented areas of vegetation throughout the landscape and impacting directly on assets, such as dwellings.

Grassfires will interact with the southern edges of the study area. A grassfire if it arises will run into the forested areas and the fragmented areas. However, grassland areas are not in isolation a landscape risk (whilst noting that they are a significant risk at the site level – see next section) except south of the study area (eastern parcel) where grasslands interact with fragmented vegetation. These conditions enhance the potential bushfire coming into this part of the study area than if a grassfire alone.

Landscape Type

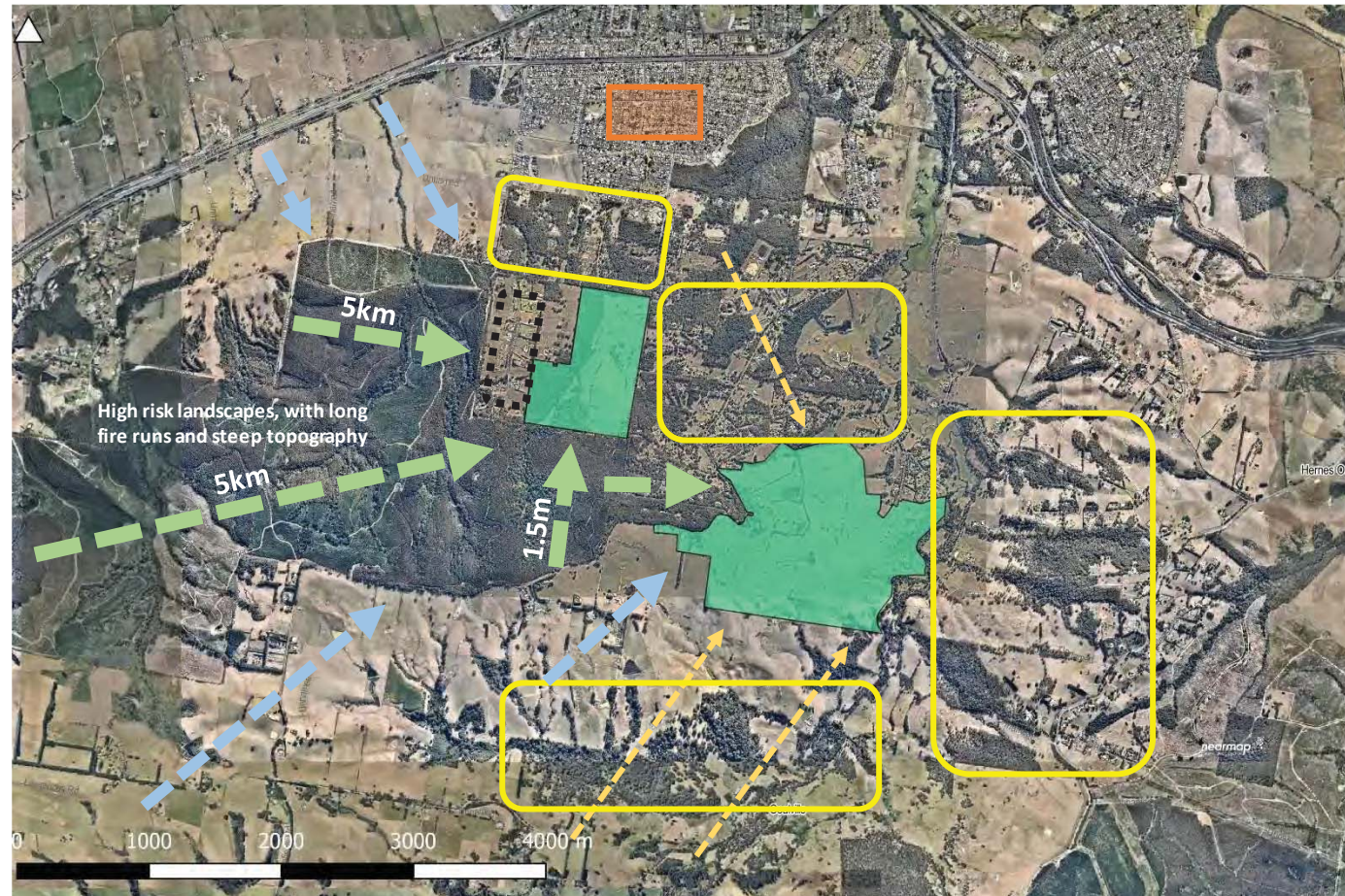
The *Bushfire Management Overlay Technical Guide* (DELWP, 2017) identifies landscape typologies to assist in understanding relative risk across Victoria. The landscape assessment identifies the residual risk as being high within the risk spectrum across Victoria and corresponds with Landscape Type Three or Four.

The common characteristics of both landscape types are that the type and extent of hazard may result in neighbourhood scale destruction, bushfire can approach from more than one aspect, and the study area is not located in an area that is managed in a minimal fuel condition.

Minimal fuel conditions could be described as an area that complies with the defensible space requirements in Clause 52.02 or an area capable of being assessed as BAL:LOW under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

The difference in the landscape types relates to evacuation. Landscape Type Three has an uncertain evacuation options and Landscape Type Four does not have an evacuation option. On balance, the landscape type is considered to be Landscape Type Four for the purpose of evacuation whilst Landscape Type Three for the other factors considered (see Sections 5 & 6 for discussion on access and shelter options).

Figure 6: Bushfire hazard landscape assessment




FIRE RUNS

Forest runs 


Grass runs 

Fragmented runs 

OTHER FEATURES

Low fuel areas
/ BAL:Low area 

Lower fuel areas 

Fragmented fuel areas 

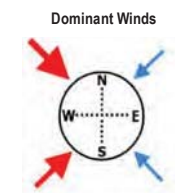
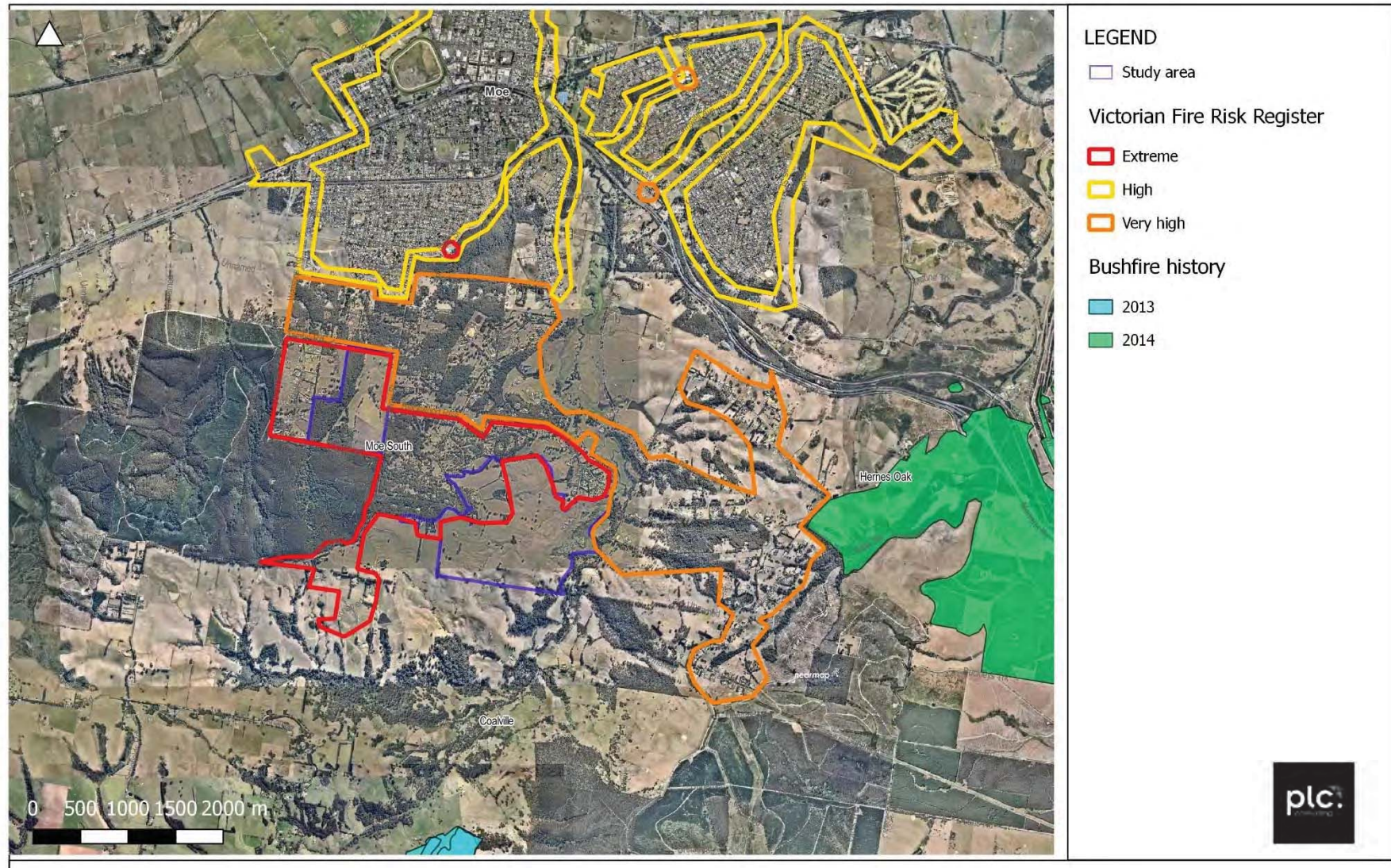
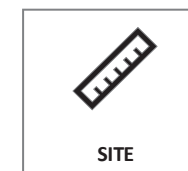


Figure 7: Bushfire history and Victorian Fire Risk Register



4.0 ASSESSMENT OF THE HAZARD AT THE SITE SCALE MOE SOUTH STUDY AREA



Key points



Study area is undulating and has some steeper areas



Forest and managed grasslands are present



Site based exposure from a bushfire can be reduced to BAL12.5 or less

Discussion

The site level includes land subject to a planning scheme amendment (i.e. the study area). The key consideration is the level of exposure of future development, such as a dwelling, to flame contact and radiant heat from a fire front. The level of exposure is determined based on how much defensible space, or separation, is provided from a permanent hazard to the asset.

Moe South (west)

Moe South (west) is a naturally low point in the landscape, with upslopes being the dominant slope under a bushfire moving towards the subject site.

The following defensible space requirements arise for new assets enabled by a planning scheme amendment, as required by Clause 13.02, based on flat/upslope:

- Forest: **48m** of defensible space / Column A in Clause 53.02 / **BAL12.5**

On the basis of the above, maximum exposure of no more than BAL12.5 can be achieved. This can be achieved through appropriate subdivision design that positions building envelopes that do not exceed the exposure benchmark.

Moe South (east)

Moe South (east) part of the study area is on steeply sloping land with variable slopes. The study area contains and is exposed to the following hazards:

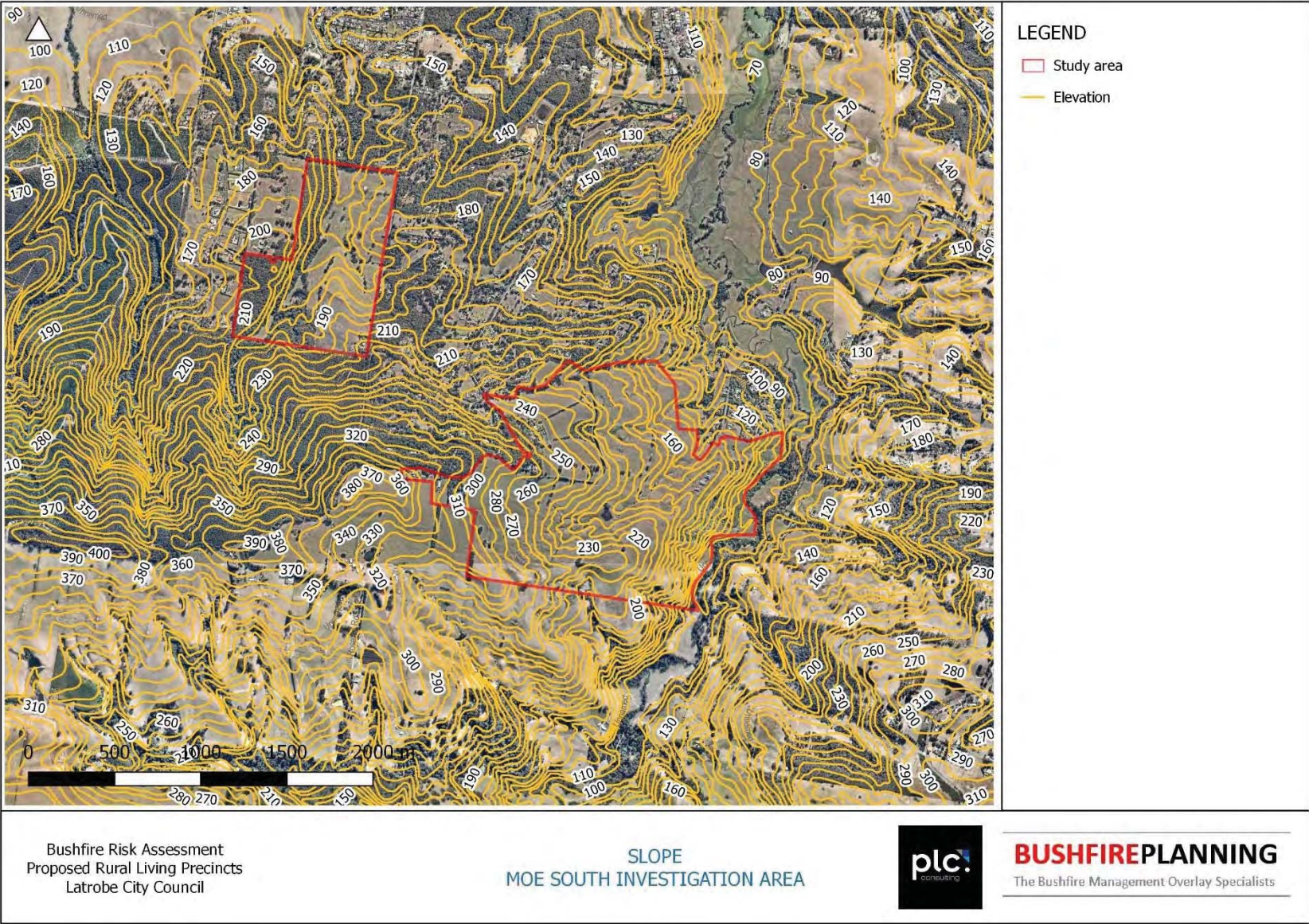
- Managed and unmanaged grasslands. For the purpose of this report all grassland areas are assumed to be unmanaged.
- Areas of woodland or fragmented / modified vegetation arising in clumps of trees throughout the study area.
- Areas of forest on parts of the western, eastern and southern aspects.

The following defensible space requirements arise for new development enabled by any planning scheme amendment, as specified in Clause 13.02, based on a near-worst case 20° slope.

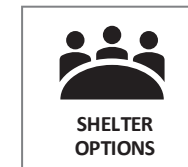
- Grassland: **23m** of defensible space / Column A in Clause 53.02 / **BAL12.5**
- Woodland: **33m** of defensible space / Column A in Clause 53.02 / **BAL12.5**
- Forest **98m** of defensible space Column A in Clause 53.02 **BAL12.5**

On the basis of the above, maximum exposure of no more than BAL12.5 can be achieved. This can be achieved through appropriate subdivision design that positions building envelopes that do not exceed the exposure benchmark.

Figure 8: SLOPE



5.0 SHELTER OPTIONS MOE SOUTH STUDY AREA



Key points

- There are currently no designated places of last resort in Moe South
- An area of BAL:Low is available within the developed urban areas of Moe
- An area of BAL:Low could be provided within each precinct
- The areas of BAL:Low provided within each precinct would be subject to ember attack

Discussion

Designated places of last resort

A neighbourhood safer place and a community fire refuge can be designated by local councils after consultation with the Country Fire Authority. Strict criteria relating to radiant heat exposure must be met. A community fire refuge is a building, whereas a neighbourhood safer place may be a building or be an outside space. They are intended to be used by people when their primary bushfire plan has failed. They are promoted by local councils and fire authorities as places of last resort.

There is no Neighbourhood Safer Place or Community Fire Refuge located in or around Moe South.

BAL:Low locations

BAL:Low is a typology of location used in *AS3959-2009 Construction of buildings in bushfire prone areas* (Standards Australia). It defines a location that is not exposed to flame contact or levels of radiant heat from a fire front that is harmful to people.

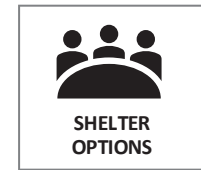
BAL:Low does not consider the risk from ember attack, especially where ember attack arises from vegetation more than 100m from a location.

Access to a location where human life can be better protected from the effects of bushfire is required by Clause 13.02.

An area of BAL:Low is available in the developed urban areas of Moe, generally those areas north of Margaret Street and west of Wirraway Street. Absolute protection from the harmful effects of bushfire is provided in this location.

5.0 SHELTER OPTIONS

MOE SOUTH STUDY AREA



Moe South (west)

The western part of the study area comprises a rectangular parcel of land more than 300m wide.

An area of BAL:Low would arise in the central part of the parcel of land. This is because that area would be more than 100m from classifiable vegetation assuming, in the context of the area's development as envisaged in the exhibited planning scheme amendment, no hazardous vegetation was introduced and any grassland areas were managed.

It is noted however the area of BAL:Low, if the exhibited planning scheme amendment proceeds, would mostly be contained on private land and potentially multiple parcels of private land. Matters of the management of that land on an on-going basis would arise in this circumstance.

Moe South (east)

The eastern part of the study area comprises a series of lots of different shapes and sizes.

An area of BAL:Low would arise in the central part of this area. This is because that area would be more than 100m from classifiable vegetation assuming, in the context of the area's development as envisaged in the exhibited planning scheme amendment, no hazardous vegetation was introduced and any grassland areas were managed.

It is noted however the area of BAL:Low, if the exhibited planning scheme amendment proceeds, would mostly be contained on private land and potentially multiple parcels of private land. Matters of the management of that land on an on-going basis would arise in this circumstance.

Both precincts

In accordance with the assessment of the landscape risk (see Section 3.0), both areas of BAL:Low would be subject to ember attack. The level of ember attack may be relatively high due to the extent and type of vegetation in the surrounding landscape.

6.0 STRATEGIC ACCESS MOE SOUTH STUDY AREA



Key points

- Moe South (both areas) has limited strategic access options
- Strategic access via vehicle through heavily vegetated areas is required to access a location of absolute safety
- Strategic access to a place of absolute safety is not readily available

Discussion

Moe South (west)

Moe South (west) is located 1.1km south of the developed urban areas of Moe. Access is provided by Wirraway Street. The access is exposed to forest vegetation along most of length and would be vulnerable to bushfire. A bushfire would result in flame contact and levels of radiant heat that are harmful to people.

Vegetation along the journey may be ignited from ember attack arising from much larger forested areas to the west and south-west. They may therefore be on fire ahead of the fire front, creating a difficult scenario where multiple bushfires are alight in the landscape.

Moe South (east)

Moe South (east) is located 3km south of the developed urban areas of Moe.

Heading directly north, access is provided via Coalville Road. The access is exposed to vegetation along most of length that includes forest vegetation and grasslands. This access is vulnerable to bushfire. A bushfire would result in flame contact and levels of radiant heat that are harmful to people.



Vegetation along the journey may be ignited from ember attack arising from much larger forested areas to the west and south-west. They may therefore be on fire ahead of the fire front, creating a difficult scenario where multiple bushfires are alight in the landscape.

Heading north-west, access could be provided (through subdivision design if a planning scheme amendment proceeds) via Lynne Avenue or Blackwood Rise to Wirraway Street and then north to the developed urban area of Moe. This journey is subject to the same risks as Coalville Road and travel would be in a direction towards a large bushfire.

7.0 BIODIVERSITY MOE SOUTH STUDY AREA



Key points

-  Biodiversity factors are unlikely to impact on implementing bushfire safety measures
-  Enhancing strategic access may impact on roadside vegetation, if the exhibited planning scheme amendment proceeds

Discussion

Moe South (west)

Land subject to the exhibited planning scheme amendment in Moe South (west) comprises agricultural land to the eastern part and an extensive forest area to the west (which adjoins forested areas on immediately adjoining land).

The land is not subject to vegetation protection planning scheme overlays but is subject to State-wide native vegetation requirements specified in Clause 52.17. Given the extent of this forested areas on the study area, biodiversity factors will be relevant to assessing the risk. It is therefore assumed that this forested area is a permanent hazard.

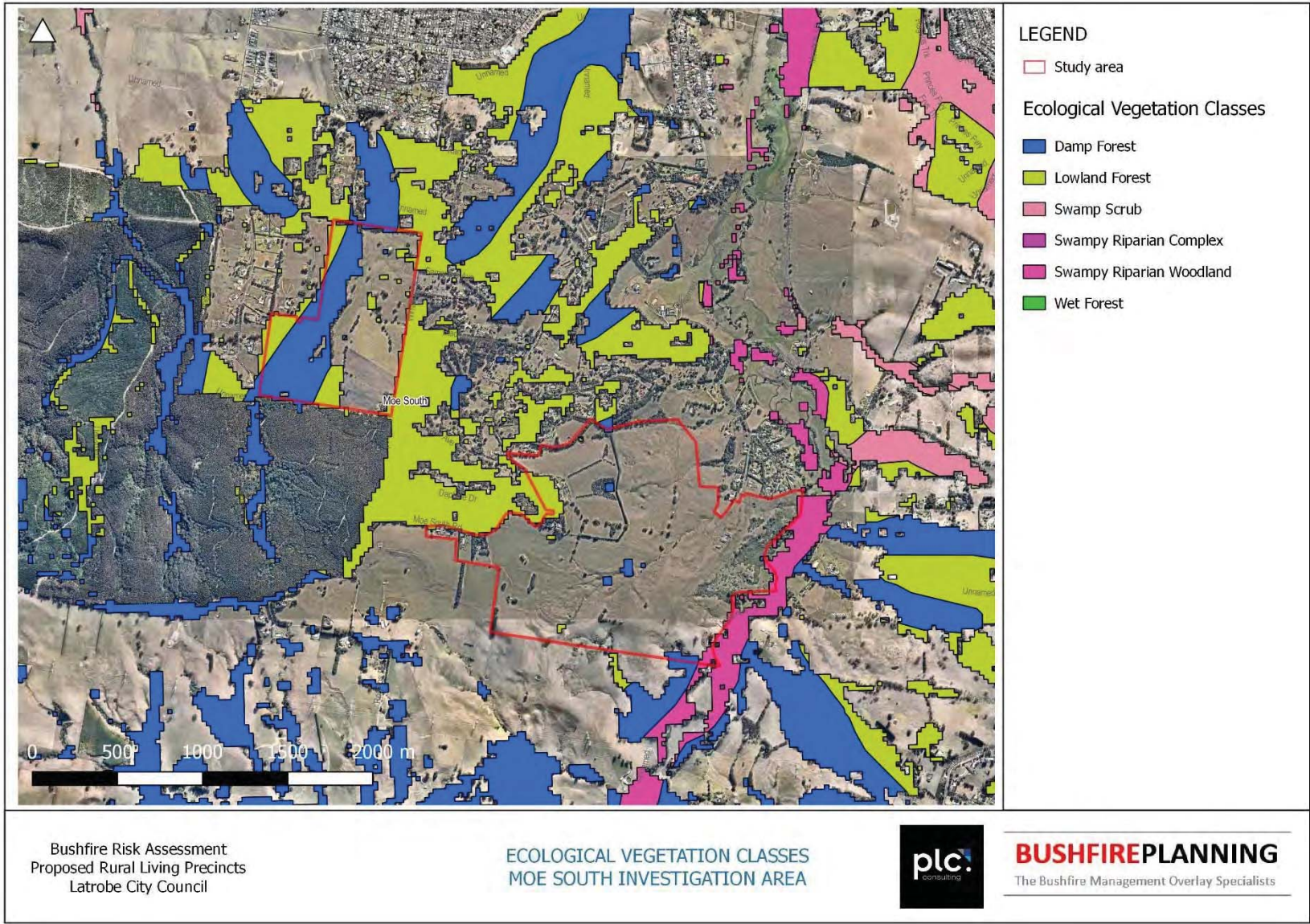
Moe South (east)

Land subject to the exhibited planning scheme amendment in Moe South (east) comprises existing rural living areas and agricultural land. It contains some scattered trees and patches of trees. However, the prevailing vegetation type is grasslands.

Both areas

Strategic access is via roads extensively affected by vegetation. Any efforts to reduce the risk to these roads from a bushfire may impact on roadside vegetation protection and management.






Figure 9: Ecological vegetation classes



8.0 CLAUSE 13.02 ASSESSMENT



Key points on landscape risk

-  Residual risk to life is from flame contact, radiant heat and ember attack
-  Shelter options are limited, despite an area of BAL:Low capable of being provided on each precinct
-  There is limited strategic access to places of absolute safety
-  Landscape risk is very high
-  Landscape Type Four best applies

Landscape Risk

The landscape-scale assessment concluded that the landscape risk is **very high** arising from the heightened potential for grassfires and the potential for ember attack across Moe South, both driven by the forested areas to the west.

The *Bushfire Management Overlay Technical Guide* (DELWP, 2017) identifies landscape typologies to assist in understanding relative risk across Victoria. The landscape assessment identifies the residual risk as being high within the risk spectrum across Victoria and corresponds with Landscape Type Three or Landscape Type Four.

The common characteristics of both landscape types are that the type and extent of hazard may result in neighbourhood scale destruction, bushfire can approach from more than one aspect, and the study area is not located in a wider area that is managed in a minimal fuel condition. This is despite the potential for each precinct itself to achieve an area of BAL:Low which is arguably a favourable feature of both precincts.

However, consistent with the VFRR assessment (which is 'extreme' for Moe South (west) and 'very high' for Moe South (east)), the risk of being in the study area during a bushfire is not mitigated through a BAL:Low area being available.

The difference in the landscape types between Landscape Type Three and Landscape Type Four relates to shelter and evacuation. Landscape Type Three has uncertain evacuation options and Landscape Type Four does not have an evacuation option.



8.0 CLAUSE 13.02 ASSESSMENT

Credible access to a place that provides shelter from bushfire is not available, given the need to enter the strategic road network which is extensively exposed to bushfire, particularly in Moe South (east). Combined with the high landscape risk based on the hazard, Landscape Type Four best applies to the study area.

Landscape Type Four indicates a level of landscape risk that is at the upper end of the risk spectrum in Victoria.

A note about the plantation areas

It is noted that the landscape risk is mostly derived from forested areas that are plantations. Whilst beyond the scope of this report to assess in detail, it would be reasonable to assume the landscape risk would materially change (and reduce) if the plantation areas reverted to a grassland setting once harvested.

Subject to certainty that revegetation / replanting would not occur, it would be reasonable for the Council to reassess the study areas if this was to occur.

8.0 CLAUSE 13.02 ASSESSMENT



Key points on site-based exposure



Site based exposure benchmarks can be met

Key points on biodiversity



The biodiversity impacts of bushfire requirements should be further considered

Site based exposure benchmarks as defined by Clause 13.02

The study areas can achieve site based exposure limits for radiant heat flux of less than 12.5 kilowatts/square metre (BAL12.5) as required by Clause 13.02.

For the eastern study area, this is made possible by the existing low-fuel characteristics meaning that defensible space can be provided to reduce exposure to radiant heat and flame contact from a fire front to the required levels.

For the western part of the study area, the large forested area can be avoided through subdivision design and the location of building envelopes.

The site based exposure requirements of Clause 13.02 can be met.

Areas of high biodiversity conservation value

It is beyond the scope of this report to make conclusions on the merits or otherwise of protecting vegetation that exists in the study area. However, the lack of existing vegetated areas may indicate that biodiversity factors are unlikely to impact on implementing bushfire safety measures in the western parts of the study area. The forested areas on the western part of the study area is assumed to be retained.

Strategic access is via roads extensively affected by vegetation. Any efforts to reduce the risk to these roads from a bushfire may impact on roadside vegetation protection and management.

The Council will need to satisfy itself that the biodiversity requirements of Clause 13.02 can be met if a planning scheme amendment proceeds, including as a result of any mitigation required to accompany the proposal.

If biodiversity issues arise there is no scenario that would enable biodiversity values to be balanced with bushfire considerations that would, in any way, reduce the level of bushfire protection to be provided. If the biodiversity impacts of implementing bushfire protection measures are not acceptable then the exhibited planning amendment should not proceed.

8.0 CLAUSE 13.02 ASSESSMENT



Key points on alternative locations



Alternative locations for new development are significantly lower risk

Alternative locations for development

Clause 13.02 includes strategies that seek to direct new development to low risk locations. Given the very high landscape risk, with Landscape Type Four applying to the study area, there is a need to ensure that all other lower risk locations across the municipality have been fully explored.

Given that the exhibited planning scheme amendment is separately progressing with planning scheme amendments for additional rural living development in lower risk locations (for example, Churchill), it is reasonable to conclude that lower risk locations are in fact available.

Moe South (west) is subject to the Bushfire Management Overlay. This reinforces the relatively higher risk bushfire characteristics relative to land outside of the Bushfire Management Overlay.

Moe South (east) is subject to the Bushfire Management Overlay at its western edges and, in small part, its southern edge. The balance of the site is within a Bushfire Prone Area, reflecting the potential for bushfire to affect the whole area.

The planning scheme amendment does not direct development to lower risk location as required by Clause 13.02.

8.0 CLAUSE 13.02 ASSESSMENT



Key points on the views of the relevant fire authority



Further review and consideration needs to be made on the suitability of proceeding with a planning scheme amendment

The views of the relevant fire authority

Clause 13.02 identifies that a key element of a risk assessment is to consult early with the relevant fire authority to receive their recommendations and implement appropriate bushfire protection measures.

The Council has advised that consultation with the Country Fire Authority was undertaken during the preparation of the Rural Land Use Strategy which identified precincts for inclusion within a Rural Living Zone and which forms the basis for the exhibited planning scheme amendment.

Following preparation and endorsement of the Rural Land Use Strategy and Council approval to progress a planning scheme amendment, bushfire requirements were updated by Amendment VC140 in December 2017.

In response to this, Council commissioned further assessments (this report) and is currently working with the Country Fire Authority.

9.0 CONCLUSIONS



Key points

- The very high landscape risk has not been mitigated by the exhibited planning scheme amendment
- The lack of credible shelter options is problematic for the planning scheme amendment
- Alternative locations for development are likely to be available and development should be directed there
- It is unlikely that the landscape risk that exists is capable of being mitigated to levels acceptable under the planning scheme

Conclusions

Clause 71.02-3 requires planning authorities, in bushfire areas, to prioritise the protection of human life over all other policy considerations. Clause 13.02 sets the objective for the State planning policy for bushfire as:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

A planning scheme amendment to enable further subdivision in the study area would enable avoidable development in an area with a high landscape bushfire risk along with limited shelter options. A credible approach to strategic access to a place of safety is not available.

Given the priority placed on life safety by the planning scheme, the lack of shelter options or evacuation options in this type of landscape means a planning scheme amendment cannot comply with the related parts of Clause 13.02. A planning scheme amendment in this bushfire context is problematic. The potential for alternative locations to be available to accommodate additional development reinforces the potential opportunity to direct new development to other, much lower risk locations.

10.0 RECOMMENDATIONS



Key points



Not proceed with the exhibited planning scheme amendment that proposes to include Moe South (west) and Moe South (east) within a Rural Living Zone

Recommendations

It is recommended that the Council not proceed with the exhibited planning scheme amendment that proposes to include Moe South (west) and Moe South (east) within a Rural Living Zone. This would be consistent with strengthening the resilience of settlements and communities to bushfire and prioritising human life over all other policy considerations.

ATTACHMENT 1: ASSUMPTIONS

Discussion

Assumptions

Likely bushfire weather in Victoria

The Department of Environment, Land, Water and Planning (DELWP) identifies the typical features of bushfire weather as:

- A forest fire danger index of well over 100.
- Severe drought conditions.
- Temperatures above 40°C.
- Relative humidity below 10%.
- Strong to gale-force north-westerly winds.
- A strong to gale-force west-south-westerly wind change that turns the eastern flank of a running bushfire into a wide new fire front.

DELWP notes that these weather conditions are representative of where a bushfire does most of its damage in a single day. The greatest loss of life and property have historically been caused by such single day bushfires. It is also noted that in some landscapes multi-day bushfires can also arise, typically in heavily forested areas such in alpine areas and parts of Gippsland (Source: *Measuring Bushfire Risk in Victoria*, DELWP (2015)).

Fire authority attendance at a specific bushfire event

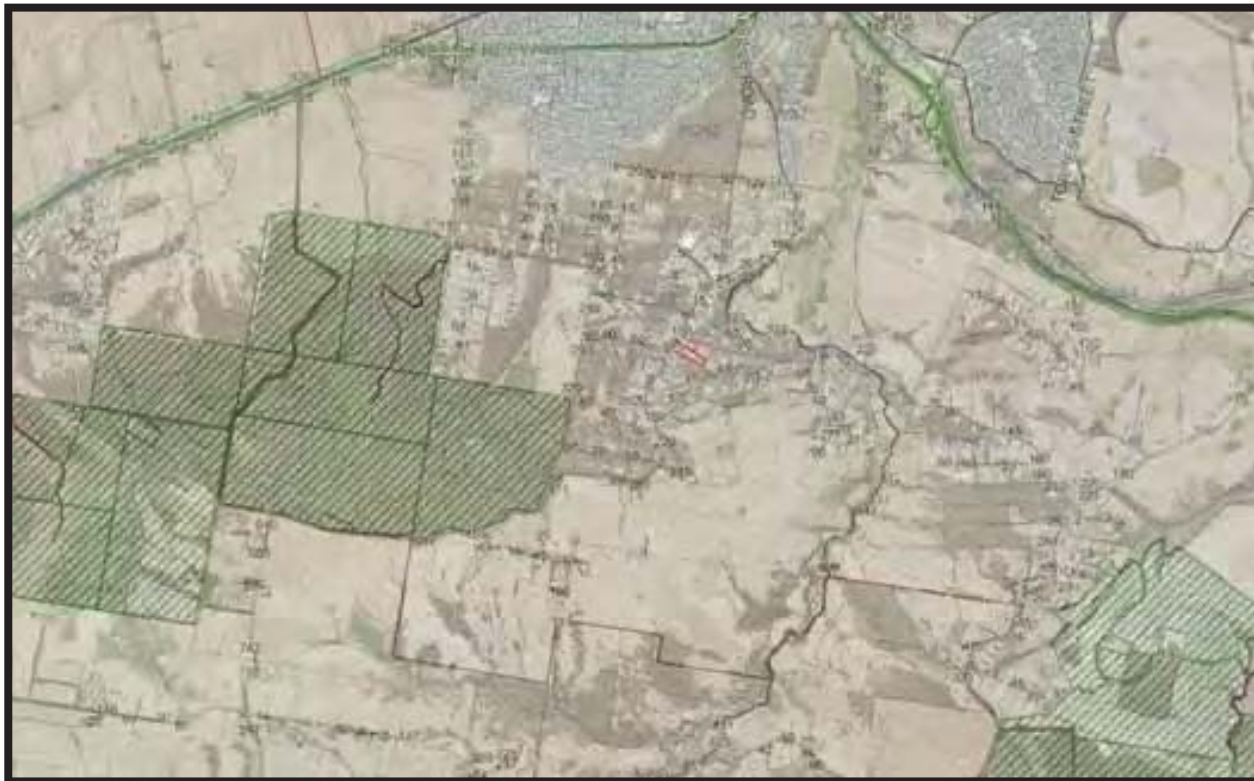
Under Victoria's likely bushfire weather, as seen for example on Black Saturday and Ash Wednesday, multiple bushfire arise and place considerable pressure on the resources of emergency services. This report therefore assumes that, when combined with the likely bushfire weather in Victoria, fire authority resource depletion is likely and on this basis fire authority attendance at a specific bushfire event is not to be expected or relied upon.

ATTACHMENT 2: FIRE OPERATIONS PLANS



Source: Victorian Government (<https://www.ffm.vic.gov.au/bushfire-fuel-and-risk-management/fire-operation-plans>)

ATTACHMENT 3: Plantation areas (HPV assets)



Source: Latrobe City Council

24 OCTOBER 2018

Bushfire Risk Rating Assessment Toongabbie Proposed Rural Living Precincts

Prepared for Latrobe City Council

Bushfire Planning

Bushfire Planning is a town planning service that works with public and private sector clients to understand and apply planning scheme bushfire policies and requirements. It is led by Kevin Hazell who is a qualified town planner with extensive experience working on bushfire planning at State and local levels in Victoria.

Disclaimer

The views expressed in this report are those of the author. Information in this document is current at the time of writing. While all professional care has been undertaken in preparing the document, the author accepts no liability for loss or damages incurred because of reliance placed upon its content.

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The maps in this report were prepared by PLC Consulting Pty Ltd.



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Attachments

1. Assumptions

1.0 INTRODUCTION

1.1 Purpose

This report considers the bushfire merits of a planning scheme amendment to enable the subdivision of land in Toongabbie for rural-residential purposes. The report establishes the bushfire planning context at the landscape and site scales, considers other factors relevant to the bushfire risk and evaluates the planning scheme amendment according to bushfire policies contained within the Latrobe Planning Scheme (the ‘*planning scheme*’).

This report has been prepared at the request of Latrobe City Council (the ‘Council’). It forms part of the Council’s approach to assessing bushfire risk through its planning scheme decision making for Toongabbie. More specifically, Clause 13.02 of the *planning scheme* requires bushfire to be considered by:

Ensuring that [...] planning scheme amendments [...] properly assess bushfire risk and include appropriate bushfire protection measures.

This report has been prepared in response to the changes introduced by Amendment VC140 in December 2017 by the Minister for Planning.

1.2 The study area

The study area comprises land adjoining the settlement of Toongabbie that is identified in Amendment C105 for further subdivision. The study area is currently within the Farming Zone and would, as a result of the exhibited amendment, be included in the Rural Living Zone.

Study area	Existing minimum lot size – Farming Zone	Proposed minimum lot size – Rural Living Zone	Potential new lots
1. West	40ha	2ha (schedule 1)	87
2. East Inner	40ha	2ha (schedule 1)	
3. East Outer	40ha	4ha (schedule 2)	27

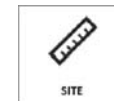
1.3 Planning scheme bushfire context

The study area is not subject to the Bushfire Management Overlay in Clause 44.06 of the *planning scheme*. The study area is within a Bushfire Prone Area as declared by the Minister for Planning under r155 of the *Building Regulations 2018*. See Figure 4 for where planning scheme bushfire controls apply.

1.4 Assessment methodology

This report uses the following steps to deliver on the project brief. They are derived from Clause 13.02 and provide a logical approach to working through the applicable requirements.

1. Assessing the bushfire hazard at different scales



2. Considering other factors relevant to bushfire risk



3. Assessing the proposed planning scheme amendment



1.5 Using this report

This report has been prepared to assist the Council, as planning authority under the *planning scheme*, to consider the bushfire merits of exhibited planning scheme changes to the study area. This report should not be used to prepare or assess a planning application. Planning permit considerations are different to those that apply for planning scheme amendments.

1.0 INTRODUCTION

Figure 1: Study area



Figure 3: Existing lot sizes

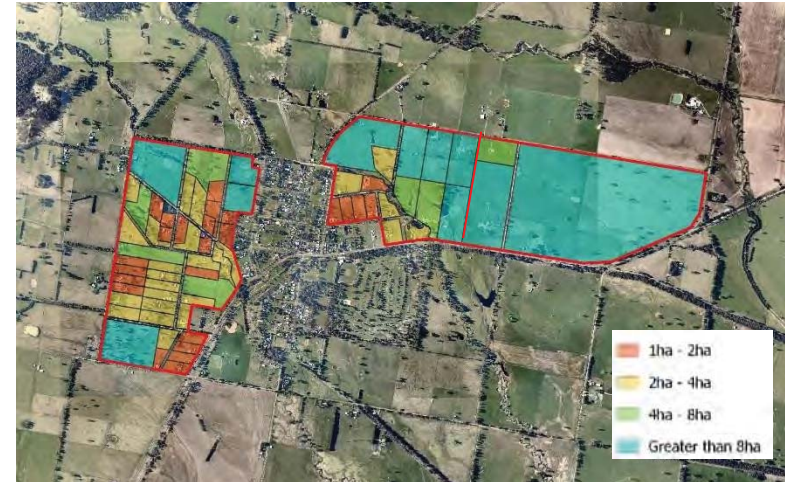
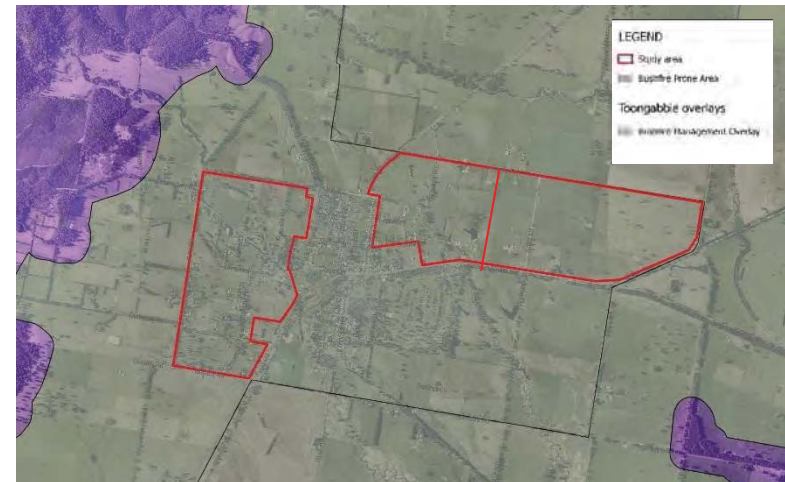


Figure 2: Existing zones



Figure 4: Bushfire planning and building controls



2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

The Latrobe Planning Scheme contains policies and tools that are used to inform decisions on proceeding with a planning scheme amendment where the bushfire hazard could be an influence on future land use and development. This section provides an overview of these policies and tools. **Figure 5** summarises the considerations.

2.1 Integrated decision making (Clause 71.02-3)

Clause 71.02-3 requires planning authorities, in bushfire areas:

[T]o prioritise the protection of human life over all other policy considerations.

Bushfire considerations are not to be balanced in favour of net-community benefit, as occurs for all other planning scheme matters. Bushfire policy must now be prioritised over all other considerations and, only if they can be satisfied, could a planning authority proceed with a planning scheme amendment. The bushfire emphasis in Clause 71.02 was introduced through Amendment VC140 in December 2017. Such policy settings were recommended in 2011 by the 2009 Victorian Bushfires Royal Commission.

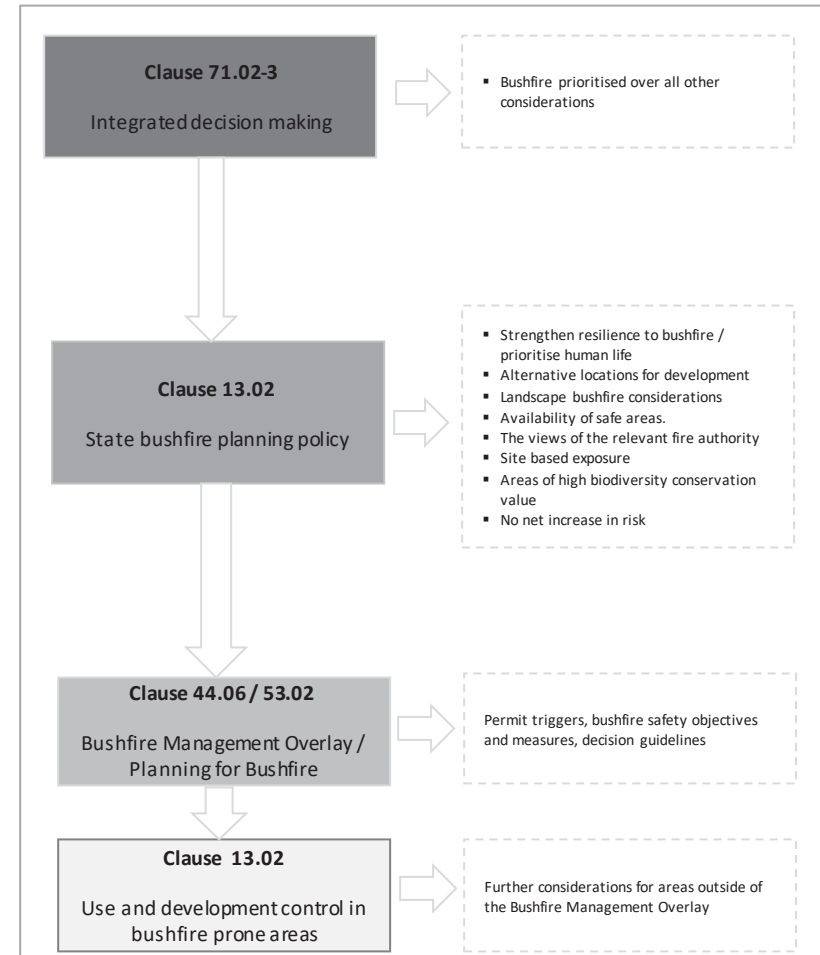
2.2 State planning policy for bushfire (Clause 13.02)

The objective of the State planning policy for bushfire is:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 13.02 contains a series of strategies to meet the above objective and these are summarised below.

Figure 5: Summary of bushfire considerations in planning schemes



2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

2.2.1 Protection of human life

Give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

2.2.2 Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

- *Applying the best available science to identify vegetation, topographic and climate conditions that create a bushfire hazard.*
- *Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.*
- *Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard.*
- *Considering and assessing the bushfire hazard on the basis of:*
 - *Landscape conditions – meaning conditions in the landscape within 20km (and potentially up to 75km) of a site;*
 - *Local conditions – meaning conditions in the area within approximately 1 kilometre of a site;*
 - *Neighbourhood conditions – meaning conditions in the area within 400 metres of a site; and*
 - *The site for the development.*
- *Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.*
- *Ensuring the strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.*

- *Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.*

2.2.3 Settlement Planning

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- *Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*
- *Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.*
- *Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.*
- *Achieving no net increase risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.*
- *Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.*
- *Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.*
- *Not approving any strategic planning document, local planning policy, or planning scheme amendment that 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 AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*

2.0 BUSHFIRE CONSIDERATIONS IN PLANNING SCHEMES

2.2.4 Areas of biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.

2.3 Bushfire Management Overlay (Clause 44.06)

The purpose of the Bushfire Management Overlay is:

- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

The Bushfire Management Overlay is generally applied to distinct patches of vegetation (except grasslands) that are larger than 4ha in size. Where such a patch of vegetation exists, a 150m ember protection buffer is added and this land is also included in the Bushfire Management Overlay. Areas of extreme hazard are separately included in the Bushfire Management Overlay. Where this is the case, a buffer larger than 150m may be applied. [Source: *Planning Advisory Note 46 Bushfire Management Overlay Mapping Methodology and Criteria*, DTPLI, 2013]

The Bushfire Management Overlay is accompanied by Planning for Bushfire (Clause 53.02) which specifies the requirements that apply.

2.4 Bushfire prone area (Clause 13.02 and building regulations)

Bushfire Prone Areas are areas that are subject to or likely to be subject to bushfires. The Minister for Planning, under r155 of the *Building Regulations 2018*, determines that specific areas are designated Bushfire Prone Areas for the purposes of the building control system.

Bushfire Prone Areas include all areas subject to the Bushfire Management Overlay. Bushfire Prone Areas also include grassland areas and, occasionally, smaller patches of non-grassland vegetation.

Specific bushfire construction standards apply in these areas and these are implemented by the relevant building surveyor as part of the building permit. These construction standards are referred to as bushfire attack levels (BAL). There is a minimum construction of BAL12.5 in designated Bushfire Prone Areas under r157 in the *Building Regulations 2018*. Where land included in the Bushfire Prone Area is also included in the Bushfire Management Overlay, the requirements of the Bushfire Management Overlay apply in the first instance.

2.5 Use and development control in Bushfire Prone Areas (Clause 13.02)

Clause 13.02 of the planning scheme includes planning requirements for Bushfire Prone Areas. These are in the form of a 'use and development control' that applies to certain uses that are in a Bushfire Prone Area but not subject to the Bushfire Management Overlay.

The use and development control is to be considered when assessing planning applications for specified uses and developments. This includes accommodation and subdivisions for more than 10 lots. The use and development control requires:

When assessing a planning permit application [...]:

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts (Clause 13.02).*

3.0 ASSESSMENT OF THE HAZARD AT THE LANDSCAPE SCALE TOONGABBIE STUDY AREA



Key points on the extent of the bushfire hazard

- Extensive forest fire runs to the north-west, west and south-west
- Extensive grassfire interfaces on all boundaries of Toongabbie
- Grasslands provide a buffer area between Toongabbie and forested areas

Key points on the likely bushfire behaviour

- Extensive forested areas capable of generating extreme fire behaviour
- Extreme ember attack likely across all areas of Toongabbie
- Extensive forested areas will generate ember attack into grassland areas, increasing the likelihood of grassfires

Discussion

Fire runs in the surrounding landscape

The dominant vegetation type is forest and grasslands.

From the north-west, west and south-west, extensive forested areas exist. Some of these forested areas, closest to the edge, are plantations. The forested areas provide many kilometres of vegetation where a bushfire can start and develop into a large bushfire. These long fire runs combined with steep topography is capable of generating extreme fire behaviour.

This type of hazard is influenced by fuel loads and drought conditions. Where a bushfire starts it will often be associated with high temperatures, wind, cyclonic winds, and lightning. Extreme ember attack will occur and it will be associated with weather similar to that seen on Black Saturday. Any fire that starts and takes hold will be so intense that life safety may be seriously compromised (Source: *Bushfire Management Overlay Technical Guide*, DELWP, 2017).

Fire runs closer to the study areas are through grasslands. Grasslands on the north, west and south are providing a buffer between the forested areas and the settlement. These range in size from 6km down to 900m.

On the east and south-east, grassland fire runs are present but these are least likely to bring a bushfire towards the study area under Victoria's dominant bushfire weather.

3.0 ASSESSMENT OF THE HAZARD AT THE LANDSCAPE SCALE TOONGABBIE STUDY AREA



Discussion

Lower fuel areas

Lower fuel areas are located within the 'core' areas of Toongabbie where land is developed for urban purposes on lots generally less than 1,000sq.m in size. These lower fuel areas provide a place where people can move away from the edges of the developed area which may be exposed to flame contact and radiant heat from the surrounding grassland areas.

The presence of these lower fuel areas is a significant life-protective feature of Toongabbie.

Bushfire History

Bushfire history data shows that the landscape was extensively affected by bushfire in 2006. Evidence of ember attack creating grassfires can be observed in the spatial extent of the bushfire. The following description of this fire as documented by the local community.

On Thursday 14th December, 2006, a deliberately lit fire that started at Coopers Creek moved very quickly towards Toongabbie. It spotted into the hills behind Fraser's Lane. When an extremely strong wind change arrived it took the fire along the hills, closer to the township. It spotted into the town, out into the grasslands and continued quickly along towards Cowwarr across the flats and then a wind change moved it to the Weir Road and up to Seaton. Very few people had seen a fire travel so quickly and with such intensity before.

[Source: <http://toongabbie.vic.au/services/cfa/>]

Victorian Fire Risk Register (VFR)

The settlement of Toongabbie is identified as a 'medium' risk on the VFR.

3.0 ASSESSMENT OF THE HAZARD AT THE LANDSCAPE SCALE TOONGABBIE STUDY AREA



Discussion

Landscape bushfire impacts on the study area

The large forested areas do not interface directly with the study area. There is no potential exposure to harmful levels of radiant heat from a bushfire or direct flame contact from a fire front from the forested areas. However, the presence of the forested areas and the extreme fire behaviour they can generate will result in ember attack, including extreme attack, throughout the area.

The large forested areas are subject to a series of interventions as identified in applicable fire operations plans (see Figure 7). This includes planned burns and various interventions according to bushfire management zones, landscape management zones, and asset protection zones. These may have some impact on the severity of a bushfire but are unlikely to materially change the level of risk for the purpose of Clause 13.02.

The level of risk arises from the 'potential' of bushfire in this area under Victoria's worst bushfire weather days (see Attachment 1 for the assumption of what this could be). It is unlikely the interventions are designed for, or are capable of, significantly reducing the risk on those days. Further, it is reasonable to assume that the fire behaviour that occurred in the 2007 bushfire is indicative of what the large forested areas are capable of generating in terms of impact on Toongabbie and surrounds.

Grassfires will interact with the edges of the study area. At these edges higher levels of radiant heat and flame contact is expected. It is noted that the planning scheme amendment proposes to create long interfaces with grassland areas to the east of Toongabbie. Grassland areas are not in isolation a landscape risk (whilst noting that they are a significant risk at the site level – see next section).

Extreme ember attack will increase the likelihood of grassfires, with ember attack into the grassland areas creating the increased potential for grassfires all around Toongabbie. These may be ahead of the main fire front in the forested areas as embers can travel many kilometres ahead of the fire front. The increased likelihood of grassfires from ember attack may exist for many hours.

When combined with Victoria's likely bushfire weather, the severity of grassfires (including their speed), a likely wind change and their presence ahead of the fire front creates complexities that increase the landscape risk to the study area.

Under the above conditions, the landscape risk is considered to be high.

Landscape Type

The *Bushfire Management Overlay Technical Guide* (DELWP, 2017) identifies landscape typologies to assist in understanding relative risk across Victoria. The landscape assessment identifies the risk as being high on the risk spectrum across Victoria. This landscape risk corresponds with parts of Landscape Type Two and Landscape Type Three.

The common characteristic of both landscape types is that the type and extent of the bushfire hazard may result in neighbourhood scale destruction.

Landscape Type Two applies where a location is in a township area managed in a minimum fuel condition. This applies to the study area. However, despite the significant protective benefits of this (from a flame contact and radiant heat perspective), the landscape risk from ember attack is not mitigated as sheltering options are in the open air. For this reason, Landscape Type Three would best apply.

Note that minimal fuel conditions could be described as an area that complies with the defensible space requirements in Clause 52.02 or an area capable of being assessed as BAL:Low under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

Figure 6: Bushfire hazard landscape assessment

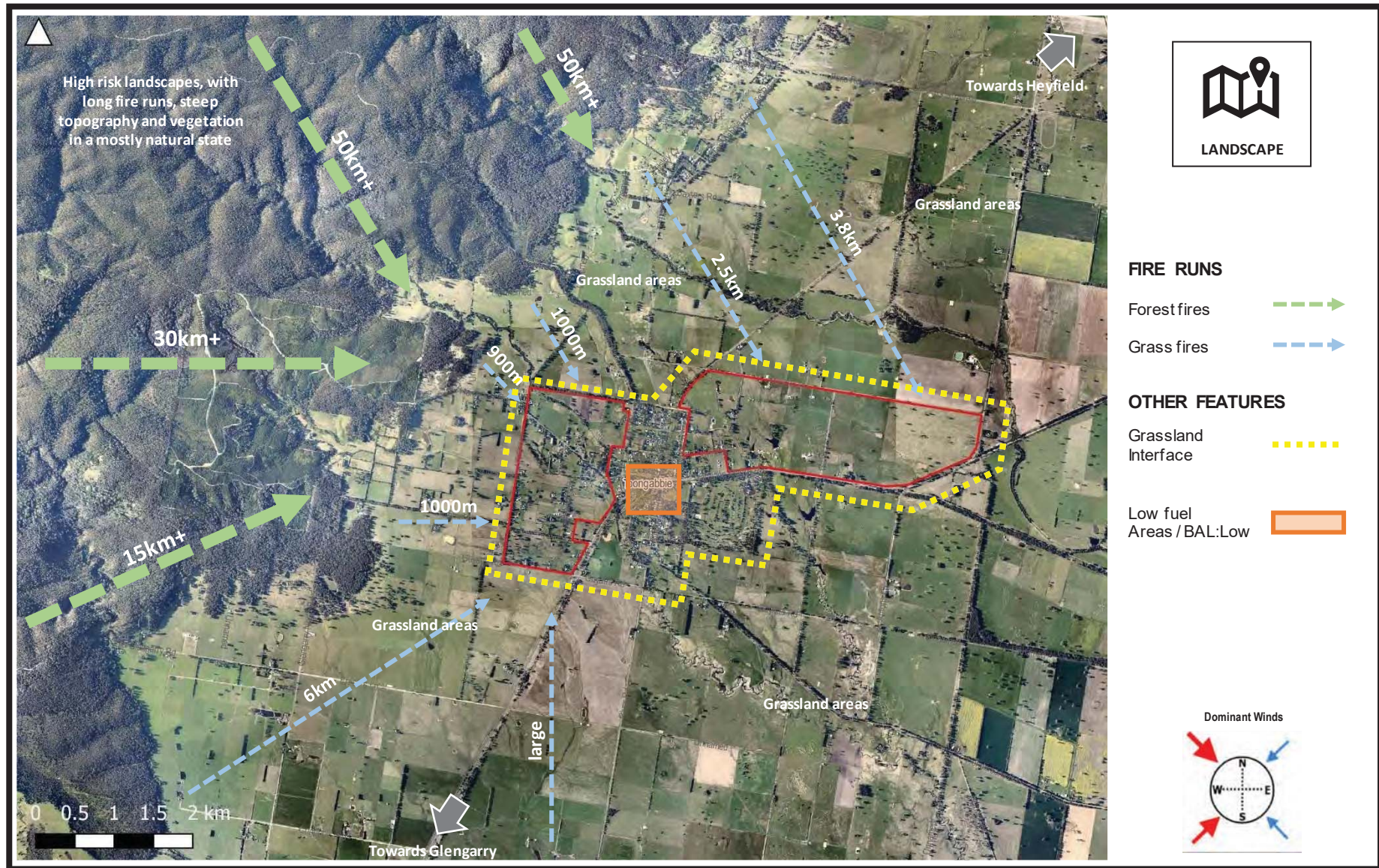


Figure 7: Bushfire history and Victorian Fire Risk Register

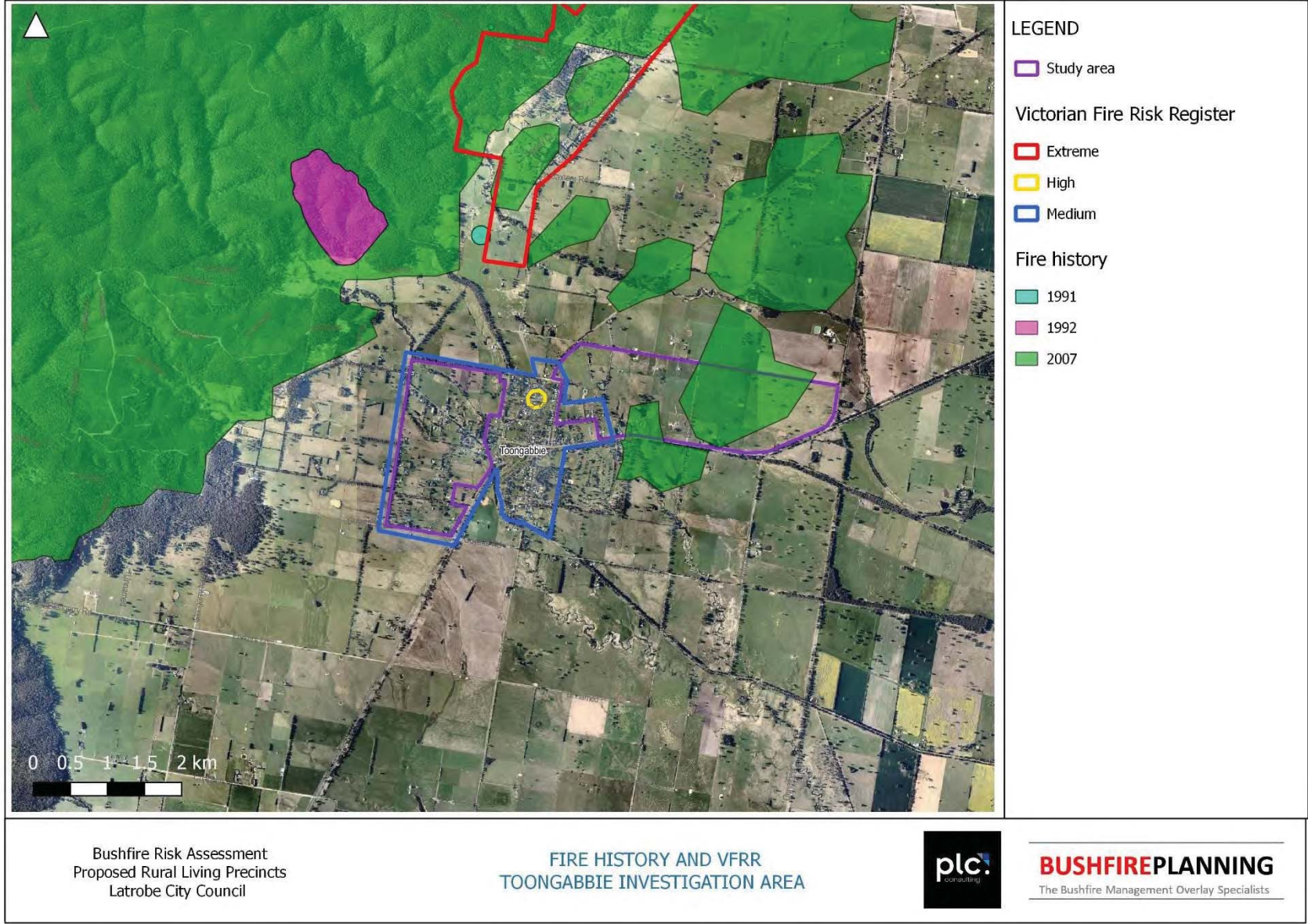
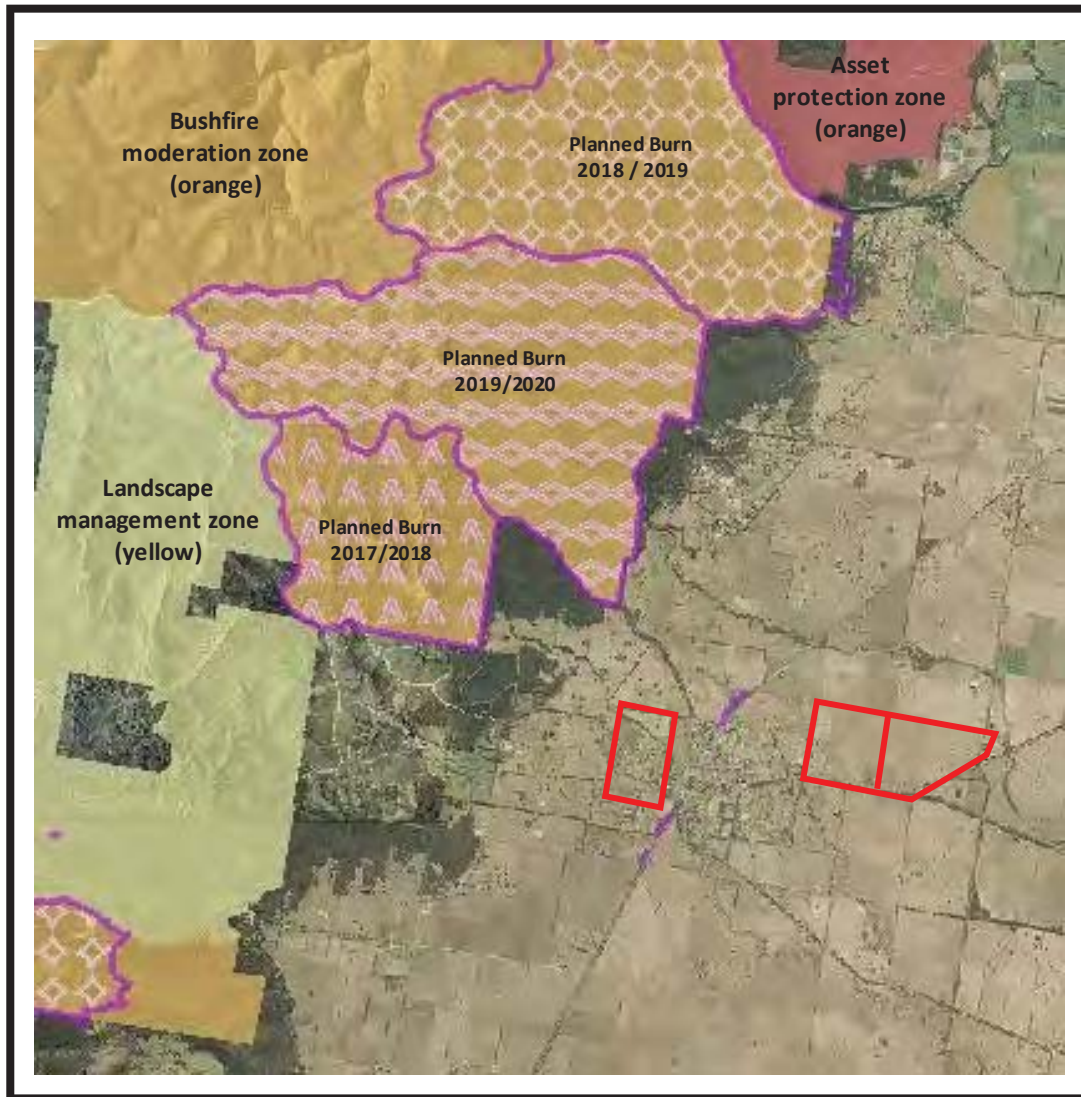
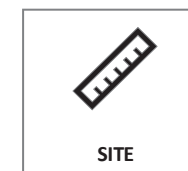


Figure 7A: Fire Operations Plans



Source: Victorian Government (<https://www.ffm.vic.gov.au/bushfire-fuel-and-risk-management/fire-operation-plans>)

4.0 ASSESSMENT OF THE HAZARD AT THE SITE SCALE TOONGABBIE STUDY AREA



Key points



The study area is relatively flat



Grasslands, unmanaged grasslands and limited areas of woodland are present



Site based exposure from a bushfire can be reduced to BAL12.5 or less

Discussion

The site level includes land subject to a planning scheme amendment (i.e. the study area). The key consideration is the level of exposure of future development, such as a dwelling, to flame contact and radiant heat from a bushfire. The level of exposure is determined based on how much defensible space, or separation, is provided from a permanent hazard to the asset.

The study area is flat. There are two types of bushfire hazard in the study area that will affect bushfire behaviour at the site scale:

- Managed and unmanaged grasslands. For the purpose of this report all grassland areas are assumed to be unmanaged.
- Limited areas of woodland. The limited areas of woodland will not have a significant bearing on future exposure.

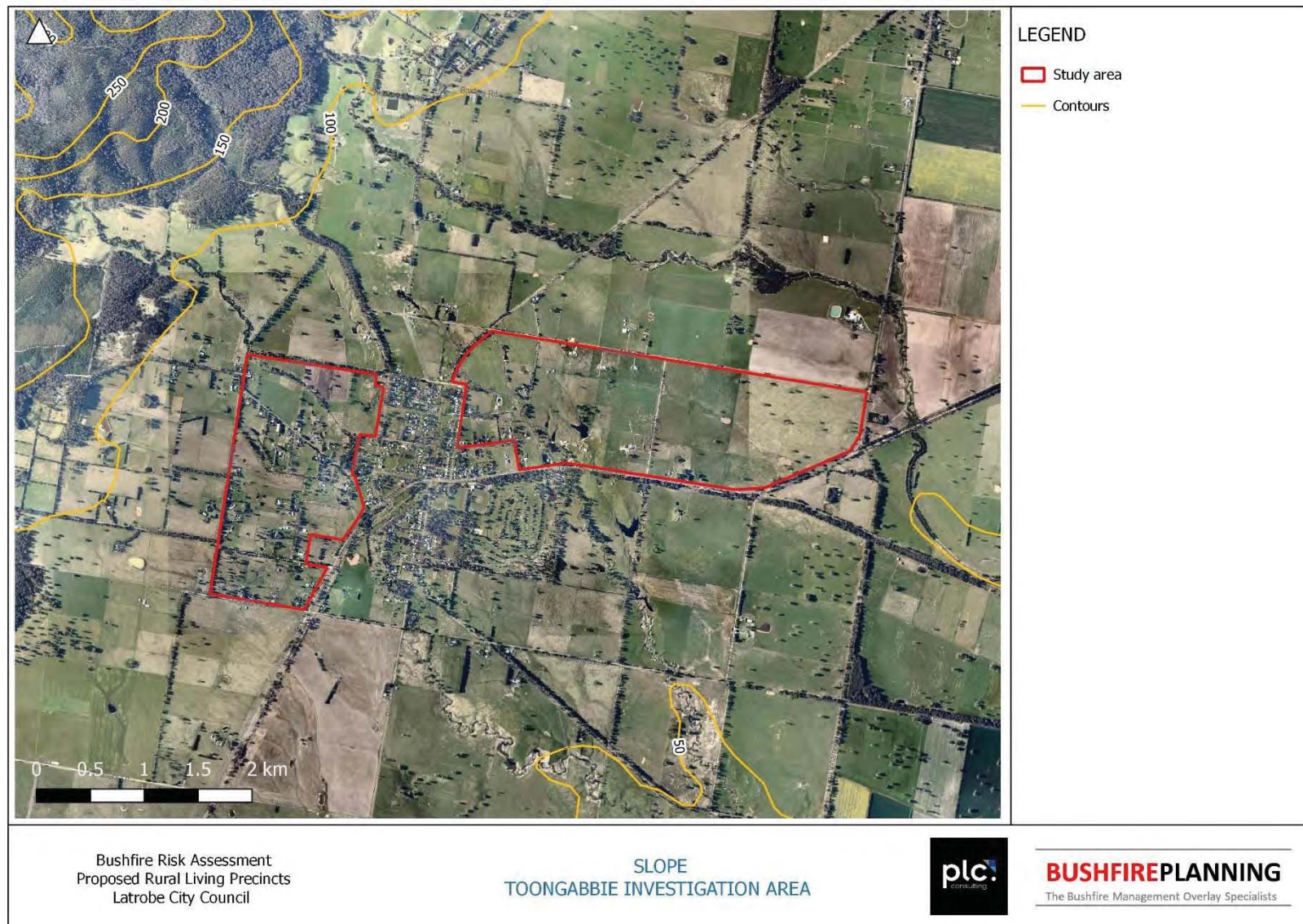
The following defensible space requirements arise for new development enabled by any planning scheme amendment, as required by Clause 13.02:

- Grassland: **23m** of defensible space / Column A in Clause 53.02 / **BAL12.5**
- Woodland: **33m** of defensible space / Column A in Clause 53.02 / **BAL12.5**

On the basis of the above, maximum exposure of no more than BAL12.5 can be achieved. This can be achieved through appropriate subdivision design that positions building envelopes that do not exceed the exposure benchmark. The requirement for this should be included as part of any changes to the exhibited planning scheme amendment through the use of a suitable planning scheme tool (for example, Design and Development Overlay, Development Plan Overlay).

It is noted that Harris Lane, which defines the western edge of the study area, is managed for the purpose of firefighting access, as documented in the Municipal Fire Prevention Plan (2013-16). Whilst not material to whether site-level exposure requirements can be met, these works may provide additional resilience on this edge Toongabbie.

Figure 8: SLOPE



5.0 OTHER FACTORS: SHELTER OPTIONS TOONGABBIE STUDY AREA



Key points

- There are no designated places of last resort in Toongabbie
- An area of BAL:Low is available within Toongabbie
- Higher levels of ember attack across Toongabbie creates a difficult shelter environment

Discussion

Designated places of last resort

A Neighbourhood Safer Place and a Community Fire Refuge can be designated by local councils after consultation with the Country Fire Authority. Strict criteria relating to radiant heat exposure must be met. A Community Fire Refuge is a building, whereas a Neighbourhood Safer Place may be a building or be an outside space. They are intended to be used by people when their primary bushfire plan has failed. They are promoted by local councils and fire authorities as places of last resort.

There is no Neighbourhood Safer Place or Community Fire Refuge located in or around Toongabbie.

BAL:Low locations

BAL:Low is a typology of location used in *AS3959-2009 Construction of buildings in bushfire prone areas* (Standards Australia). It defines a location that is not exposed to flame contact or levels of radiant heat from a fire front that is harmful to people. BAL:Low does not consider the risk from ember attack, especially where ember attack arises from vegetation more than 100m from a location (such as Toongabbie).




An area of BAL:Low is available in the settlement of Toongabbie, being land generally along Cowen Street between the post office and Toongabbie Village Green.

Despite the area of BAL:Low, Toongabbie will be subject to high levels of ember attack (see landscape assessment). Sheltering in an open environment creates a complex sheltering option for people as the conditions under ember attack can be dangerous and are difficult to mitigate.

6.0 OTHER FACTORS: STRATEGIC ACCESS TOONGABBIE STUDY AREA



Key points

-  Toongabbie is relatively isolated from neighbouring townships that may provide enhanced protection from a bushfire
-  Strategic access via vehicle is through grassland environments that may be subject to bushfire
-  Strategic access to the south, towards Glengarry, is afforded enhanced protection through fire prevention treatments

Discussion

Toongabbie is a relatively isolated settlement in the Gippsland plains. It is more than 7km away from another settlement and roads are exposed to grasslands. Some of these grasslands are managed as a result of agriculture.

Glengarry

To the south, towards Glengarry, access is provided via a 7km journey on the Traralgon-Maffra Road. This journey is exposed to grasslands for most of its length. The journey would be vulnerable to grassfires, particularly from ember attack from large forested areas to the west into grassland areas. Multiple grassfires in this environment is likely. The journey would be particularly vulnerable under a south-west wind change that could bring ember attack towards the road from the large forested areas south-west of the Toongabbie / Glengarry corridor.

The Latrobe City Fire Management Plan (2017) identifies that Traralgon-Maffra Road is subject to fuel management. It describes the intervention as full width cut from road shoulder to fence, excluding areas where there are strands of native vegetation (page 33). This affords the road enhanced protection for the purpose of strategic access from Toongabbie to Glengarry.

Cowwarr and Heyfield

To the north-east, access is provided to Cowwarr via a 10km journey on the Traralgon-Maffra Road. This journey is exposed to grasslands for most of its length and runs parallel for most of the journey to the large forested areas to the west. The journey would be vulnerable to grassfires, particularly from ember attack from large forested areas to the west into grassland areas. Multiple grassfires in this environment is likely, as occurred in 2007.

Another 10km on (and 20km from Toongabbie) is Heyfield. The journey from Cowwarr to Heyfield is relatively lower risk as separation from large forested areas increases the further east travelled. The journey would still be vulnerable to grassfires.

7.0 BIODIVERSITY TOONGABBIE STUDY AREA



Key points



Biodiversity factors are unlikely to impact on implementing bushfire safety measures

Discussion

Toongabbie is a relatively low fuel settlement.

Western part of the study area

The western part of the study area comprises existing rural living areas. These have some very small pockets of vegetation that could be classifiable as woodland if taking a very conservative approach. However, the prevailing vegetation type is managed grasslands. Most trees are contained in road reserves on the perimeter of the study area.

Eastern part of the study area

The eastern part of the study area comprises existing rural living areas and agricultural land. It contains some scattered trees. However, the prevailing vegetation type is managed grasslands. Most trees are contained in road reserves on the perimeter of the study area.

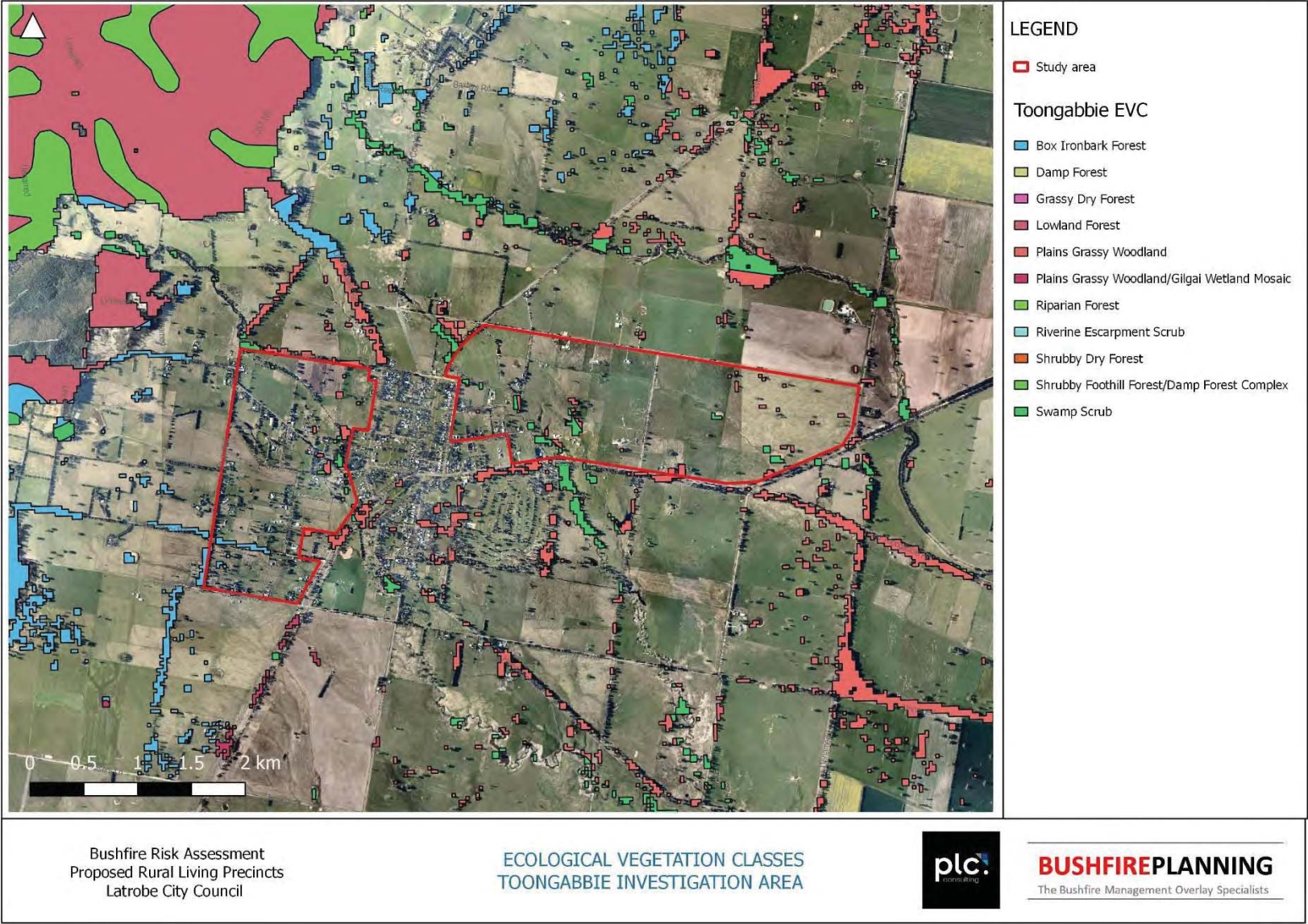
Commentary

The study area is not subject to vegetation protection planning scheme overlays. Lots over 0.4ha are subject to State-wide native vegetation requirements specified in Clause 52.17.

It is expected that the study area could readily achieve defendable space requirements either based on existing conditions, through subdivision design that avoids exposure from woodland areas, with modest modification to areas of woodland, or a combination of all of these.

The main objective in terms of biodiversity, in the context of enabling new risk through a planning scheme amendment, will be to secure through statutory planning instruments (i.e. planning permits, s173 agreements) the continuation of the existing low fuel conditions in conjunction with new development.

Figure 9: Ecological vegetation classes



8.0 CLAUSE 13.02 ASSESSMENT



Key points on landscape risk

- Residual risk to life is from ember attack
- Shelter options within Toongabbie comprise areas of BAL:Low. Strategic access to places of relatively enhanced safety involve long journeys on roads subject to grassfires
- Landscape risk is high
- Landscape Type Three best applies

Landscape Risk

The landscape-scale assessment concluded that the landscape risk is **high** arising from the heightened potential for grassfires and the potential for ember attack across Toongabbie, both driven by the forested areas to the west.

The *Bushfire Management Overlay Technical Guide* (DELWP, 2017) identifies landscape typologies to assist in understanding relative risk across Victoria. This landscape risk for the study area corresponds with parts of Landscape Type Two and Landscape Type Three. The common characteristic of both landscape types is that the type and extent of the bushfire hazard may result in neighbourhood scale destruction.

Landscape Type Two applies where a location is in a township area managed in a minimum fuel condition. This applies to the study area. However, despite the significant protective benefits of this (from a flame contact and radiant heat perspective), the landscape risk from ember attack is not mitigated given the extent of forested areas in the wider landscape.

There are no neighbourhood safer places or community fire refuges located in or around Toongabbie. Access to a more appropriate place that provides shelter from bushfire is not certain. The settlement is afforded enhanced protection by treatments to Traralgon-Maffra Road that seeks to mitigate the impact of bushfire for strategic access from Toongabbie to Glengarry, although the journey is 7km long. There is also an area of BAL:Low within Toongabbie providing some additional resilience where sheltering within the settlement is required.

On the basis of the potential for higher levels of ember attack and some uncertainty about shelter options, **Landscape Type Three** best applies to the study area.

The landscape risk is sufficiently high that further clarity should be sought on sheltering options and strategic access to ensure Clause 13.02 considerations can be fully met.

Where further clarity can be provided, Landscape Type Two may be a more appropriate landscape typology.

8.0 CLAUSE 13.02 ASSESSMENT



Key points on site-based exposure



Site based exposure benchmarks can be met

Site based exposure benchmarks as defined by Clause 13.02

The study area can achieve site based exposure limits for radiant heat flux of less than 12.5 kilowatts/square metre (BAL12.5) as required by Clause 13.02. This is made possible by the existing low-fuel characteristic of the study area meaning that defensible space can be provided to reduce exposure to radiant heat and flame contact from a fire front to the required levels.

The site based exposure requirements of Clause 13.02 can be met.

Areas of high biodiversity conservation value

It is beyond the scope of this report to make conclusions on the merits or otherwise of protecting vegetation that exists in the study area. However, the lack of existing vegetated areas may indicate that biodiversity factors are unlikely to impact on implementing bushfire safety measures.

The biodiversity requirements of Clause 13.02 are likely to be met.

However, if biodiversity issues arise there is no scenario that would enable biodiversity values to be balanced with bushfire considerations that would, in any way, reduce the level of bushfire protection to be provided. If the biodiversity impacts of implementing bushfire protection measures are not acceptable then the exhibited planning amendment should not proceed.

Key points on biodiversity



Biodiversity factors are unlikely to impact on implementing bushfire safety measures

8.0 CLAUSE 13.02 ASSESSMENT



Key points on alternative locations

- Alternative locations for new development are significantly lower risk

Key points on views of the relevant fire authority

- Further review and consideration is required before proceeding with a planning scheme amendment

Alternative locations for development

Clause 13.02 includes strategies that seek to direct new development to low risk locations. Given the high landscape risk, with Landscape Type Three applying to the study area, the need to consider alternative locations is essential.

It is noted that the two nearest larger settlements of Heyfield and Glengarry are lower risk than Toongabbie. They have less exposure to the large forested areas and the potential for extreme ember attack is reduced or removed. The relative risk reduction between these locations is significant from a life safety perspective.

The is a need to further consider alternative, lower risk locations for new development, including the potential benefits for directed development to Glengarry in particular.

The views of the relevant fire authority

Clause 13.02 identifies that a key element of a risk assessment is to consult early with the relevant fire authority to receive their recommendations and implement appropriate bushfire protection measures.

The Council has advised that consultation with the Country Fire Authority was undertaken during the preparation of the Rural Land Use Strategy which identified precincts for inclusion within a Rural Living Zone and which forms the basis for the exhibited planning scheme amendment.

Following preparation and endorsement of the Rural Land Use Strategy and Council approval to progress a planning scheme amendment, bushfire requirements were updated by Amendment VC140 in December 2017.

In response to this, Council commissioned further assessments (this report) and is currently working with the Country Fire Authority.

9.0 CONCLUSIONS



Key points

- The high landscape risk has not been mitigated by the exhibited planning scheme amendment
- The lack of credible shelter options in an area subject to higher levels of ember attack is problematic
- Alternative locations for development may be available

Conclusions

Clause 71.02-3 requires planning authorities, in bushfire areas, to prioritise the protection of human life over all other policy considerations. Clause 13.02 sets the objective for the State planning policy for bushfire as:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

A planning scheme amendment to enable further subdivision in the study area benefits from the existing low-fuel areas of Toongabbie, including an area of BAL:Low, and the ready ability to meet site based exposure benchmarks for development to achieve no more than BAL12.5. Combined with limited biodiversity issues, many elements of the proposal are consistent with Clause 13.02.

However, the study area will be subject to higher levels of ember attack into grassland areas and across Toongabbie. For this reason the landscape risk is high, evidenced by Landscape Type Three applying. Central to Landscape Type Three is the lack of credible shelter options immediately available or credible strategic access to a place of absolute safety. These conditions apply to the study area.

Given the priority placed on life safety by the planning scheme, the lack of shelter options or evacuation options means a planning scheme amendment cannot demonstrate that life safety has been prioritised over all other considerations. A planning scheme amendment in this bushfire context is problematic. The potential for alternative locations to be available to accommodate additional development reinforces the potential opportunity to direct new development to other, much lower risk locations.

10.0 RECOMMENDATIONS



Key points

- Undertake further investigations to resolve outstanding issues
- Proceed with the exhibited planning scheme amendment where outstanding issues are resolved

Recommendations

It is recommended that the Council undertake further investigations to resolve outstanding issues and to ensure all relevant considerations in Clause 13.02 are addressed. If outstanding issues can be satisfactorily resolved, it would be appropriate to proceed with the exhibited planning scheme amendment. This approach would be consistent with strengthening the resilience of settlements and communities to bushfire and prioritising human life over all other policy considerations.

Further investigate alternative lower risk locations

Clause 13.02 includes strategies that seek to direct new development to low risk locations. Given the high landscape risk, the need to consider alternative locations is essential. The Council should consider whether rural living development proposed to be enabled by the exhibited planning scheme amendment could be provided in a lower-risk location. By considering alternative locations, the risk differences between locations can be fully considered.

Further investigate shelter options

There is a high possibility that occupants of development enabled by the exhibited planning scheme amendment will need to shelter within Toongabbie. This report has concluded that an area of BAL:Low is available in Toongabbie as required by Clause 13.02. However, the report has also noted that Toongabbie has no formalised shelter option (for example, a neighbourhood safer place).

The extent of forested areas in the wider landscape means high levels of ember attack should be expected. The Council should further investigate the suitability of sheltering in an environment potentially exposed to higher levels of ember attack. It should satisfy itself, in conjunction with the Country Fire Authority, that sheltering on private land, within dwellings and, where necessary, in the area of BAL:Low identified in Toongabbie, is an acceptable outcome.

Further investigate strategic access options

There is a high possibility that occupants of development enabled by the exhibited planning scheme amendment will seek to move away from Toongabbie, before or during a bushfire event, towards the relatively enhanced safety of Glengarry. The report has noted that the Traralgon-Maffra Road is heavily exposed to grassland interfaces along its entire length, but that the road is also afforded fuel management through the Council's fire prevention activities.

The Council should further investigate the suitability of strategic access to Glengarry. It should satisfy itself, in conjunction with the Country Fire Authority, that strategic access is suitable during a bushfire event. Any necessary further mitigation should be committed to by the Council as part of progressing with the exhibited planning scheme amendment and included as part of the Municipal Fire Management Plan.

10.0 RECOMMENDATIONS



Where strategic access is not considered to be viable for the purpose of creating new risk, the need to secure acceptable outcomes for sheltering options within Toongabbie is even more critical.

Further investigate the extent of grassland interfaces

The extent of grassland interfaces being created through the exhibited planning scheme amendment, particularly to the east of Toongabbie, may be problematic given the risk from grassfires in this landscape.

Opportunities to consolidate Toongabbie around the existing low-fuel settlement would minimise the creation of new 'edges' to the settlement and may afford existing development heightened protection. Where this is possible, it could represent a protective benefit for existing areas and this may be material to considering the net-risk change for Toongabbie if the exhibited planning scheme amendment proceeds.

Other matters

If the exhibited planning scheme amendment proceed, bushfire safety measures will need to be incorporated into the planning scheme amendment in response to the landscape risk. These requirements should apply irrespective of whether the Bushfire Management Overlay applies to any part of the study area.

The bushfire safety measures should be included as part of any changes to the exhibited planning scheme amendment through the use of a suitable planning scheme tool (for example, a Design and Development Overlay or a Development Plan Overlay).

Construction standard

BAL29 construction requirements should be required to ensure a higher level of ember mitigation in any new development. A BAL29 will also provide enhanced radiant protection from localised burning elements (such as gardens, sheds, other dwellings).

Fuel management

Given the relatively low-fuel existing conditions across the study, defensible space requirements can be readily applied to all areas subdivided and this is recommended to mitigate the landscape risk and to secure low-fuel conditions in conjunction with future development.

It will be important that suitable mechanisms are established (for example, planning permit conditions, section 173 agreements, actions for municipal fire prevention planning) to secure these low-fuel conditions in perpetuity. This should include consideration of passive vs active compliance regimes and the Council's willingness to enforce non-compliance if it occurs.

ATTACHMENT 1: ASSUMPTIONS

Discussion

Assumptions

Likely bushfire weather in Victoria

The Department of Environment, Land, Water and Planning (DELWP) identifies the typical features of bushfire weather as:

- A forest fire danger index of well over 100.
- Severe drought conditions.
- Temperatures above 40°C.
- Relative humidity below 10%.
- Strong to gale-force north-westerly winds.
- A strong to gale-force west-south-westerly wind change that turns the eastern flank of a running bushfire into a wide new fire front.

DELWP notes that these weather conditions are representative of where a bushfire does most of its damage in a single day. The greatest loss of life and property have historically been caused by such single day bushfires. It is also noted that in some landscapes multi-day bushfires can also arise, typically in heavily forested areas such in alpine areas and parts of Gippsland (Source: *Measuring Bushfire Risk in Victoria*, DELWP (2015)).

Fire authority attendance at a specific bushfire event

Under Victoria's likely bushfire weather, as seen for example on Black Saturday and Ash Wednesday, multiple bushfire arise and place considerable pressure on the resources of emergency services. This report therefore assumes that, when combined with the likely bushfire weather in Victoria, fire authority resource depletion is likely and on this basis fire authority attendance at a specific bushfire event is not to be expected or relied upon.

12. ATTACHMENT: Proposed Farming Zone – Schedule 2 Bushfire Risk Assessments



Moe South and Hernes Oak Bushfire Risk Assessment

November 2018 – Version 2.0

Moe South and Hernes Oak, Victoria

1. Introduction

Fire Risk Consultants has been engaged by the Latrobe City Council to assist with detailed bushfire risk assessment support in relation to Amendment C105 to the Latrobe Planning Scheme.

Amendment C105 to the Latrobe Planning Scheme has been prepared by the Latrobe City Council and amongst other things, seeks to deal with the State planning direction covered in VC140 by making sound strategic decisions around bushfire risk and mitigation across the entire municipality.

A study of precinct bushfire risk assessment was commissioned in four distinct precincts including Moe South / Hernes Oak, Yinnar South, Callignee and Narracan North. These locations are affected by proposed changes within Amendment C105, which identify each precinct as supporting ‘Mixed Farming’, which includes ‘*niche and small scale farming, hobby farms, tourism and associated dwellings*’, (Clause 21.05, Strategy 1.4). It is proposed to apply the Farming Zone – Schedule 2 (FZ2) to these precincts. It is understood that this does not alter the minimum land area for which a planning permit is required to use land for a dwelling or subdivision, which is set at 40 hectares.

The Moe South/Hernes Oak Precinct: The Moe South and Hernes Oak area is ranked number 14 of the fifteen highest risk localities in Latrobe based on Phoenix modelling combined with the number of address points (*Profile of Bushfire Risk within Latrobe City 2015*).

2. Methodology

The ‘*Planning Permit Applications Bushfire Management Overlay Technical Guide*’ (DELWP 2017) provides a methodology for the assessment of bushfire risk at a landscape scale. Whilst the report is not assessing a permit application, and not all areas being assessed are within a BMO, the methodology for understanding land risk is considered applicable in this report. This process has been utilised in the on ground assessment of the current bushfire risk in Moe South/Hernes Oak.

In forming our analysis of the current bushfire risk we have investigated vegetation types and the overall fuel hazard present, topography, fire history, access and egress for the community, management of fuel along road corridors, critical infrastructure, and local bushfire mitigation measures.

Several documents are also useful in the collection of information relating to bushfire risk for Moe South/Hernes Oak at a landscape scale, and these documents include:

- Latrobe City Fire Management Plan 2017-2020
- Victorian Fire Risk Register
- Profile of Bushfire Risk Latrobe City July 2015 (including 2016 update)
- Phoenix Rapid Fire Data
- Strategic Bushfire Management Plan – East Central
- Bushfire Management Overlay and Bushfire Prone Area maps

Moe South and Hernes Oak Bushfire Risk Assessment

Current bushfire mitigation strategies programmed by Government and non-Government organisations and industry have been drawn from information contained in the Latrobe City Fire Management Plan - Attachment B Multi Agency Works Plan.

3. Precinct Assessment

Site assessments were conducted at Moe South and Hernes Oak over several days between the 23rd and 26th October by Graeme Taylor – Managing Director and Mark Potter – Senior Consultant.

The area of Moe South and Hernes Oak assessed as part of this precinct bushfire risk assessment is the area south of the Princes Hwy and east of Coalville Rd, stopping west of McDonalds Track. An area north of the Princes Hwy directly east of the Newborough township was also assessed. This includes the precinct known as Hernes Oak.

Deliberately lit fires north and south of the Princes Hwy in February 2014 burnt considerable plantation, agricultural and mixed farming country. These fires also impacted the Hazelwood power station coal mine which resulted in a fire burning within the mine for several weeks.

A defining feature of the Moe South precinct is the older residential development along Coalmine Rd, which is the main access route for those wishing to travel south of the Princes Highway. This area would be particularly susceptible to ember attack from an intense wildfire burning within the Edward Hunter Reserve under prevailing north westerly winds.

There are managed plantation assets and native vegetation dotted across the landscape of Moe South and Hernes Oak. Of note is the long unburnt native vegetation and extreme fuel loads in areas not affected by the 2014 fires. This includes significant fuel on roadsides and private property, which is more prevalent the further south you travel.

A fire occurring under an elevated fire danger index would travel across the Moe South and Hernes Oak landscape via spotting from native vegetation into open grassland, plantation and other stands of native vegetation.

During our site assessments we noted that many homes in the area are on small lifestyle holdings and in most cases maintain reasonable separation distances from the surrounding vegetation. This includes management of their land to defensible space requirements. This was encouraging to note.

Topography of the area is gently rolling hills that appear to become steeper to the south of the existing Moe South precinct. Land adjacent to the Princes Hwy is a mixture of agricultural pursuits including hardwood plantations.

To recognise the bushfire risk to the areas of Moe South and Hernes Oak, a Bushfire Prone Area and Bushfire Management Overlay has been allocated to much of the precinct. Both of these controls require the consideration of a wide range of treatments when developing land.

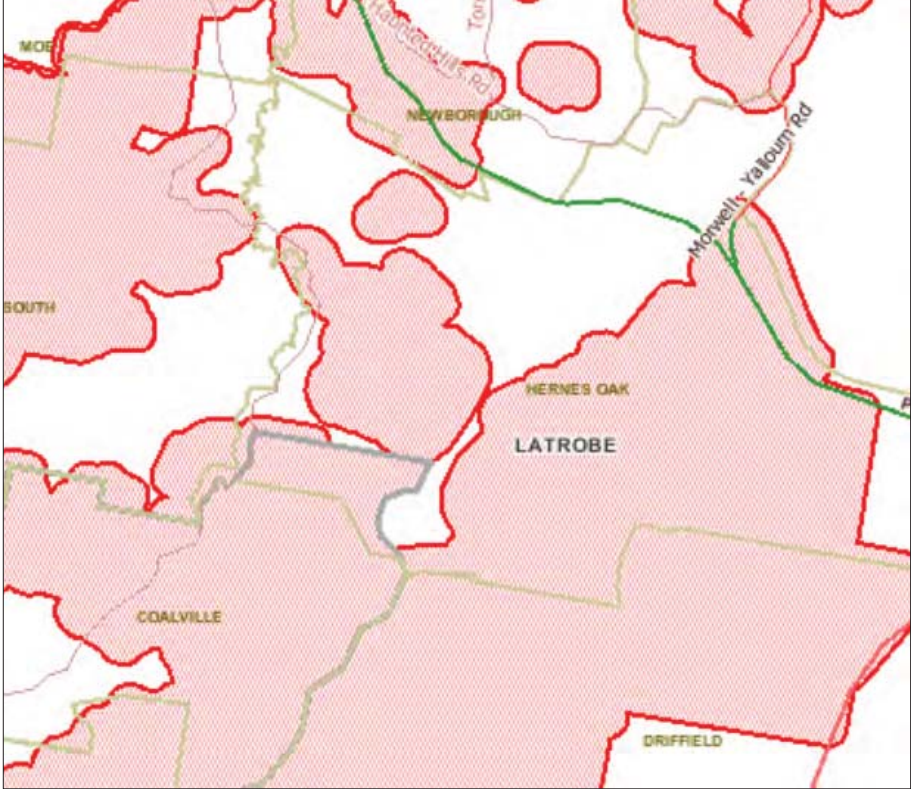


Figure 1 - Bushfire Management Overlay covering Callignee and surrounding areas

The Victorian Fire Risk Register classifies human settlement risk for Moe South and Hernes Oak at both extreme and very high, dependant on the location.

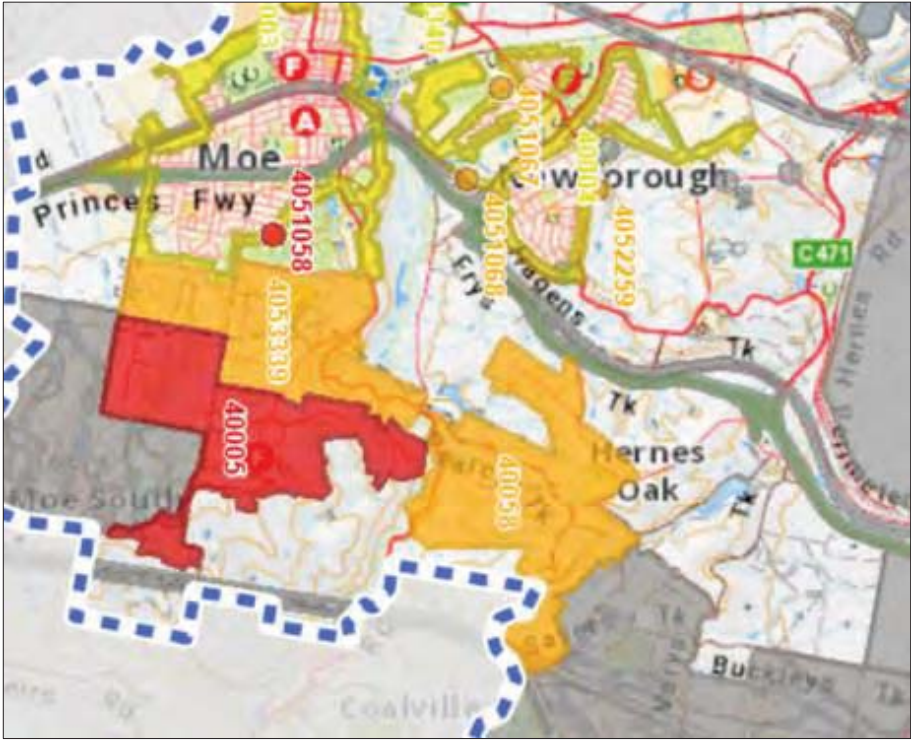


Figure 2 - Victorian Fire Risk Register human settlement assets risk analysis in 2017. Areas of extreme risk in red and very high in orange

Moe South and Hernes Oak Bushfire Risk Assessment



Photo 1 – Moe South landscape, looking east from Coalville Rd towards Hernes Oak. Note area of native vegetation within cleared agricultural land



Photo 2 – Moe South landscape, looking west from Coalville Rd towards Edward Hunter Reserve. Although this area is just outside the proposed FZ2 planning amendments the proximity of extreme fuel hazard within the reserve is worth noting

4. Observations

Overall, the bushfire risk to Moe South and Hernes Oak is very high to extreme and this is supported by all of the available data and reports. The treatment of this risk through the initiatives outlined in the Latrobe City Fire Management Plan should be considered as a minimum. The Planning Scheme requires consideration of this risk to be managed for new uses and developments with the Bushfire Management Overlay (BMO). Within areas identified as being within a Bushfire Prone Area (BPA) the Building Regulations requires certain standards to be met for new developments.

Plantation assets in the area are acknowledged in the Latrobe City Fire Management Plan as an increased fire risk when compared to other bushfire fuels such as managed grassland. The plantations in the area are recorded as having fire protection plans and be subject to pre summer bushfire mitigation works.

The rail and road corridors running east west through the Moe South and Hernes Oak areas are recorded as having annual bushfire mitigation treatments by their respective land managers. It is always timely to integrate these works into other treatments being undertaken by Council, CFA and DELWP where possible. Several roads in the area are listed as secondary firebreaks in Attachment I of the Latrobe Fire Management Plan.

Anecdotal information received from CFA is that deliberately lit fires have been a problem in the past. This triggers a need for greater vigilance and enforcement of initiatives such as prevention patrols and targeted compliance activities.

The proposed Farming Zone – Schedule 2 does not alter the minimum land for which a permit is required to use land for a dwelling or subdivision which currently applies. Therefore, the risk to the residents from the road network, vegetation and other factors will not see an overall increase in risk.



Figure 3 - Proposed Amendment C105 to the Latrobe Planning Scheme (Farming Zone 2 Precinct Map, Moe South and Hernes Oak)

Visual inspection of the proposed FZ 2 amendment has allowed the consultants to form the view that the majority of the land within this area is grassland, much of which appears to be grazed by sheep and cattle. Fodder production namely hay and silage making was also present. All of these actions across the landscape help to mitigate bushfire risk.

5. Conclusion

As outlined in all of the available data and publications, the bushfire risk to the precinct of Moe South and Hernes Oak is in the very high to extreme category. The proximity of these communities to long unburnt native vegetation, plantations and other bushfire fuel sources are the key reason behind this assessment.

It is critical that any strategic planning treatment or change does not allow an increase in bushfire risk. It is difficult to clearly articulate any single treatment option however good practice identifies that as a minimum an effective balance of managed vegetation (roadsides, reserves and private land), effective road networks, managed population and buildings designed and constructed to the Australian Standard will reduce the risk from bushfire.

The Hernes Oak bushfire of 2014 has reduced fuel loads along the Princes Hwy corridor. A future strategy for the ongoing bushfire fuel management in native vegetation on Council land and private property could make use of this fuel reduced buffer and build additional treatments into those key areas of native vegetation that are deemed to be critical to bushfire spread in the area.

Moe South and Hernes Oak Bushfire Risk Assessment

We note that information provided from CFA is that there are several Community Fireguard groups active in the area.

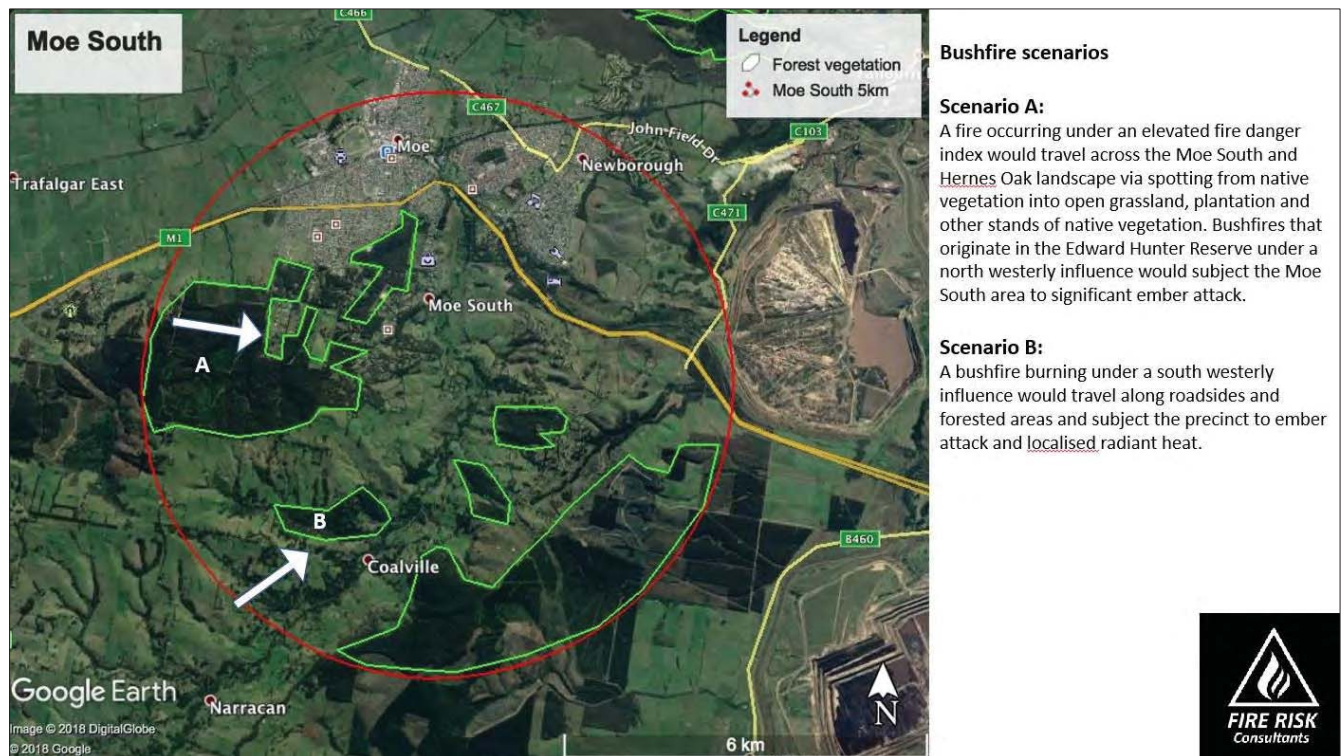


Figure 4 – Landscape Bushfire Risk Assessment and likely scenarios for Moe South and Hernes Oak area

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Narracan North Bushfire Risk Assessment

November 2018 – Version 2.0

Narracan North (west of Yallourn North), Victoria

1. Introduction

Fire Risk Consultants has been engaged by the Latrobe City Council to assist with detailed bushfire risk assessment support in relation to Amendment C105 to the Latrobe Planning Scheme.

Amendment C105 to the Latrobe Planning Scheme has been prepared by the Latrobe City Council and amongst other things, seeks to deal with the State planning direction covered in VC140 by making sound strategic decisions around bushfire risk and mitigation across the entire municipality.

A study of precinct bushfire risk assessment was commissioned in four distinct precincts including Moe South / Hernes Oak, Yinnar South, Callignee and Narracan North. These locations are affected by proposed changes within Amendment C105, which identify each precinct as supporting ‘Mixed Farming’, which includes ‘*niche and small scale farming, hobby farms, tourism and associated dwellings*’, (Clause 21.05, Strategy 1.4). It is proposed to apply the Farming Zone – Schedule 2 (FZ2) to these precincts. It is understood that this does not alter the minimum land area for which a planning permit is required to use land for a dwelling or subdivision, which is set at 40 hectares.

Lake Narracan North Precinct (west of Yallourn North): The area around the north shore of Lake Narracan and the adjacent Yallourn North township is ranked number 5 of the fifteen highest risk localities in Latrobe based on Phoenix modelling combined with the number of address points (*Profile of Bushfire Risk within Latrobe City 2015*).

2. Methodology

The ‘Planning Permit Applications Bushfire Management Overlay Technical Guide’ (DELWP 2017) provides a methodology for the assessment of bushfire risk at a landscape scale. Whilst the report is not assessing a permit application, and not all areas being assessed are within a BMO, the methodology for understanding land risk is considered applicable in this report. This process has been utilised in the on ground assessment of the current bushfire risk in the Narracan North area.

In forming our analysis of the current bushfire risk we have investigated vegetation types and the overall fuel hazard present, topography, fire history, access and egress for the community, management of fuel along road corridors, critical infrastructure, and local bushfire mitigation measures.

Several documents are also useful in the collection of information relating to bushfire risk for Narracan North at a landscape scale, and these documents include:

- Latrobe City Fire Management Plan 2017-2020
- Victorian Fire Risk Register
- Profile of Bushfire Risk Latrobe City July 2015 (including 2016 update)
- Phoenix Rapid Fire Data
- Strategic Bushfire Management Plan – East Central
- Bushfire Management Overlay and Bushfire Prone Area maps

Narracan North Bushfire Risk Assessment

Current bushfire mitigation strategies programmed by Government and non-Government organisations and industry have been drawn from information contained in the Latrobe City Fire Management Plan - Attachment B Multi Agency Works Plan.

3. Precinct Assessment

Site assessments were conducted in the Narracan North area over several days between the 23rd and 26th October by Graeme Taylor – Managing Director and Mark Potter – Senior Consultant.

The area analysed was east of the Moe-Walhalla Road and west of the Yallourn North Township. The southern boundary of the assessment area is the Lake Narracan recreational area (north shore). The plantations to the north of these areas form the northern boundary of the assessment area.

The major Moondarra bushfire of January and February 2006 burned over 15,000 hectares of public land and private property north of the precinct and caused considerable anxiety for private property owners and residents, plantation owners and recreational visitors to the Lake Narracan area. This fire also burnt into the declared catchment of the Moondarra Reservoir.

The Narracan North landscape is dotted with plantations in varying stages of maturity. Several plantations directly west of the Yallourn North township appear to have been harvested in the last 18 months. Some of these recently harvested areas appear to have not been replanted.

Topography in the area is typical of the Gippsland foothills. Gently undulating slopes covered in mixed species eucalypts are prevalent. Many of the gullies and creeks contain remnant stands of native vegetation.

A landscape bushfire event in this location is a significant threat, largely due to the continuous tracks of public land to the north of this precinct. A fire burning under elevated FDI's has the ability to spread from the heavily forested public land onto private property. This scenario is backed by Phoenix modelling conducted by DELWP.

A fire occurring under an elevated fire danger index would travel across the Tanjil, Narracan North and Yallourn North landscape via spotting from native vegetation into open grassland, plantation and other stands of native vegetation.

The area is comprised of many lifestyle holdings of varying sizes and development. A significant amount of native vegetation on private property was also observed, including some that appeared to be long unburnt. In many of these location the overall bushfire fuel hazard was recorded as extreme.

Roadsides in the area contain high levels of elevated scrub and native vegetation. In some instances we observed mature eucalyptus maintaining canopy connectivity of vegetation above the roadway, some of which are very narrow. These two factors are particularly troublesome for limiting the effectiveness of first attack on bushfires for responding firefighters.

To recognise the bushfire risk to the areas of Narracan North and west of the Yallourn North township, a Bushfire Prone Area and Bushfire Management Overlay has been allocated to much of the precinct. Both of these controls require the consideration of a wide range of treatments when developing land.

Narracan North Bushfire Risk Assessment

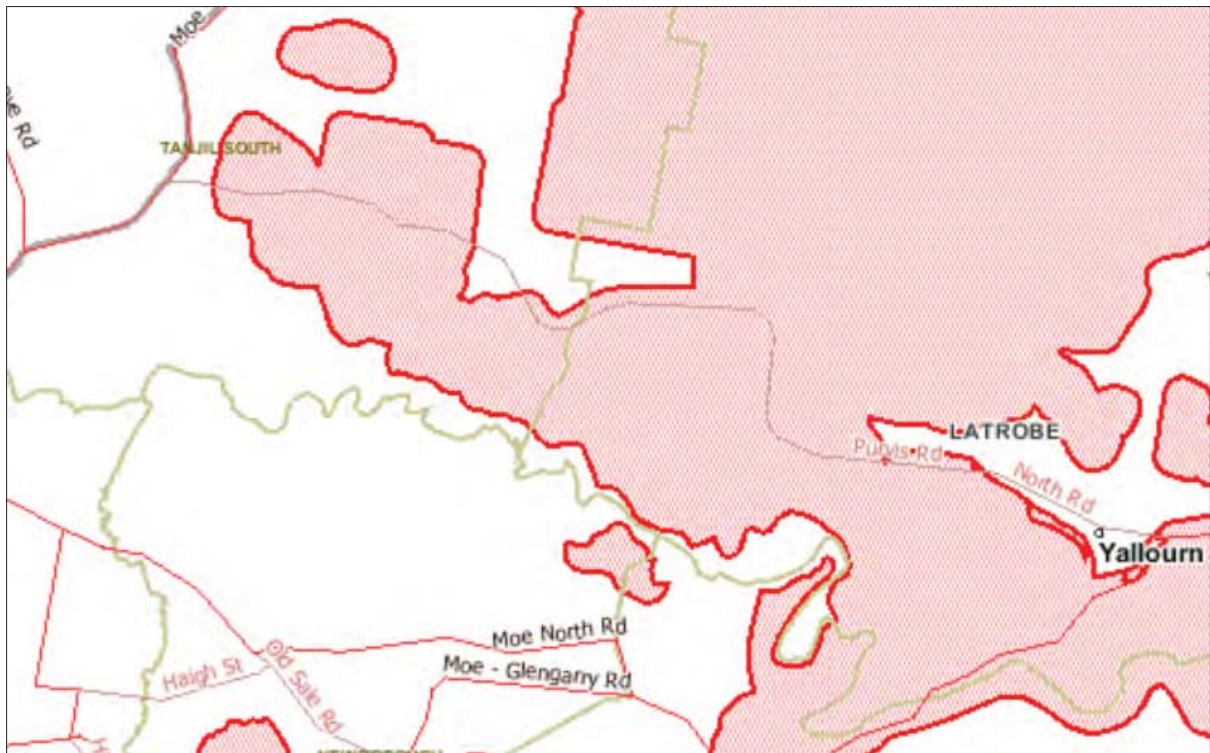


Figure 1 - Bushfire Management Overlay covering Narracan North and surrounding areas

The Victorian Fire Risk Register classifies human settlement risk for Narracan North at extreme.

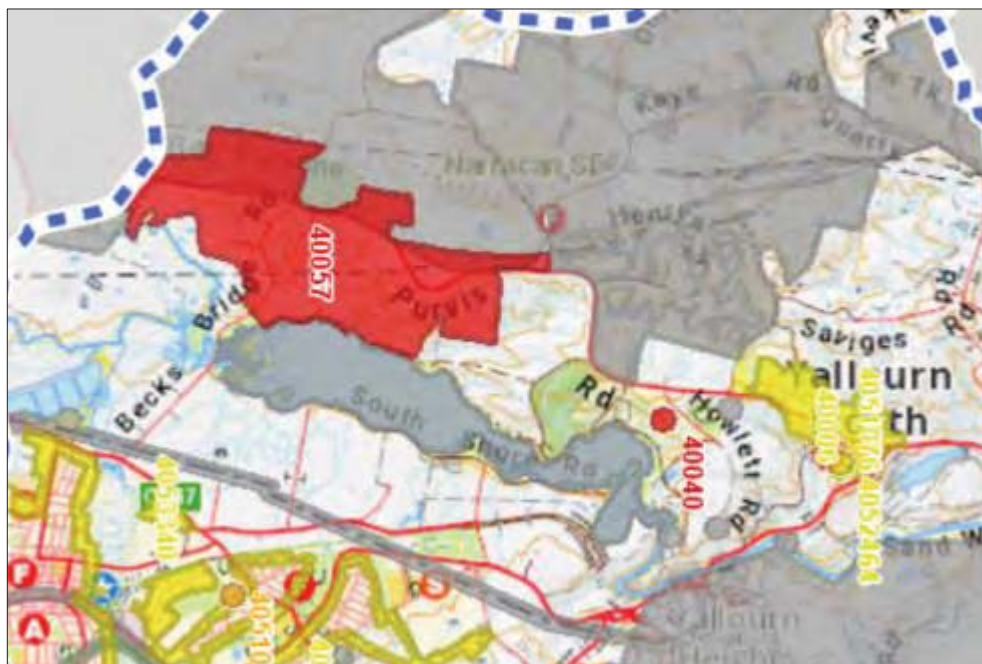


Figure 2 - Victorian Fire Risk Register human settlement assets risk analysis in 2017. Areas of extreme risk in red

Narracan North Bushfire Risk Assessment



*Photo 1 – Narracan North landscape, looking east from Becks Bridge Rd towards foothills on Lake Narracan north shore.
Note area of native vegetation within cleared agricultural land*



Photo 2 – Purvis Rd, looking east towards Anderson Road. Note height of native vegetation adjacent to road



Photo 3 – Taken from Anderson Road, looking northwest towards Moondarra Forest. Recently harvested plantation in foreground. Area of mature native vegetation along both ridges visible in rear of photo. Areas of long unburnt forest present.

4. Observations

Overall, the bushfire risk to Narracan North and west of the Yallourn North township is extreme and this is supported by all of the available data and reports. The treatment of this risk through the initiatives outlined in the Latrobe City Fire Management Plan should be considered as a minimum. The Planning Scheme requires consideration of this risk to be managed for new uses and developments with the Bushfire Management Overlay (BMO). Within areas identified as being within a Bushfire Prone Area (BPA) the Building Regulations requires certain standards to be met for new developments.

Plantation assets in the area are acknowledged in the Latrobe City Fire Management Plan as an increased fire risk when compared to other bushfire fuels such as managed grassland.

Integration between the plantation owners/managers, CFA and the Latrobe City is a key component to mitigating bushfire risk in the area. Works undertaken by the key organisations are outlined in the multi-agency works plan and where possible should be integrated to compliment other works.

The plantations in the area are recorded as having fire protection plans and be subject to pre summer bushfire mitigation works.

The road corridors, as previously outlined in this report are particularly problematic in this area. East/West and North/South corridors should be maintained to a high standard to assist in the access and egress of residents. These roadsides are also logical areas to stop the spread of bushfire to/from during bushfire events under lower FDI's. Purvis Road is listed as a primary strategic firebreak in Attachment I of the Latrobe Fire Management Plan.

Narracan North Bushfire Risk Assessment

Information received from CFA is that historically several bushfires have been caused from escaped burnoffs in the area. This cause origin of bushfire can be mitigated somewhat by targeted education of the community and enforcement against individuals where required.

The proposed Farming Zone – Schedule 2 does not alter the minimum land for which a permit is required to use land for a dwelling or subdivision which currently applies. Therefore, the risk to the residents from the road network, vegetation and other factors will not see an overall increase in risk.

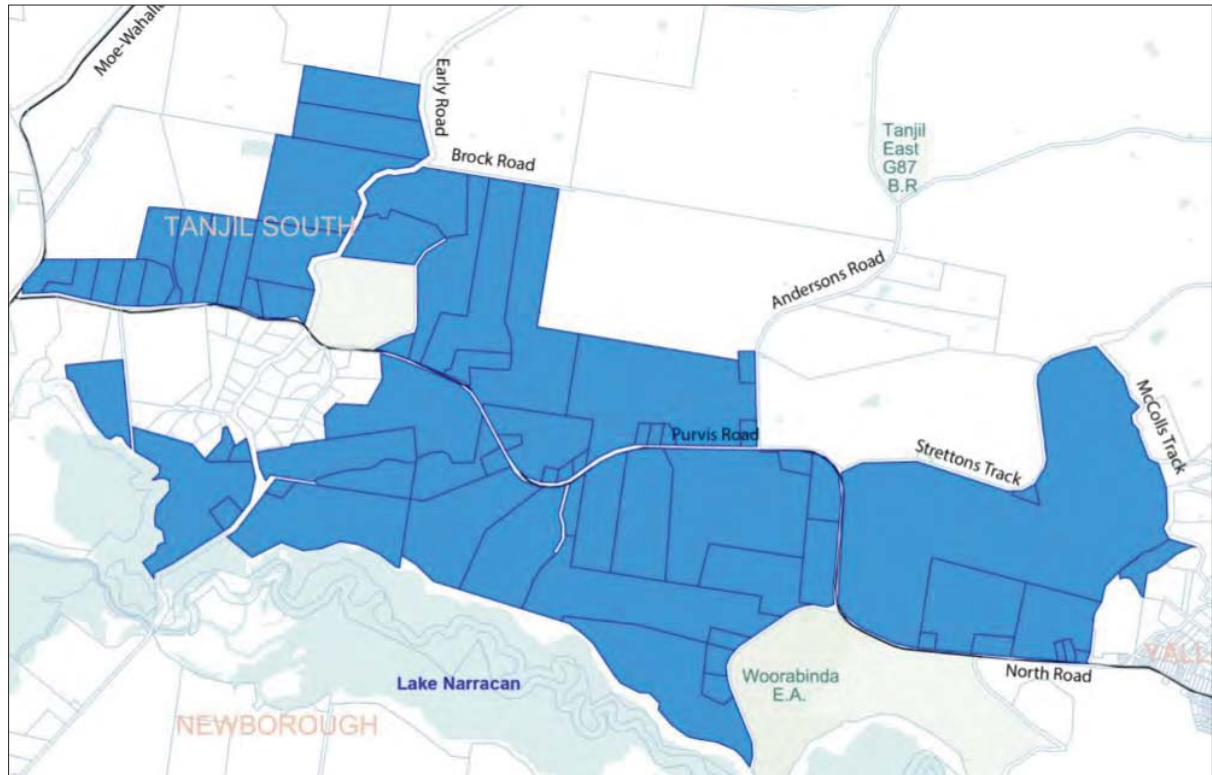


Figure 3 - Proposed Amendment C105 to the Latrobe Planning Scheme (Farming Zone 2 Precinct Map, Narracan North, being the area west of the Yallourn North township)

Visual inspection of the proposed FZ 2 amendment has allowed the consultants to form the view that the land within this area is a mixture of grassland used for agricultural production, plantations and stands of native vegetation on private property. Some of the pockets of native vegetation on private property are greater than 5 hectares in size.

5. Conclusion

As outlined in all of the available data and publications, the bushfire risk to a large part of the Narracan North precinct is in the extreme category. The proximity of this community to the Great Dividing Range and the Gippsland Foothills is a key driver of this risk rating.

Significant areas of managed plantations exist between the public land and the majority of the lifestyle and semi-rural dwellings. The proximity of this amount of bushfire fuel also increases the bushfire risk to built assets such as dwellings.

Narracan North Bushfire Risk Assessment

It is critical that any strategic planning treatment or change does not allow an increase in bushfire risk. It is difficult to clearly articulate any single treatment option however good practice identifies that as a minimum an effective balance of managed vegetation (roadsides, reserves and private land), effective road networks, managed population and buildings designed and constructed to the Australian Standard will reduce the risk from bushfire.

DELWP and Parks Victoria continue to implement a prescribed burning program on the Public Land when conditions and resources permit. The burning of strategic sections of large tracts of public land must continue as a means to further mitigate bushfire risk.

We note that information provided from CFA is that there are Community Fireguard groups active in the area.

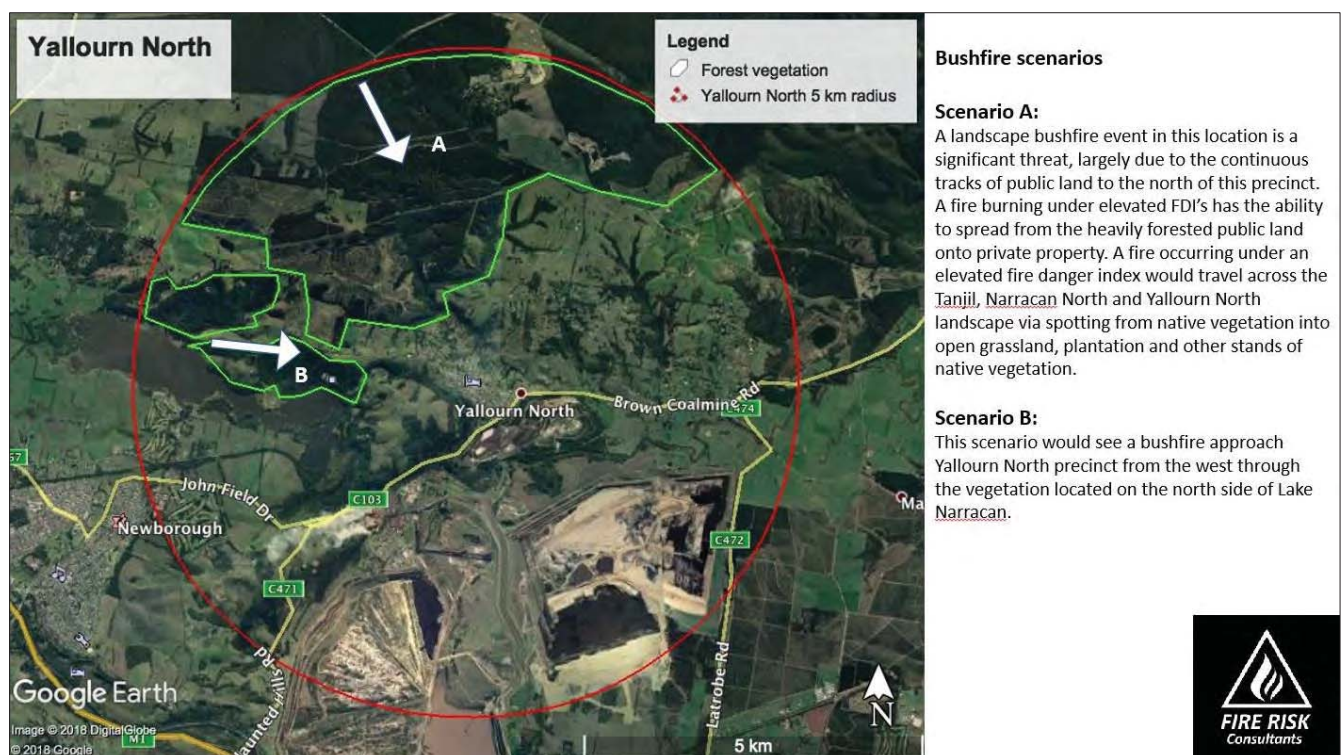


Figure 4 – Landscape Bushfire Risk Assessment and likely scenarios for Narracan North area

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Yinnar South Bushfire Risk Assessment

November 2018 – Version 2.0

Yinnar South, Victoria

1. Introduction

Fire Risk Consultants has been engaged by the Latrobe City Council to assist with detailed bushfire risk assessment support in relation to Amendment C105 to the Latrobe Planning Scheme.

Amendment C105 to the Latrobe Planning Scheme has been prepared by the Latrobe City Council and amongst other things, seeks to deal with the State planning direction covered in VC140 by making sound strategic decisions around bushfire risk and mitigation across the entire municipality.

A study of precinct bushfire risk assessment was commissioned in four distinct precincts including Moe South / Hernes Oak, Yinnar South, Callignee and Narracan North. These locations are affected by proposed changes within Amendment C105, which identify each precinct as supporting 'Mixed Farming', which includes 'niche and small scale farming, hobby farms, tourism and associated dwellings', (Clause 21.05, Strategy 1.4). It is proposed to apply the Farming Zone – Schedule 2 (FZ2) to these precincts. It is understood that this does not alter the minimum land area for which a planning permit is required to use land for a dwelling or subdivision, which is set at 40 hectares.

The Yinnar South Precinct: Yinnar South is ranked number 9 of the fifteen highest risk localities in Latrobe based on Phoenix modelling combined with the number of address points (*Profile of Bushfire Risk within Latrobe City 2015*).

2. Methodology

The 'Planning Permit Applications Bushfire Management Overlay Technical Guide' (DELWP 2017) provides a methodology for the assessment of bushfire risk at a landscape scale. Whilst the report is not assessing a permit application, and not all areas being assessed are within a BMO, the methodology for understanding land risk is considered applicable in this report. This process has been utilised in the on ground assessment of the current bushfire risk in Yinnar South.

In forming our analysis of the current bushfire risk we have investigated vegetation types and the overall fuel hazard present, topography, fire history, access and egress for the community, management of fuel along road corridors, critical infrastructure, and local bushfire mitigation measures.

Several documents are also useful in the collection of information relating to bushfire risk for Yinnar South at a landscape scale, and these documents include:

- Latrobe City Fire Management Plan 2017-2020
- Victorian Fire Risk Register
- Profile of Bushfire Risk Latrobe City July 2015 (including 2016 update)
- Phoenix Rapid Fire Data
- Strategic Bushfire Management Plan – East Central
- Bushfire Management Overlay and Bushfire Prone Area maps

Current bushfire mitigation strategies programmed by Government and non-Government organisations and industry have been drawn from information contained in the Latrobe City Fire Management Plan - Attachment B Multi Agency Works Plan.

3. Precinct Assessment

Site assessments were conducted at Yinnar South over several days between the 23rd and 26th October by Graeme Taylor – Managing Director and Mark Potter – Senior Consultant.

The Yinnar South precinct comprises open farming land along with long unburnt Class A Forest vegetation. The separation between the forest vegetation and the farming land in most parts of the precinct is well defined. The Morwell National Park is situated to the north east of the precinct and on days of high fire danger with the prevailing north westerly wind direction, most of the precinct would not be affected by a bushfire originating in the National Park.

This area has not experienced landscape bushfires for many decades. The forest areas on private land are heavily vegetated and during a bushfire these areas would generate significant embers that would travel for some distances allowing for fire spread to occur rapidly.

The road network in this area consists of made roads however these can be windy in areas and without local knowledge could be difficult to navigate during a bushfire. In the farming areas, most of the roadsides are grass with the occasional stand of remnant native vegetation. There is some evidence of grazing by livestock and mechanical slashing as a form of fuel management by the local community.

To the east of the Yinnar South precinct there are numerous plantations at various stages of maturity. As these are to the east, it is highly unlikely that a fire could affect the Yinnar South precinct from this direction.

To recognise the bushfire risk to the Yinnar South precinct, a Bushfire Prone Area and Bushfire Management Overlay has been allocated to the majority of the precinct. Both of these controls require the consideration of a wide range of treatments when developing land.

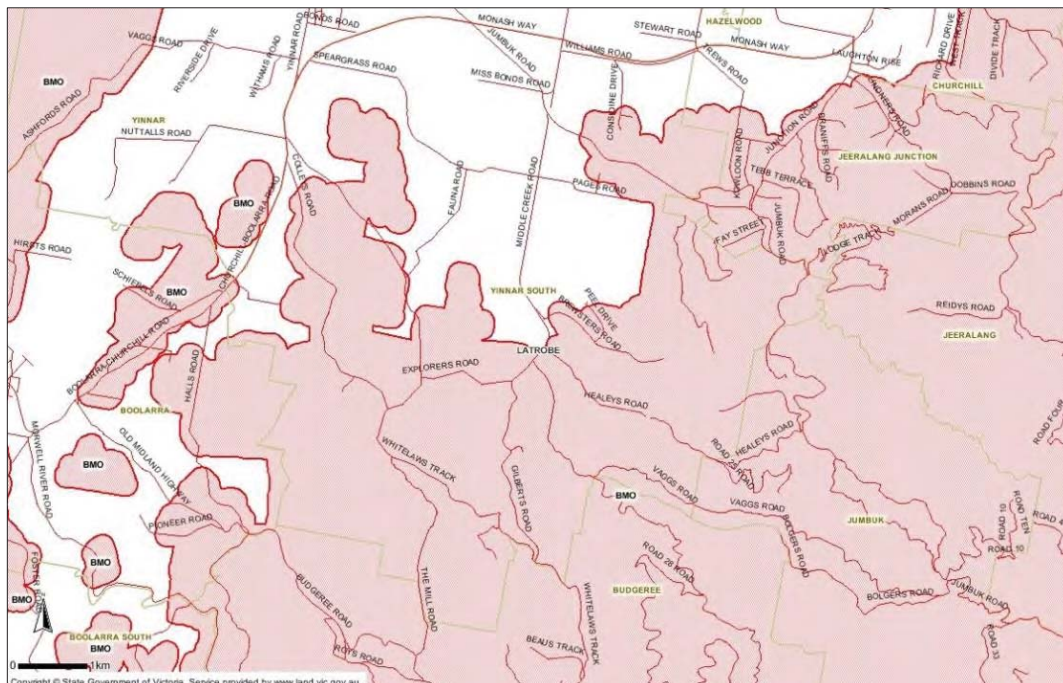


Figure 1 - Bushfire Management Overlay covering Yinnar South and surrounding areas

Yinnar South Bushfire Risk Assessment

The Victorian Fire Risk Register has determined that the risk from bushfire to the Yinnar South precinct is in the extreme category. Areas of the Yinnar South precinct also have no risk rating due to the open farmland environment. This rating would be driven by predominantly the forest vegetation that is on the private land to the north and south of the precinct.

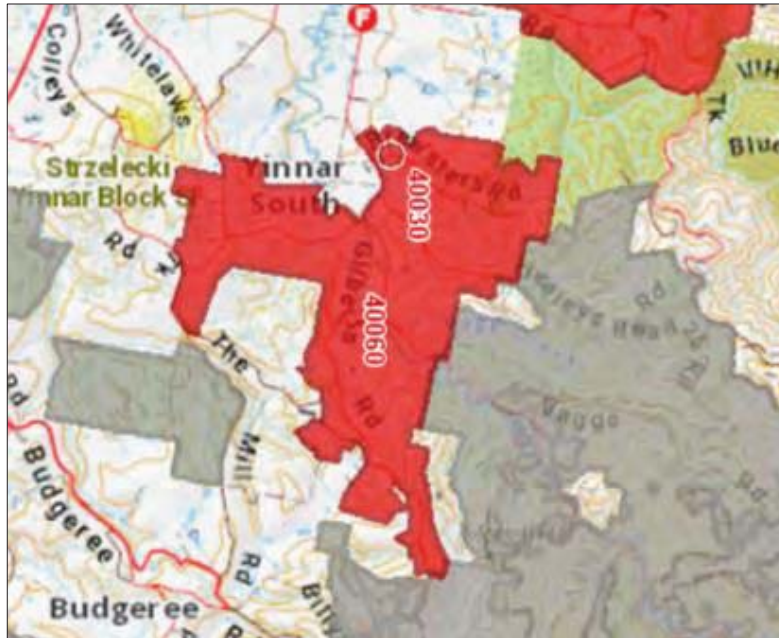


Figure 2 - Victorian Fire Risk Register human settlement assets risk analysis in 2017. Areas of extreme risk in red

A bushfire in this type of environment under extreme fire weather conditions would most likely spread uncontrollably through the forest vegetation. Depending on the level of grazing in the farmland, fire spread would be sporadic and likely to be suppressed by firefighting resources.

The local topography is defined by rolling hills with forest vegetation found on the higher elevations and open farming land on the lower areas.



Photo 1 - Looking north west from Yinnar South precinct.



Photo 2 - Looking east from the Yinnar South precinct

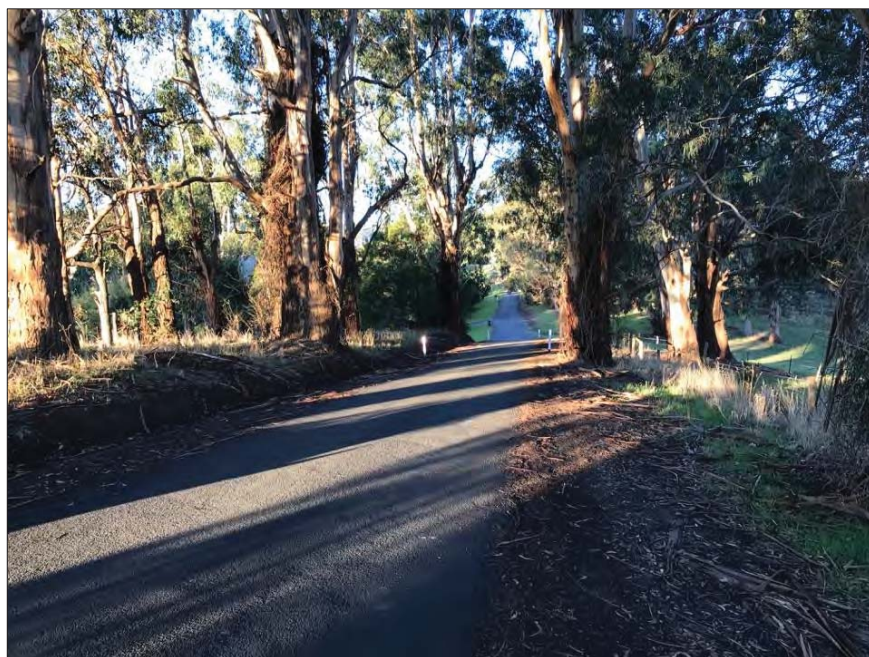


Photo 3 - Healeys Road, Yinnar South showing roadside vegetation

4. Observations

Overall the risk to parts of the Yinnar South precinct is extreme. With other areas experiencing much lower risk levels. This is supported by the available data and reports. The treatment of this risk through the initiatives outlined in the Latrobe City Fire Management Plan should be considered as a minimum. The Planning Scheme requires consideration of this risk to be managed for new uses and developments with the Bushfire Management Overlay (BMO).

Yinnar South Bushfire Risk Assessment

Within areas identified as being within a Bushfire Prone Area (BPA) the Building Regulations requires certain standards to be met for new developments.

Those properties that may be impacted by bushfire have access to a predominantly made road network which takes them towards Yinnar or Churchill. There is also a Neighbourhood Safer Place located at the Yinnar Primary School.

The proposed Farming Zone – Schedule 2 does not alter the minimum land for which a permit is required to use land for a dwelling or subdivision which currently applies. Therefore, the risk to the residents from the road network, vegetation and other factors will not see an overall increase in risk.

With all the reports being consistent in describing the Yinnar South precinct as being at extreme risk from bushfire, it is imperative that the treatments outlined within the Latrobe City Fire Management Plan are implemented as required. It is also critically important that as the risk alters over time, the planning is updated regularly.

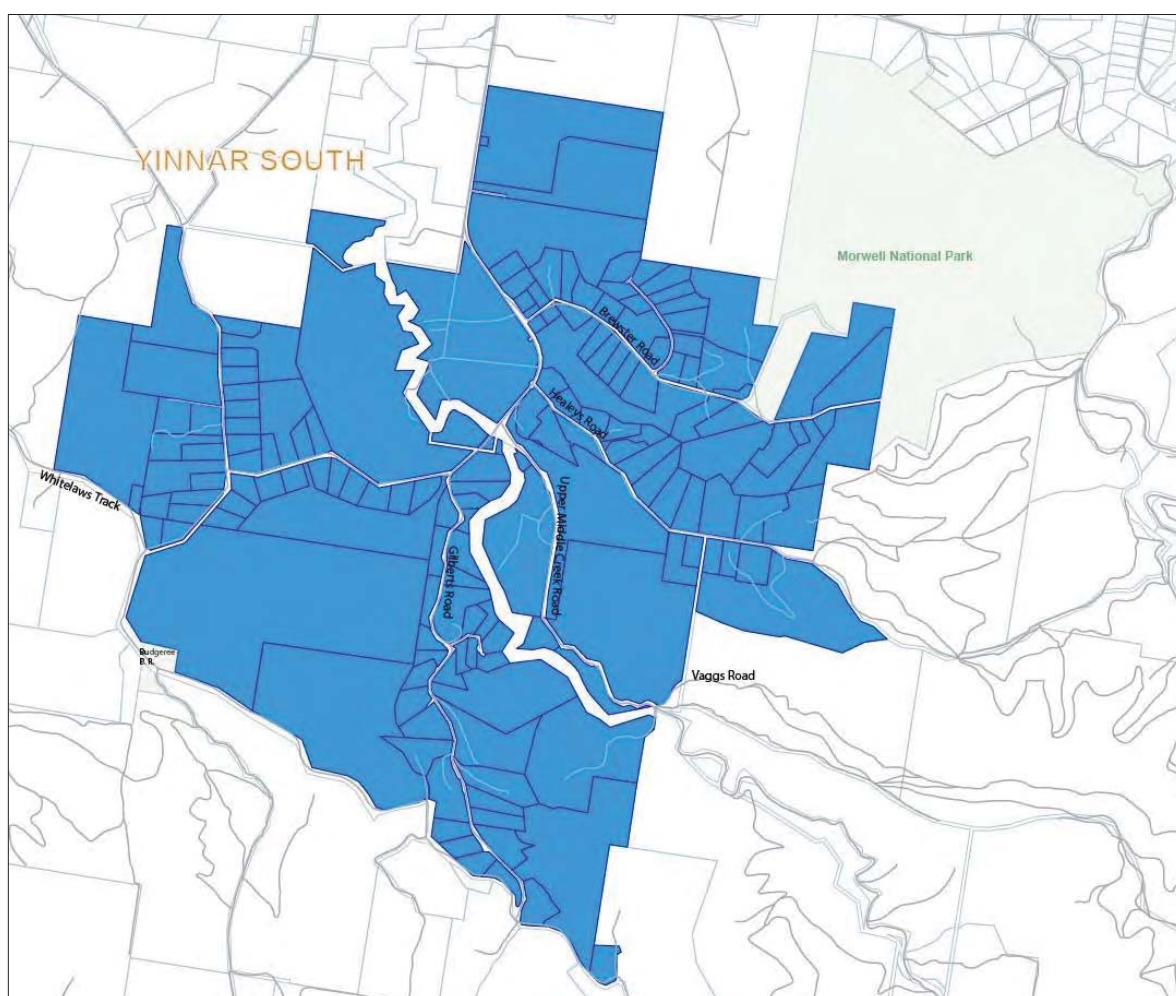


Figure 3 - Proposed Amendment C105 to the Latrobe Planning Scheme (Farming Zone 2 Precinct map, Yinnar South)

5. Conclusion

As outlined in all the available data and publications, the bushfire risk to the majority of Yinnar South precinct is in the extreme category. This is due in part because of Yinnar South's pockets of unmanaged vegetation that surround the farming land.

It is critical that any strategic planning treatment or change does not allow an increase in bushfire risk. It is difficult to clearly articulate any single treatment option however good practice identifies that as a minimum an effective balance of managed vegetation (roadsides, reserves and private land), effective road networks, managed population and buildings designed and constructed to the Australian Standard will reduce the risk from bushfire.

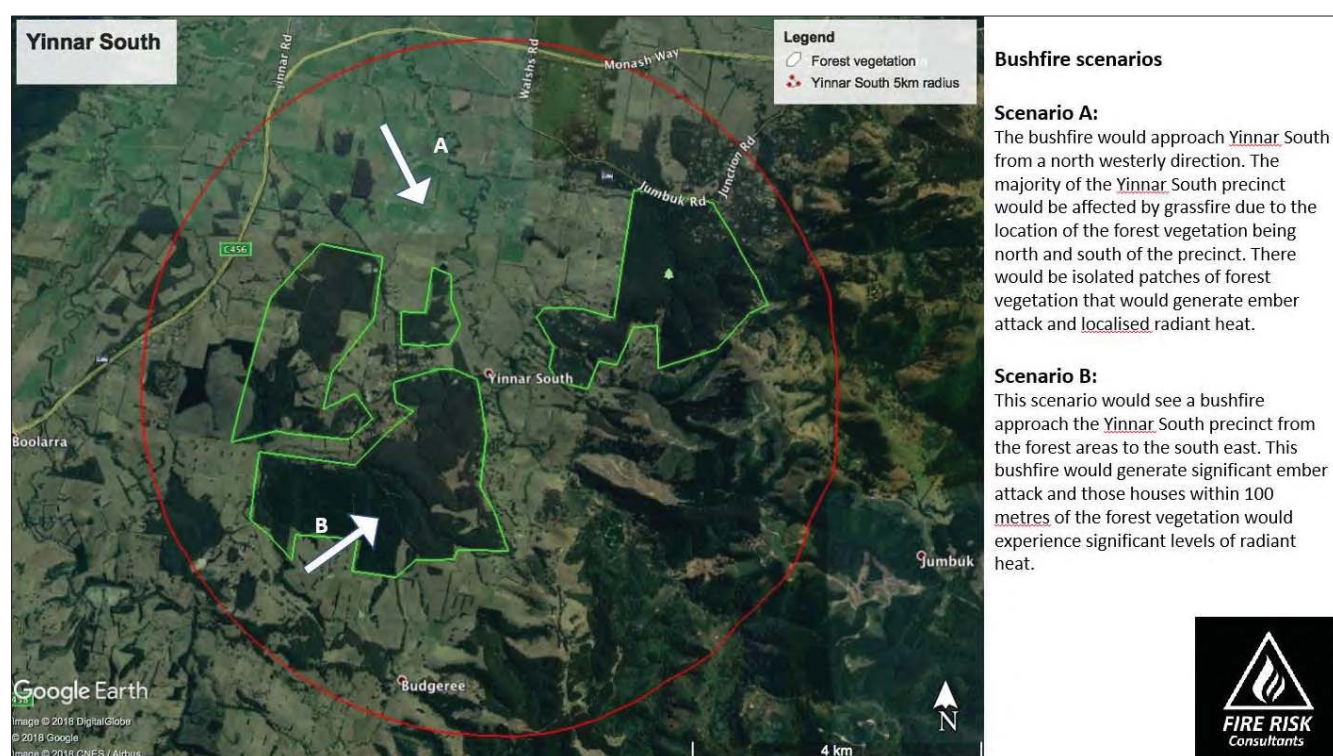


Figure 4 – Landscape Bushfire Risk Assessment and likely scenarios for Yinnar South area

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Callignee Bushfire Risk Assessment

November 2018 – Version 2.0

Callignee, Victoria

1. Introduction

Fire Risk Consultants has been engaged by the Latrobe City Council to assist with detailed bushfire risk assessment support in relation to Amendment C105 to the Latrobe Planning Scheme.

Amendment C105 to the Latrobe Planning Scheme has been prepared by the Latrobe City Council and amongst other things, seeks to deal with the State planning direction covered in VC140 by making sound strategic decisions around bushfire risk and mitigation across the entire municipality.

A study of precinct bushfire risk assessment was commissioned in four distinct precincts including Moe South / Hernes Oak, Yinnar South, Callignee and Narracan North. These locations are affected by proposed changes within Amendment C105, which identify each precinct as supporting 'Mixed Farming', which includes 'niche and small scale farming, hobby farms, tourism and associated dwellings', (Clause 21.05, Strategy 1.4). It is proposed to apply the Farming Zone – Schedule 2 (FZ2) to these precincts. It is understood that this does not alter the minimum land area for which a planning permit is required to use land for a dwelling or subdivision, which is set at 40 hectares.

The Callignee Precinct: Callignee is ranked number 8 of the fifteen highest risk localities in Latrobe based on Phoenix modelling combined with the number of address points (*Profile of Bushfire Risk within Latrobe City 2015*).

2. Methodology

The 'Planning Permit Applications Bushfire Management Overlay Technical Guide' (DELWP 2017) provides a methodology for the assessment of bushfire risk at a landscape scale. Whilst the report is not assessing a permit application, and not all areas being assessed are within a BMO, the methodology for understanding land risk is considered applicable in this report. This process has been utilised in the on ground assessment of the current bushfire risk in Callignee.

In forming our analysis of the current bushfire risk we have investigated vegetation types and the overall fuel hazard present, topography, fire history, access and egress for the community, management of fuel along road corridors, critical infrastructure, and local bushfire mitigation measures.

Several documents are also useful in the collection of information relating to bushfire risk for Callignee at a landscape scale, and these documents include:

- Latrobe City Fire Management Plan 2017-2020
- Victorian Fire Risk Register
- Profile of Bushfire Risk Latrobe City July 2015 (including 2016 update)
- Phoenix Rapid Fire Data
- Strategic Bushfire Management Plan – East Central
- Bushfire Management Overlay and Bushfire Prone Area maps

Current bushfire mitigation strategies programmed by Government and non-Government organisations and industry have been drawn from information contained in the Latrobe City Fire Management Plan - Attachment B Multi Agency Works Plan.

3. Precinct Assessment

Site assessments were conducted at Callignee over several days between the 23rd and 26th October by Graeme Taylor – Managing Director and Mark Potter – Senior Consultant.

The Callignee precinct comprises of pockets of remnant native vegetation on private and public land interspersed with dwellings on lots of various sizes.

The entire landscape was impacted by the Churchill - Jeeralang bushfire of February 7th, 2009. Within the Callignee precinct this included massive asset loss and several fire related fatalities. Impact on the ecology and biodiversity of the area was also significant with much of the vegetation subject to high intensity burning.

Several pockets of vegetation in proximity to the town are greater than 5 ha in size and the vegetation types are either Class A Forest and Class B Woodland. The majority of these areas sit to the north and west of the Callignee precinct. Within this context the Callignee precinct could be impacted from bushfire burning under the fire weather scenario of the predominant winds from the north / north west or from the south west after the wind change.

To recognise the bushfire risk to the township of Callignee, a Bushfire Prone Area and Bushfire Management Overlay has been allocated to the entire precinct. Both of these controls require the consideration of a wide range of treatments when developing land.

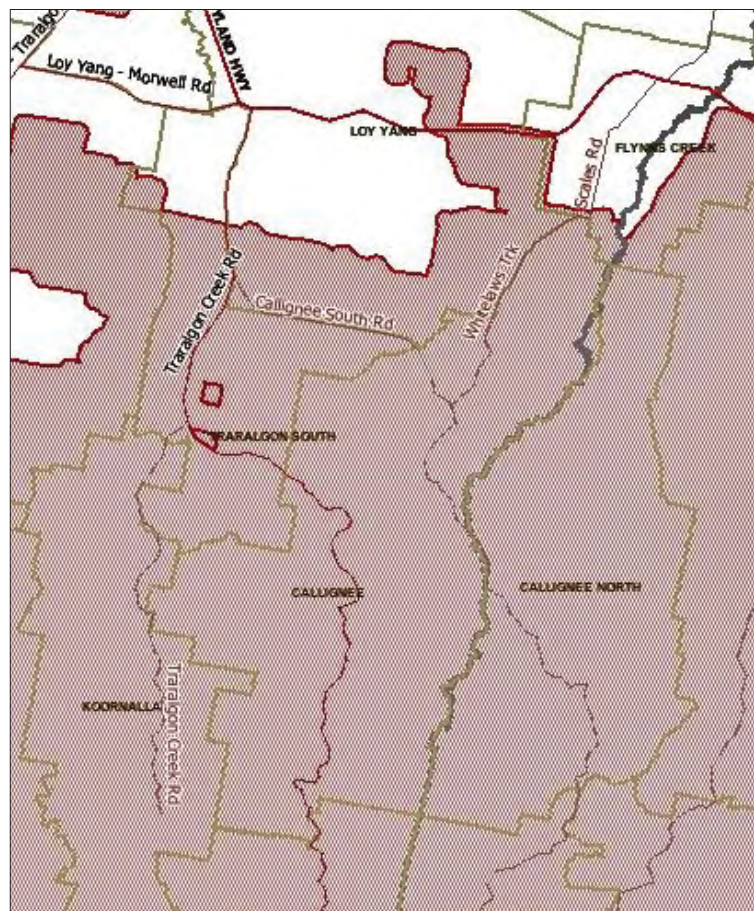


Figure 1 - Bushfire Management Overlay covering Callignee and surrounding areas

Callignee Bushfire Risk Assessment

A defining characteristic of the Callignee precinct is the Traralgon Flora and Fauna Reserve which is located to the north of the main precinct. A fire burning through this reserve under extreme fire conditions would subject much of the Callignee area to significant ember attack. The Victorian Fire Risk Register has recognised the risk that the Reserve poses to Callignee by classifying a significant amount of the adjoining private land in the south eastern corner adjacent to the Reserve as extreme fire risk.

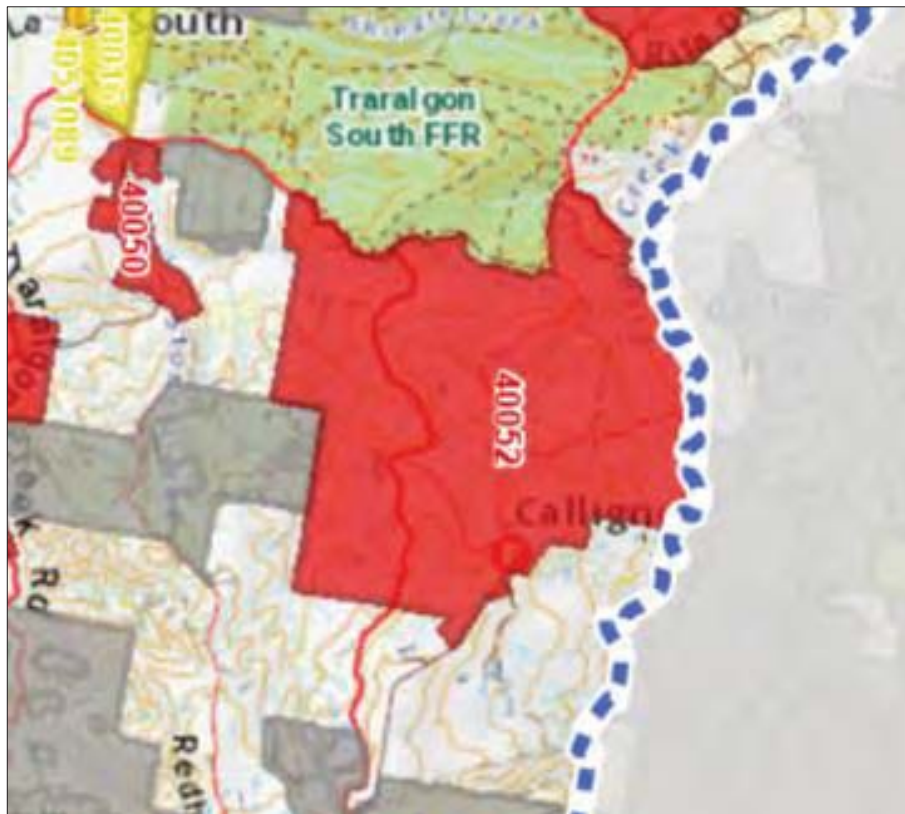


Figure 2 - Victorian Fire Risk Register human settlement assets risk analysis in 2017. Areas of extreme risk in red

A bushfire in this type of fragmented environment would most likely spread by spotting activity from burning into and from stands of native vegetation. It could also travel along the heavily vegetated roadsides in the area. Under these scenarios' ember attack on structures in the path of the fire is likely.

Due to the configuration of the vegetation, the nature of the fragmented landscape including historical clearing for agricultural operations and some development around many of the dwellings a bushfire burning across the entire landscape under lower fire danger indices would not be likely.

The local topography is defined by gently rolling hills. Creeks and drainage lines are in the most part lined by native vegetation and this could also assist with fire spread. During a typical southern Victorian summer anecdotal information from local landholders is that many of the dams on private property dry up and only those fed by springs or along drainage lines maintain adequate storages of water.

Callignee Bushfire Risk Assessment



Photo 1 - Callignee landscape, note pockets of native vegetation within cleared agricultural land



Photo 2 - Traralgon Flora and Fauna Reserve, managed by Parks Victoria, Note regenerating post 2009 fire event.



Photo 3 - Old Callignee Road, adjacent to property #147. Note nature of roadside vegetation including abundance of elevated fuel adjacent to roadside. This is typical of roads within the Callignee precinct.

4. Observations

Overall, the bushfire risk to Callignee is extreme and this is supported by all of the available data and reports. The treatment of this risk through the initiatives outlined in the Latrobe City Fire Management Plan should be considered as a minimum. The Planning Scheme requires consideration of this risk to be managed for new uses and developments with the Bushfire Management Overlay (BMO). Within areas identified as being within a Bushfire Prone Area (BPA) the Building Regulations requires certain standards to be met for new developments.

Those properties that may be impacted by bushfire have access to the road network which takes them north into cleared farmland in the proximity of the Loy Yang power station. The made road network terminates in the south at a collection of buildings comprising of the Callignee Hall, Recreation Reserve and Fire Station. This has traditionally been treated as a meeting point and unofficial fire refuge for local residents during bushfire events.

The road network is of particular concern as most of the roads present are narrow, winding and are heavily vegetated with native vegetation. This would need to be a factor in decision making for local residents who would need to make sound decisions on their personal safety before days of acute fire danger and during bushfire events. The management of vegetation in particular on roadsides is an extremely important activity to reduce the risk to residents and emergency service personnel. Old Callignee Rd is listed as a secondary firebreak in Attachment I of the Latrobe Fire Management Plan.

Callignee Bushfire Risk Assessment

The proposed Farming Zone – Schedule 2 does not alter the minimum land for which a permit is required to use land for a dwelling or subdivision which currently applies. Therefore, the risk to the residents from the road network, vegetation and other factors will not see an overall increase in risk.

With all the reports being consistent in describing the Callignee precinct as being at extreme risk from bushfire, it is imperative that the treatments outlined within the Latrobe City Fire Management Plan are implemented as required. It is also critically important that as the risk alters over time, the planning is updated regularly.

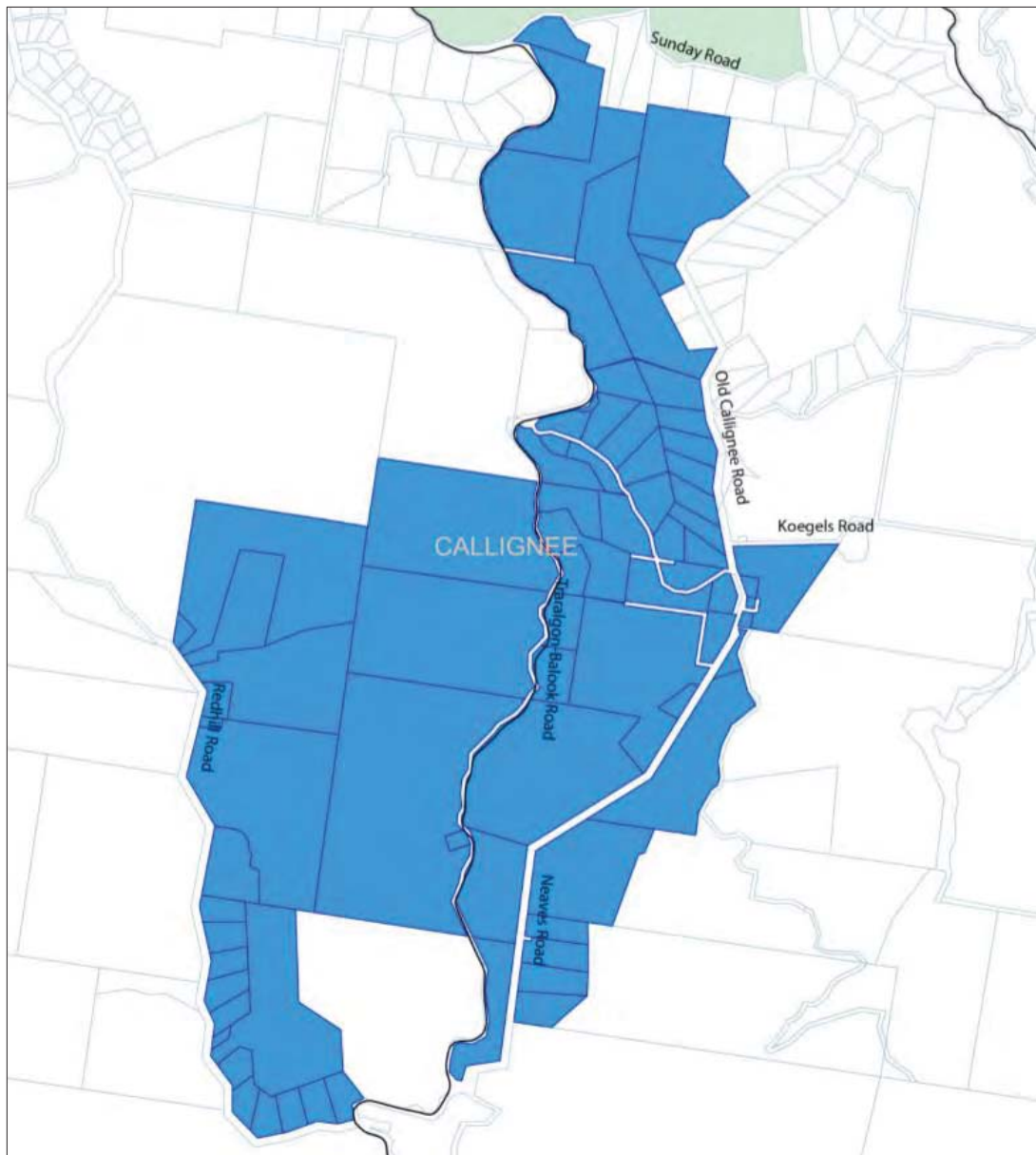


Figure 3 - Proposed Amendment C105 to the Latrobe Planning Scheme (Farming Zone 2 Precinct Map, Callignee)

5. Conclusion

As outlined in all of the available data and publications, the bushfire risk to the precinct of Callignee is in the extreme category. This is due in part because of Callignee's proximity to the Traralgon Flora and Fauna Reserve, heavily vegetated roadsides, pockets of unmanaged vegetation and a history of catastrophic bushfires in this area.

It is critical that any strategic planning treatment or change does not allow an increase in bushfire risk. It is difficult to clearly articulate any single treatment option however good practice identifies that as a minimum an effective balance of managed vegetation (roadsides, reserves and private land), effective road networks, managed population and buildings designed and constructed to the Australian Standard will reduce the risk from bushfire.

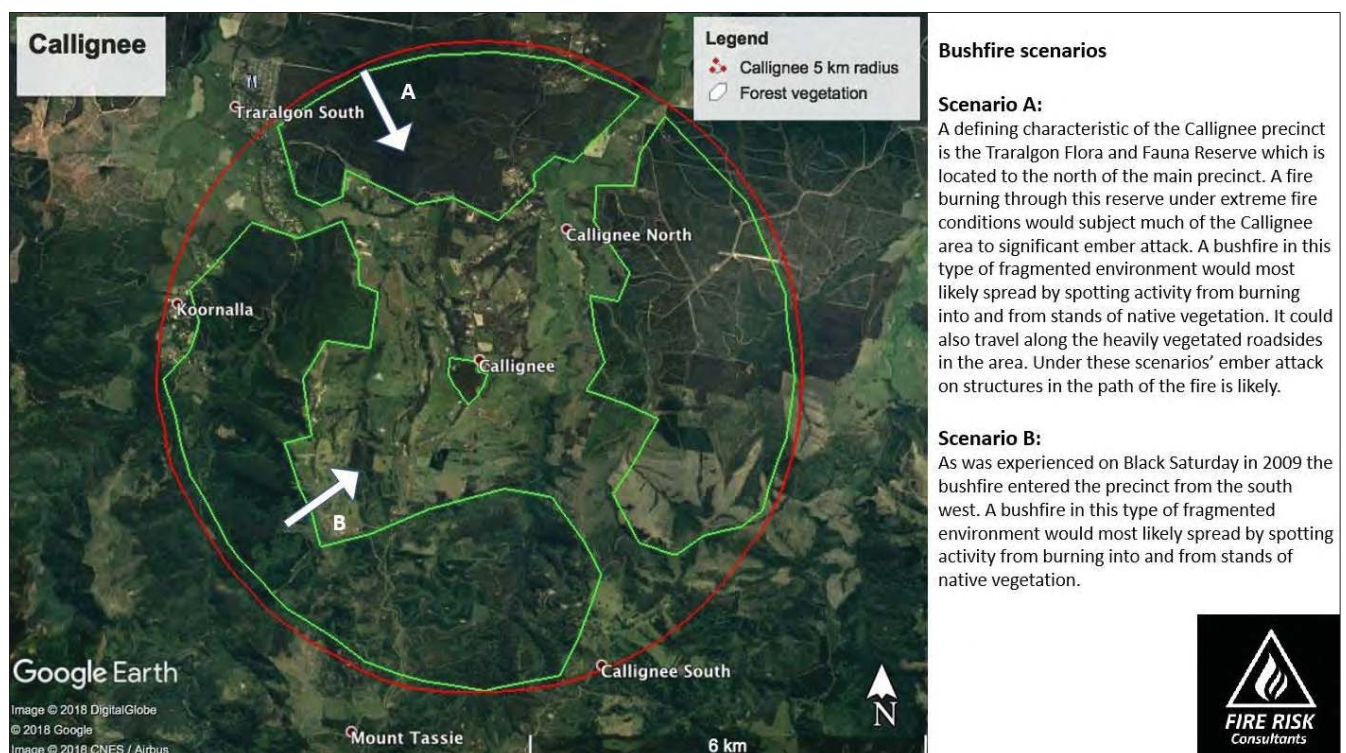


Figure 4 – Landscape Bushfire Risk Assessment and likely scenarios for Callignee area

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13. ATTACHMENT 3: Amendment C105 exhibited Planning Scheme Ordinance including recommended post exhibition changes

21.03 ENVIRONMENTAL AND LANDSCAPE VALUES

19/10/2017-

C97

Proposed C105

This clause provides local content to support Clause 12 (Environmental and Landscape values) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Areas).

21.03-1 ~~Key issue~~ Sustainability

19/10/2017

C97

Proposed C105

Council recognises the interconnected nature of a strong economy, cleaner and greener environment and healthy and connected community.

The *Natural and Environment Sustainability Strategy 2014-2019* along with each of the Live Work Latrobe land use strategies, ~~identifies the linkage between the natural environment and economic sustainability. The natural environment provides resources such as coal, timber and farmland that help drive the economy. The natural environment is also where the waste from economic activity is put accumulates by way of emissions to air, water and land.~~ Council acknowledges the need for ~~an~~ planning policy approach which balances economic, social and environmental values.

Latrobe City enjoys one of Australia's most beautiful natural environments and its biodiversity, water and air quality must continue to remain of the highest quality. Latrobe City will strive to maintain and enhance its native vegetation, biodiversity, improve air and water quality, reduce and reuse waste, encourage energy-efficient technologies and educate the community and industry in better waste management and environmental protection.

Built form and urban infrastructure can contribute substantially to the demand for energy. Urban form impacts on the ability of buildings to be energy efficient, particularly through solar orientation and access. ~~Urban form also impacts on the need for people to use transport, including access to services, social connections, recreation opportunities, education and employment. Consolidated urban areas provide for shorter travel distances, walking and cycling, and support more effective public transport.~~

21.03-2 Objective 1

--/120--
Proposed
C105

To identify, maintain and enhance natural ecosystems and biodiversity values within rural and urban areas.

Strategies

- 1.1 Adopt the precautionary ~~behaviour~~ principle where there are possible or identified threats of ~~serious or irreversible~~ environmental damage.
- 1.2 Protect all environmental assets as a first priority, enhance as a second priority, and consider replacement as a last resort.

21.03-3 Objective 2

--/120--
Proposed
C105

To encourage environmentally sustainable land use and development.

Strategies

- 2.1 Promote low energy travel modes, such as walking and cycling, through the design of new subdivision and development.
- 2.2 Encourage higher density housing choice ~~ies~~ in appropriate locations near public transport and activity centres to help shorten travel distances and increase access to services.
- 2.3 Encourage ~~dwellings, subdivision design and other buildings are~~ urban development including that in the public realm to be energy and water efficient.

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- 2.4 Reduce the impact of urban water usage and storm water demands through mechanisms such as improved storm water capture, Water Sensitive Urban Design, appropriate urban landscaping and recycled water infrastructure.

21.03-4 Objective 3

--/20--
Proposed
C105

To protect and promote sustainable technologies that creates prosperity resulting from natural resource use and research.

Strategies

- 3.1 Improve the balance between reliance on existing natural resources and the need to promote the liveability of the Latrobe community as an attractive region to live and work.

21.03-25 ~~Key issue~~ Significant environments and landscapes

19/10/2017
C97
Proposed C105

Council ~~attempts~~ aims to find a balance in advancing ~~the~~ Latrobe City's built environment and liveability while planning for and protecting its natural environment.

Latrobe City contains a rich diversity of plants, birds and other wildlife and extends over parts of three natural bioregions.

To the north, Latrobe City contains the rugged and heavily forested foothills of the Great Dividing Range, part of the Highlands – Southern Fall bioregion that extends across the whole southern fall of the Great Dividing Range. Running through the centre of Latrobe City is the broad plains of the Latrobe Valley - part of the Gippsland Plains bioregion that extends from Melbourne to the Gippsland Lakes. To the south, Latrobe City contains the northern slopes of the Strzelecki Ranges, ~~part of the Strzelecki Ranges~~ bioregion, which extends towards Warragul in the west and Yarram in the east.

The rural landscapes of Latrobe City are diverse ranging from traditional broadacre farming landscapes to rural residential settlements to pristine natural environments.

21.03-6 Objective 1

--/20--
Proposed
C105

To protect indigenous flora and fauna species and their habitat across the municipality.

Strategies

- 1.1 Encourage the protection of remnant indigenous vegetation, ~~on private land~~.
- 1.2 Enhance the condition and quantity of indigenous vegetation and biolink connections.
- 1.3 Encourage the protection of indigenous fauna species and their habitat on land with an emphasis on protecting threatened species.
- 1.4 Maintain the natural asset value of Council reserves and road reserves.

21.03-7 Objective 2

--/20--
Proposed
C105

To increase the extent and quality of indigenous vegetation and biodiversity across the municipality.

Strategies

- 2.1 Encourage the development of wildlife corridors and links across the municipality.

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21.03-8 Objective 3

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Proposed
C105

To protect and enhance the visual, natural and cultural heritage values of rural landscapes.

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Strategies

3.1 Ensure that development protects and enhances the key landscape features of Latrobe City.

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21.03-39 Biodiversity

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Proposed
C105

There is a positive interrelationship between the preservation of biodiversity values, farm productivity, amenity, liveability and tourism.

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Latrobe City's bioregions support a wide range of ecosystems. These contain varied plant communities, individual species and vegetation classes, a number of which are significant and protected under State and Federal legislation, such as the Strzelecki Koala.

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The current level of native vegetation in Latrobe Valley is 22% of 1750 levels, i.e. pre-European contact. This is relatively high coverage in comparison to other regional cities. However, coverage is not consistent across the rural areas.

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The 'Cores & Links' agreement identifies core biodiversity sub-catchments and linking corridors across the Strzelecki Ranges, including the significant biodiversity of the College Creek catchment and important habitat of Strzelecki Koala habitat.

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The Rural Land Use Strategy 2017 identifies further opportunities to strengthen a passage of remnant vegetation clusters extending between the Strzelecki ranges bioregion in the south to the Southern Fall bioregion of Australian Alps.

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21.03-10 Objective 1

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Proposed
C105

Support the retention and enhancement of habitat and biodiversity values.

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Strategies

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1.1 Support and facilitate the creation of a bio link from the Strzelecki Ranges bioregion to the Southern Fall bioregion through research, the subsequent use of planning tools, and landowner- and community support.

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1.2 Protect roadside vegetation, especially in the Strzelecki Ranges from Boolarra to Gormandale, that provides actual or potential linkages between public and private native vegetation remnants from destructive or disturbance processes.

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1.3 Achieve a reversal within the municipality of the long-term decline in the extent and quality of native vegetation and biodiversity, leading to a net gain.

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1.4 Improve the retention of native vegetation in the landscape on roadsides, waterways and public and private land to facilitate healthy habitats to improve biodiversity.

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1.5 Strengthen biodiversity conservation in both rural and urban landscapes and across all land tenures.

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1.6 Encourage rural landholders to pursue a target of 30 % of native vegetation coverage across their properties and the landscape as a critical threshold for biodiversity conservation, particularly within the Strzelecki - Alpine bio-link.

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1.7 Engage and inform local communities as to the benefits of supporting biodiversity values and the health of the natural environment.

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- ~~1.1~~ 1.8 Ensure that the enhancement of biodiversity outcomes, including the establishment of a potential biodiversity corridor, considers bushfire risk and does not pose an unacceptable increase in risk to existing residents and infrastructure.

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21.03- 11. Development around Pipelines

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Proposed
C105

The Morwell – Dandenong, Tyers – Morwell, Longford – Dandenong, Rosedale – Tyers, Maryvale and Flynn – Loy Yang B pipelines are high pressure gas transmission pipelines licensed under the Pipelines Act 2005. Changes to land use and development in the vicinity of the pipelines must be carefully considered to ensure risks to human life and the functional operation of the pipelines are not impacted.

21.03-12 Objective 1

--/20--
Proposed
C105

To ensure future land use and development appropriately responds to existing high pressure gas pipelines.

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Strategies

- 1.1 Consider risks associated with land use and subdivision within the measurement length of high pressure gas transmission pipelines.
- 1.2 Encourage risk sensitive development to be located outside of the pipeline measurement length where practicable.

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21.03-4134 Implementation

19/10/2017
C97
Proposed C105

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10.

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21.04

19/10/2017

C97

Proposed C105

ENVIRONMENTAL RISKS

This clause provides local content to support Clause 13 (Environmental Risks) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Areas).

21.04-1

19/10/2017

C97

Proposed C105

Key issue – Greenhouse and Climate Change

As the Australian economy seeks to decarbonise, brown coal based power generation will not provide the opportunities in the future that it has in the past. However, a carbon constrained world presents new opportunities for Latrobe City to diversify its economy, by attracting new industries as well as capitalising on its strengths, expanding existing businesses, services and skills in the region.

Council has developed a range of policies and actions through *Positioning Latrobe City for a Low Carbon Emission Future 2010* to ensure that it is prepared for a low carbon future. The key impacts of a changing climate for Latrobe include:

- Changes in rainfall patterns that pose challenges for water supply and agriculture.
- More common intense rainfall events which increase the risk of severe flooding.
- Higher temperatures which increase the likelihood of large and intense fires.
- Increased number of hot days and heatwaves which place substantial pressure on health services and infrastructure.
- *A likely increase in the frequency and severity of days of elevated fire danger.*
- Biodiversity changes.

Responding to climate change requires strategies for both adaptation and mitigation across public and private land, recognising anticipated impacts on natural resources, assets and built infrastructure.

21.04-2 Objective 1

--/--/20--

Proposed C105

To reduce the effects of climate change.

Strategies

- 1.1 Evaluate use and development proposals, having regard to climate change implications.
- 1.2 Evaluate proposals with a view to limiting their potential greenhouse effect.
- 1.3 Encourage natural resource and land management practices that support climate change resilience and adaptability.

21.04-3 -Objective 2

--/--/20--

Proposed C105

To promote the use of water sensitive urban design (WSUD), including stormwater re-use.

Strategies

- 2.1 Promote greater use of water harvesting and water reuse within residential areas.
- 2.2 Require all commercial, industrial and residential developments incorporate WSUD techniques, particularly into their landscaped areas.

21.04-4 Objective 3

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Proposed C105

To reduce pollution from local domestic, transport and industry sources.

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Strategies

~~2.13.1~~ Support the development and implementation of new technology designed to reduce greenhouse gas emissions.

~~2.23.2~~ Encourage the reduction of pollution from Council activities, as well as local and domestic, transport and business sources.

21.04-5 Objective 34

~~19/10/2017~~
Proposed C105

To promote energy efficient building design to reduce the effects of climate change.

Strategies

~~3.14.1~~ Encourage new residential buildings to be environmentally sustainable by encouraging the application of best practice design and energy ratings.

~~3.24.2~~ Encourage all new commercial and industrial buildings to incorporate energy efficient design measures.

21.04-6 Objective 5

~~19/10/2017~~
Proposed C105

To promote new and alternative clean energy industry and investment within Latrobe City, leveraging the existing energy infrastructure and workforce expertise.

Strategies

5.1 Support the establishment of new and alternative energy industries, particularly in locations with good access to existing energy distribution infrastructure.

5.2 Support the balanced use of brown coal as an energy source and for other alternative uses, supporting researchers and government in the realisation of alternative, low emission coal resource investments.

21.04-27 Key issue – Floodplains

19/10/2017
C97
Proposed C105

Flooding is a natural hazard that can severely disrupt communities and may cause extensive damage, stock loss and, in extreme cases, loss of life. Careful planning and management of floodplains has been effective in reducing damage and costs associated with flood events.

21.04-8 Objective 1

~~19/10/2017~~
Proposed C105

To minimise the potential for loss of life, risk to health and damage to property, as a result of flooding.

Strategies

1.1 Discourage urban or rural residential development on areas subject to regular flooding.

1.2 Ensure the floodway is maintained and that the free passage and temporary storage of flood waters is not compromised.

- 1.3 Discourage subdivision, other than realignment or consolidation, in a floodway.
- 1.4 Discourage houses, other than replacement houses, in a floodway.
- 1.5 Require houses to be located above the 1:100 year flood level.
- 1.6 Require building envelopes for houses provide an adequate effluent disposal area which is free from flooding.
- 1.7 Discourage uses such as sewerage treatment and pumping works, intensive animal industries and sanitary landfill depots on flood prone land.
- 1.8 Ensure that the natural function of the floodplain to convey and store flood waters is preserved.
- 1.9 Ensure zones and overlays are updated when new reliable flood information is available.

21.04-9 Objective 2

~~19/10/2017~~
~~C97~~
Proposed C105

To sustainably manage floodplains.

Strategies

- 2.1 Discourage any urban expansion within floodplains that reduces flood storage, obstructs flood flows or increases the risk to life, health and safety.
- 2.2 Discourage raised earthworks that reduce natural flood storage, obstruct and/or redistribute flood flows, and increase flow velocities and levels.
- 2.3 Discourage developments in residential areas that encroach on 1:100 year floodplains or existing waterways.

21.04-310 Key issue – Waste Management

19/10/2017
C97
Proposed C105

Latrobe City Council recognises waste management as a fundamental element of caring for the natural environment and has adopted a *Latrobe City Council Waste Management Strategy 2010-2017* to provide sustainable solutions to the collection, disposal and resource recovery of waste.

Council recognises that disposing of urban solid waste by means of landfill is not a sustainable waste management strategy. Across the world, governments have introduced legislation which limits the amount of waste that can be directed to landfill. This factor, coupled with the development of community waste education initiatives, leads to an increase in reuse and recycling and a move from disposal to a focus on materials recovery.

21.04-11 Objective 1

~~19/10/2017~~
~~C97~~
Proposed C105

To encourage waste minimisation and enhance resource recovery.

Strategies

- 1.1 Develop waste management facilities, techniques and technologies to advocate waste avoidance or minimisation, enhance resource recovery and achieve 'final storage quality'.
- 1.2 Adopt a regional approach to waste management.
- 1.3 Locate new waste management facilities in locations that do not detrimentally affect the amenity of the area.

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21.04-412 Key issue – Bushfire

19/10/2017
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Proposed C105

Like many local government areas in Victoria, large areas of the municipality are prone to bushfire. The highest risk areas, where bushfire behaviour may be extreme, including the possibility of crown fire, extreme ember attack and significant radiant heat, are subject to the Bushfire Management Overlay. High hazard areas include rural residential areas in the vicinity of the foothills of the Strzelecki Ranges and southern fall of the Alpine Ranges, where development could be exposed to long bushfire runs through high fuel hazard forest vegetation.

Grassland fires, and fires in bushland reserves and plantations, also pose a risk to development across the municipality

Busfhire risk can be managed through the planning and building system by ensuring statutory compliance in BMO areas, compliance with the building regulations in Bushfire Prone Areas (BPA) outside of the BMO, and, for strategic planning and larger or more vulnerable developments; requiring consideration of bushfire risk as at Clause 13.02 Bushfire.

Latrobe City Fire Management Plan 2017 – 2020 (FMP) outlines the planned and coordinated implementation of measures designed to minimise the occurrence and mitigate the effect of fire in Latrobe across all agencies. The FMP will play an increasingly important role in land use planning, particularly where consideration of continued land management is necessary.

It is important that all development and use of land have regard to fire safety measures. Planning can assist to decrease the level of risk to life and property and biodiversity and to facilitate the efforts of emergency service in the event of fire.

21.04-13 Objective 1

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Proposed C105

To minimise the risk to life, property and the environment from bushfire.

Strategies

- 1.1 ~~Facilitate~~~~Ensure that~~Ensure the design, siting and layout of subdivision increases protection from fire.
- 1.2 Require~~Ensure~~ that use and development includes adequate fire protection measures.
- 1.3 Ensure the application of, and compliance with, the BMO, in highest risk parts of the municipality.
- 1.4 Outside of the BMO, in BPA parts of the municipality:
 - Ensure new development and uses are appropriately located and designed in response to the bushfire hazard.
 - Ensure that larger or more vulnerable developments and uses as identified at Clause 13.02, incorporate measures to acceptably mitigate any identified bushfire risk, including as appropriate:
 - Assessment of the landscape risk;
 - For subdivisions of more than 10 lots, a lot layout that responds to the risk and incorporates a perimeter road and two ways in and out of the development where possible;
 - A construction standard no higher than BAL-29 unless there are significant siting constraints, with commensurate vegetation management for defensible space;

- A reliable water supply for property protection and fire fighting;
- Adequate access for emergency management vehicles; and
- Development of a Bushfire Emergency Management Plan (BEMP) as appropriate, including triggers for closure or restricted operation on days of elevated fire danger.

1.5. Ensure the alignment of, and consistency between, planning policy and practices, and the Latrobe City Municipal Fire Management Plan.

21.04-514 ~~Key issue~~ Mine Areas fire

19/10/2017
C97
Proposed C105

Council has concerns surrounding the general effective remediation of brown coal mines in the City. Council supports planning for the short, medium and long term remediation of the existing mines and planning for the use of brown coal in the future in order for it to best manage the urban growth of the municipality. Overall, Council acknowledges:

- There is a risk of timber plantation fires around mines. Vegetating the coal buffer areas was a recommendation of the Land Conservation Council reports of the 1970's, however in light of the 2014 Hazelwood mine fire, there is a potential problem with plantations in close proximity to a fire source. This is particularly significant for towns that are near large timber plantations and raises town safety and amenity issues that became apparent with the 2014 Hazelwood mine fire.
- Many infrastructure assets are in areas that are at danger from mine and timber plantation fires.
- Timber plantations within buffer areas, plantation buffer distances from coal mines and separation distances between towns and mines all need to be assessed and considered.
- The need for effective remediation of brown coal mines to a useable and stable landform.

21.04-15 ~~Objective 1~~

~~19/10/2017~~
Proposed C105

To minimise the risk to life, property and the environment ~~from fire~~ within and around mine sites.

Strategies

- 1.1 Encourage design, siting and layout of open cut mines that take into account the need for protection from fire risk.
- 1.2. Encourage adequate buffers from open cut mines to timber plantations.

21.04-616 Implementation

19/10/2017
C97

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10.

(EXTRACT ONLY) LOCAL AREA GROWTH PLANS

This clause focuses the implementation of growth area plans and the objectives and strategies set out earlier in the Latrobe Planning Scheme. Each section relates to a particular precinct, settlement or town, and should be read in conjunction with the rest of the Municipal Strategic Statement. The vision for development in each of these local areas is that it creates environments that are supportive of the health and wellbeing of Latrobe's communities.

21.09-1 Network City Towns and Growth Corridors

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Propose

Structure Plans for the Main Towns of Churchill, Moe, Morwell Traralgon and the Traralgon West Growth Corridor have been prepared to direct future growth and assist each area to develop its own unique character through consolidating development within their Activity Centres, incremental urban infill and logically staged urban expansion.

The Structure Plans for all four Main Towns and the Traralgon West Growth Corridor provide for sustainable housing growth, the expansion of industrial precincts in Moe, Morwell and the Morwell-Maryvale Industry Growth Corridor, and the renewal of underutilised industrial sites for residential use in Moe, Morwell and Traralgon.

The priorities in all the main urban settlements is to promote opportunities for infill development, concentrating diversity and density of housing types around activity centres to maximise access to infrastructure, community facilities and services.

The Traralgon - Morwell Growth Framework Plan has been developed to provide an overarching strategy for the long term growth of these two Main Towns. The Growth Framework Plan shows how the Traralgon West Growth Corridor's gradual development over the next 20 years will link Morwell and Traralgon together to form a continuous urban area.

The Traralgon West Growth Corridor will provide for residential, commercial and industrial development as well as a strategic employment area focused around the Latrobe Regional Airport and Hospital. The corridor will accommodate industry clusters where health, aeronautics, food processing, logistics or agriculture research and development could emerge.

21.09-2 Objective 1

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To facilitate development in accordance with the Strategic Framework Plan, specific Main Town Structure Plans, Housing Framework Plans, the Traralgon West Growth Corridor Structure Plan and the Traralgon-Morwell Growth Framework Plan.

Strategies

- 1.1 Encourage consolidation of urban settlement within township boundaries designated in the Structure Plans, the Traralgon-Morwell Growth Framework Plan and Housing Framework Plans.
- 1.2 Encourage a logical expansion of urban settlements in accordance with staging guidance included in the Strategic Framework Plan, Structure Plans and the Traralgon-Morwell Growth Framework Plan.
- 1.3 Encourage increased density and diversity of housing types within close proximity to activity centres in the Housing Framework Plans.
- 1.4 Encourage new large format and heavy industry development within the Morwell-Maryvale Industry Growth corridor.
- 1.5 Enhance town and gateway entrances as shown on Structure Plans.
- 1.6 Discourage the fragmentation of land in the Farming one adjoining township boundaries to allow for future long term urban growth opportunities.
- 1.7 Encourage the dissemination of any relevant geotechnical land form testing and monitoring data related to coal resources and urban areas.
- 1.8 Ensure local area growth planning identifies bushfire risk and considers where development should be located and how any risk can be mitigated.

21.10 IMPLEMENTATION

19/10/2017-
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Proposed C105

21.10-1 Application of zones and overlays

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Proposed C105

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays as follows:

Zones

- Apply the General Residential zone, Neighbourhood Residential zone or the Residential Growth zone to existing residential areas.
- Consider applying the Urban Growth zone to large future urban growth areas.
- Apply the Urban Growth zone to land where a precinct structure plan has been prepared or where a strategy has been prepared which clearly identifies that the land is suitable for future urban development.
- Apply the Mixed Use zone to areas close to town centres with potential for complementary residential, commercial and industrial activities.
- Apply the Mixed Use zone to local and neighbourhood activity centres in the larger urban centres.
- Apply the Township zone generally to small and district towns, particularly the town centres, or settlements.
- Apply the Low Density Residential zone to larger residential lots on the fringes of the main towns that are not within urban growth corridors.
- Apply the Industrial 1 zone to main industrial estates.
- Apply the Industrial 3 zone to light industrial and service industrial areas.
- Apply the Commercial 1 zone to principal shopping and principal office areas.
- Apply the Commercial 2 zone to the principal office areas and to peripheral sales areas.
- Apply the Farming zone to agricultural areas.
- Apply the Rural Living zone to areas committed to rural residential type use, including areas in Flynn, Eeralong, Toongabbie, Glengarry, Tyers, Hazelwood North, Hazelwood South, Callignee and Moe South.
- Apply the Public Park and Recreation zone to public open space areas.
- Apply the Public Conservation and Resource ~~creation~~ zone to scenic, natural feature and conservation reserves areas, State, Regional and National parks, public forest areas and the like.
- Apply the Special Use zone Schedule 1 Brown Coal over Category A coalfields.

Overlays

- Apply the Development Plan Overlay and or Development Contribution Plan Overlay (including development contribution plans) to future urban growth areas and large undeveloped tracts of land requiring infrastructure, social services, recreation and open space coordination.
- Apply the Design and Development Overlays to areas requiring specific design solutions.
- Apply the Design and Development Overlays to protect major gateways.
- Apply the Environmental Significance Overlay to areas where amenity buffers are required.
- Apply the Environmental Significance Overlay to protect sites, areas and corridors of environmental significance.

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- Apply the Environmental Significance Overlay Schedule 1 Urban Buffers to provide reciprocal protection for urban areas and the mines and their associated activities.
- Apply the Heritage Overlay to heritage places and precincts.
- Apply the Land Subject to Inundation to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Apply the Floodway Overlay to floodprone areas as identified by the West Gippsland Catchment Management Authority.

- Apply the Bushfire Management Overlay to bush-fire prone areas where there is potential for extreme bushfire behaviour, consistent with state hazard criteria and mapping.

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- Apply the State Resource Overlay Schedule 1 Gippsland Brown Coalfields to Category B and C areas to identify the balance of the Gippsland coalfields located within the municipality.

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Other

- Apply Development Contribution Plans to large areas of undeveloped residential, commercial, and industrial land.
- Apply Development Plans or Precinct Structure Plans to undeveloped residential land which incorporate Urban Design Good Practice principals and the provision of infrastructure and community services through developer contribution plans if required.

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21.10-2

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Further strategic work

Council is committed to undertaking the following strategic work:

- ~~Employment and Industrial Land Review including the implications of the new Industrial, Commercial and Farming zones and including a review of existing smaller pockets of industrial areas and isolated industrial areas.~~
- ~~Rural Land Use Strategy addressing landscape, economic initiatives, environmental, tourism, timber, subdivision and dwelling opportunities and rural lifestyle considerations.~~
- ~~Housing Strategy inclusive of Neighbourhood Character guidance, housing density, housing diversity and residential design guidelines.~~
- Retail Demand and Supply Strategy including an investigation of the implications of the new commercial zones and 'out-of-centre' developments.
- ~~Infrastructure Needs Analysis for existing and future significant shared infrastructure across the municipality.~~
- ~~Built Form Guidelines for commercial, industrial and residential development.~~
- Create Landscape Design Guidelines and infrastructure improvements to work towards the objective of fostering connected communities.
- Undertake a landscape assessment of rural areas and apply appropriate planning scheme tools to protect significant landscapes, views and vistas.
- Align the *Latrobe Regional Council Master Plan* recommendations with appropriate zones and overlays.
- Implement the revised *Latrobe Regional Airport Master Plan* into the Latrobe Planning Scheme.
- Prepare small town structure plans for Innisar, Traralgon South, Toongabbie and allourn North.

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LATROBE PLANNING SCHEME

- Complete a neighbourhood character assessment of small towns and district towns to inform the revision of appropriate land use policy which recognise their unique character attributes, housing form and type
- ~~Complete the draft Traralgon Activity Centre Plan.~~
- Prepare a land use response to the State Government's Strategic Plan for Coal or any other adopted relevant coal resource strategy.
- ~~Prepare a land use response to the implementation of Gippsland Regional Growth Plan.~~
- Introduce planning provisions into the Planning Scheme to control land use and development within the Amenity Lifestyle Precinct, Amenity Lifestyle Investigation Precinct and Amenity Rural Buffer that resolves industrial/sensitive use interface issues.
- Prior to any future rezonings, investigate the application of the Amenity Rural Buffer and Amenity Lifestyle Investigation Precinct (Area 8) in Tyers, by undertaking odour modelling.
- Introduce appropriate planning provisions into the Planning Scheme to control land use and development within the Amenity Lifestyle Precinct, Amenity Lifestyle Investigation Precinct and Amenity Rural Buffer that resolves industrial/sensitive use interface issues. Discourage any rezoning in the Amenity ~~Lifestyle~~ Investigation Area until this is ~~resolved~~ ~~Revise~~ resolved.
- Revise and update existing Main Town structure plans as required.
- Rezone land in accordance with the future land use and staging outlined in Structure Plans and the Traralgon Growth Area Framework.
- Prepare a detailed drainage study for land within the Traralgon West Growth Corridor to establish development capability and infrastructure investment requirements.
- Prepare a Development Plan or Precinct Structure Plan for land in the Traralgon West Growth Corridor in accordance with the Structure Plan.
- Prepare a Development Contribution Plan for land in the Traralgon West Growth Corridor in accordance with the Structure Plan.
- Prepare Masterplans for the Latrobe Regional Airport, Latrobe Regional Hospital and the open space and green movement corridors within the Traralgon West Growth Corridor.
- Investigate potential future uses for the land identified as employment investigation area within the Traralgon West Growth Corridor that will generate long term future employment opportunities.
- Prepare a Development Plan or Precinct Structure Plan for future residential and industrial land east, north and south of the Traralgon existing urban area to provide a broad framework for medium and longer term growth.
- Prepare a Development Contribution Plan for future residential and industrial land east of the Traralgon existing urban area.
- Investigate opportunity for open space, recreation and conservation uses in the area north of Traralgon bounded generally by Latrobe River to the north and Traralgon urban area to the south.
- ~~Undertake a Housing Strategy that identifies appropriate locations for medium and high density housing and investigates mechanisms for achieving diversity in urban growth areas.~~
- Prepare a coordinated Activity Centre Strategy across the four Main Towns which considers the retail needs of the community, but also the cultural and social activities that occur in activity centres.
- Complete the Traralgon Activity Centre Plan.

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LATROBE PLANNING SCHEME

- Rezone land in accordance with the future land use and staging outlined in Structure Plans and the Traralgon Growth Area Framework.
- Prepare a coordinated Activity Centre Strategy across the four Main Towns which considers the retail needs of the community, but also the cultural and social activities that occur in activity centres.
- Prepare a coordinated Activity Centre Strategy across the four Main Towns (including the 'Hollydale' site) which considers the retail needs of the community, but also the cultural and social activities that occur in Activity Centres. Prepare Development Plans or Precinct Structure Plans.
- Develop Open Space Asset Management Plans (linked to GIS Systems) for all classes/types of open space assets (including vegetation) and park furniture to implement a costed, systematic approach to asset replacement, renewal and maintenance.
- Develop administration processes that improve the record keeping of open space contributions received (cash and land) to ensure transparency around the expenditure on passive and active open spaces (including land acquisition) and sources of funding.
- Develop a policy to guide open space contributions and expenditure, including circumstances where Council will accept encumbered land for open space in addition to unencumbered land.
- Monitor the application and efficiency of public open space contributions for new residential, commercial, industrial and mixed use subdivisions.
- Investigate the need for an existing condition survey of dwellings and structures in Area 21 that may inform the need for engineering requirements for the construction of new structures in the Area.
- Prior to rezoning land for residential purposes adjacent to the existing Environmental Significance Overlay Schedule 1, advocate for the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* to carry out an independent risk assessment that clarifies whether any revision of the Environmental Significance Overlay Schedule 1 is required around the southern boundary of Traralgon. This should be done in consultation with the Latrobe City Council and the State Government appointed Technical Review Board.
- Advocate for the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* to provide clear guidance on the future form of the Environmental Significance Overlay Schedule 1 around the southern boundary of Traralgon in areas planned for the Traralgon Highway Bypass.
- Advocate for the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* to continue to assess geotechnical monitoring information provided by coal mine licensees in determining the future form of the Environmental Significance Overlay Schedule 1 adjacent to urban settlements.
- Advocate for the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* to conduct an independent risk assessment that clarifies whether any revision of the Environmental Significance Overlay Schedule 1 is required, so as to provide clear direction for future rezoning and urban development in areas adjacent to the existing Environmental Significance Overlay Schedule 1 in consultation with the Latrobe City Council and the State Government appointed Technical Review Board.
- Prepare Development Plans or Precinct Structure Plans
- [Prepare a plan and facilitate the formal recognition of the Strzelecki-Alpine Biolink, incorporating plantation, public, private, road reserve land and mining areas ready or scheduled for rehabilitation through the appropriate application of](#)

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zones and overlays, such as Rural Conservation Zone and Environmental Significance Overlay.

- Undertake a landscape assessment of rural areas and apply appropriate planning scheme tools to protect significant landscapes, vistas or areas of significance.
- Identify locations and apply the Environmental Audit Overlay, considering sites including former landfill sites, fuel depots or industry locations identified for transition.
- Prepare an Industry Transition Strategy for the City. This should include opportunities to transition heavy industries to appropriate locations which provide appropriate buffers to sensitive land uses as well as good highway access.

21.10-3

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Proposed C105

Reference documents

The following strategic studies have informed the preparation of this planning scheme. All relevant material has been included in the Scheme and decision makers should use these documents (as amended) for background research only. Material in these documents that potentially provides guidance on decision making but is not specifically referenced by the Scheme should be given limited weight.

- *Latrobe 2020*
- *Council Plan (2017-2019)*
- *Latrobe City Municipal Public Health and Wellbeing Plan (2017-2019)*
- *Assessment of Agricultural Viability of Land in the Shire (2017)*
- *Framework for the Future (2017)*
- *Land Use Review Coalfields Study (2017)*
- *Latrobe Shire Area of Attraction Industry Interest Areas Strategy (2017)*
- *Recreation and Leisure Strategy (2007)*
- *Municipal Domestic Waste Water Management Plan (2007)*
- *Lurgi Master Plan (2007)*
- *Tram City Master Plan Towns Summary (2007)*
- *Latrobe Structure Plans Volumes 1-3 (2007)*
- *Moe Activity Centre Plan (2007)*
- *Latrobe City Bicycle Plan (2007-2010)*
- *Retail Strategy Review (2007)*
- *Healthy Urban Design Good Practice Guidelines (2007)*
- *Latrobe City Council Residential and Rural Residential Land Assessment (2007)*
- *Latrobe City Council Culinary Goods Retail Sustainability Assessment (2007)*
- *Moe Rail Precinct Revitalisation Project Master Plan (2007)*
- *Clifton Street Precinct (Moe Urban Design Guidelines (2007)*
- *Latrobe Regional Airport Master Plan (2007)*
- *Latrobe Regional Coastal Master Plan (2007)*
- *Churchill Town Centre Plan (2010)*
- *Latrobe City Heritage Study (2010)*
- *Small Town Structure Plans Colarra Lengarry Rivers (2010)*

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LATROBE PLANNING SCHEME

- *raralgon Activity Centre Plan (draft (2010 .*
- *raralgon Activity Centre Plan ackground e orts 1- (2010 .*
- *Positioning Latrobe City for a Low Carbon Emission Future (2010 .*
- *Latrobe City Waste Management Strategy (2010-2017 .*
- *i sland egion Sustainable Water Strategy (2011 .*
- *Economic Sustainability Strategy (201 -2020 .*
- *raralgon rain Station Master Plan (2011 .*
- *Australian Pa er Maryvale Pul Mill uffer equirements (uly 2011 .*
- *i sland Logistics Precinct Pro ect Plan (201 .*
- *Latrobe City Public en S ace Strategy (201 .*
- *Churchill East West Link Master Plan and rban esign Framework (201 .*
- *etail Advice – Lake arracan Structure Plan (201 .*
- *uidelines for evelo ment in Flood Prone areas (201 .*
- *raralgon West Structure Plan (August 201 .*
- *raralgon rowth Area eview Framework (August 201 .*
- *raralgon ackground e ort (August 201 .*
- *Munici al Fire Management Plan (201 -201 .*
- *Wood Encouragement Policy (201 .*
- *atural Environment Sustainability Strategy (201 -201 .*
- *Moe and ewborough Structure Plan (March 201 .*
- ~~*uidelines for evelo ment in Flood Prone areas (201 .*~~
- ~~*icycle Plan (2007-2010 .*~~
- *Cultural iversity Action Plan (201 -201 .*
- *isability Action Plan (201 201 .*
- ~~*ealthy rban esign ood Practice uideline (200 .*~~
- ~~*Latrobe City Munici al Public ealth and Wellbeing Plan (201 2017 .*~~
- ~~*Latrobe City Public en S ace Strategy (201 .*~~
- *eview of Pro osed Public en S ace Contributions ates (201 .*
- *Latrobe Play S ace Strategy (201 .*
- *lder Persons Strategy (2007-2021 .*
- *Public and rban Art Policy (2011 .*
- *Public oilet Strategy (2010 .*
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- *Planning for ntensive Agriculture in i sland (201 .*
- *Live Work Latrobe ural Land se Strategy (2017 .*

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LATROBE PLANNING SCHEME

- *Live Work Latrobe Housing Strategy (2017)*
- *Live Work Latrobe Industrial and Employment Strategy (2017)*
- *Latrobe City Urban Design Guidelines (as amended)*
- *La Selwood Mine Fire Report (2017)*
- *Car Parking Framework Review (2017)*

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22 LOCAL PLANNING POLICIES

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Proposed C105

22.02 Rural Dwelling and Subdivision in the Farming Zone

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This policy applies to an application for a dwelling or the subdivision of land in the Farming one Schedule 1 and Farming one Schedule 2.

Policy Basis

This policy builds on and supports Clause 21.05-1 Agriculture to facilitate the following:

- Retain larger lots and avoid the establishment of sensitive land uses within the Farming one Schedule 1 in order to retain versatility for current and future agriculture investment.
- Provide direction for the use and development of land within the Farming one Schedule 2 for the purpose of niche and mixed farming, tourism and hobby farms in locations compatible with existing infrastructure investment, biodiversity values, land holding patterns and adjacent land use.

22.02-1 Objectives

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In the Farming one Schedule 1:

- To ensure that the use, development or subdivision of land does not adversely impact on the productive use of land for food and fibre.
- To discourage the proliferation of dwellings not associated with agriculture.
- To ensure that the siting of dwellings does not prejudice existing and future agricultural activities on surrounding land.
- To limit the fragmentation of land by subdivision and discourage the creation of irregular shaped or small lots.
- To preserve and encourage the creation of large land parcels through consolidation and/or re-subdivision.

In the Farming one Schedule 2:

- To provide for the orderly and complimentary use of land for agriculture, tourism, niche and mixed farming and related purposes in attractive rural landscapes.
- To discourage dwellings in locations that will limit the operation of surrounding commercial agriculture enterprises including buffers required by industry codes of practice.
- To ensure buildings are suitably designed and sited to protect the landscape characteristics of the area.
- To support improved biodiversity and conservation outcomes through improved land management.

22.02-2 Policy

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For all land in the Farming one Schedule 1 and Schedule 2, it is policy to:

- Encourage dwellings and associated development to be located away from ridgelines and hilltops to ensure that the buildings blend into the landscape.
- Ensure the siting of a dwelling does not compromise the operation of nearby commercial agricultural enterprises by encroaching on existing industry buffer and separation distances.

LATROBE PLANNING SCHEME

- Discourage a dwelling within 100 metres of agricultural production infrastructure, activity nodes (such as effluent ponds, stock yards etc), or intensive animal production, or within the buffer distances for any as-of-right animal production land uses.

For land in the Farming one Schedule 1, it is policy to:

- Discourage dwellings not associated with the agricultural use of the land.
- Discourage more than one dwelling on a lot unless it can be demonstrated that the additional dwelling is required for a caretaker, farm manager or farm worker for the operation of the agricultural use, and is located on the same lot as the existing dwelling and the agricultural use.
- Enable the excision of dwellings from existing lots only where all of the following requirements apply, as appropriate:
 - There are beneficial agricultural outcomes, such as the expansion of an existing agricultural operation;
 - It is the re-subdivision of land so that the number of lots is not increased, or includes the consolidation of a number of small allotments;
 - The dwelling is located in close proximity to a road. Long narrow lots, 'battle-axe' or island style lots will be strongly discouraged.
 - No detriment is likely to result to adjoining agricultural activities.

For land in the Farming one Schedule 2, it is policy to:

- Encourage mixed use and niche farming enterprises, rural tourism, accommodation and produce sales.
- Support the establishment of small scale rural tourism opportunities, including agriculture related or nature based activities, bed and breakfasts, cabins, farm stays, cellar door and restaurants.
- Discourage tourism uses not related to or that would likely introduce conflict with agriculture uses or rural amenity including camping, caravan park, backpacker hostels, market or residential hotel.
- Discourage subdivision of land that will result in the creation of a lot below the minimum lot size.
- Encourage dwellings and associated development to be clustered together in the landscape by requiring similar setbacks from road frontages, providing site conditions enable this to be achieved.
- Support the construction of a dwelling, including accommodation, provided all of the following requirements are met:
 - No detriment is likely to result to adjoining agricultural activities.
 - It can be demonstrated that improved land management and or rehabilitation for conservation purposes, or improvements to degraded land will result.
 - The lot is of a size to retain all wastewater onsite.
 - New dwellings or other buildings requiring a BAL, should demonstrate that they will be sufficiently setback from any bushfire hazard to achieve a BAL construction standard no higher than BAL-29, unless there are significant siting constraints.

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Application Requirements

An application for a dwelling or subdivision within the Farming one must include the following information, as appropriate:

For dwellings, documents and plans for the site and surrounding area including:

- Proposed buildings and works in plain view including driveway access, existing or proposed easements, services, waste and treatment disposal area and water

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- An elevation plan including maximum height of buildings and works above ground level, including description of colour and materials to be used.
- Existing and proposed fences including location, height and materials.
- Setbacks from boundaries, adjacent farm infrastructure and neighbouring dwellings.
- A description of adjoining land use, buildings and features.
- A description of the agricultural qualities of the land.
- Where land is undulating, contours and proposed earthworks to show how the proposed development will be integrated into the landscape.
- Existing site conditions plan to show native vegetation and watercourses and other relevant site features. This can be provided as a clear aerial image.
- A Land Capability Assessment required for lots under one hectare or where the development envelope is within 100 metres of a waterway, is prone to flooding or landslip risk, in order to demonstrate that the treatment and disposal of wastewater on the site can meet the *Setback and Code of Practice* as amended.
- For sites proposed to be subject to environmental rehabilitation or management for conservation purposes, a management statement including a schedule of works to achieve site rehabilitation or management, and describing how a dwelling or accommodation use would be an integral part of this. This should include a weed management program.
- **A BAL assessment must be provided in a bushfire prone area**

For subdivision, documents and plans for the site and surrounding area including:

- A written report that responds to decision guidelines and the policy framework.
- A description of adjoining land use, buildings and features.
- A description of the agricultural qualities of the land.
- A site plan showing existing development, topography, watercourses, infrastructure and existing native vegetation and other relevant site features, with proposed boundary lines.
- For sites containing biodiversity assets, detail demonstrating that the new lots contain rather than divide biodiversity assets such as remnant patches of vegetation in their entirety, bodies of water or watercourses.
- A Land Capability Assessment required for lots under one hectare or where the development envelope is within 100 metres of a waterway, is prone to flooding or landslip risk, in order to demonstrate that the treatment and disposal of wastewater on the site can meet the *Setback and Code of Practice* as amended.
- For the creation of a lot for an existing dwelling, a written statement that the dwelling has existing use rights, is in a habitable condition and is no longer required as part of an agricultural enterprise.

22.02-4 Decision Guidelines

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Before deciding on an application, in addition to the decision guidelines in the Farming one, the responsible authority will consider as appropriate:

- **The proposed BAL construction standard and setback from hazardous vegetation.**
- **The level of surety about ongoing vegetation management for the maintenance of defensible space or bushfire risk mitigation.**
- Whether the proposed dwelling is located within the buffer or 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

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LATROBE PLANNING SCHEME

amended) or within the as-of-right buffers of an animal production land use.

- Whether the dwelling will be located away from ridgelines or hill tops and the impact on the local landscape.
- Whether the proposed development, including access and fencelines will require the removal of existing native vegetation.
- Where a proposed subdivision creates a lot less than the minimum lot size to be used for a dwelling, whether a section 173 agreement pursuant to the *Planning and Environment Act 1977* is required so that the remainder of the land will not be further subdivided.

In the Farming zone Schedule 1:

- For a proposed dwelling, whether a section 173 agreement pursuant to the *Planning and Environment Act 1977* is required to prevent the future excision of the dwelling from the parent lot.
- The nature of the agricultural activities on the land and whether they require permanent and continuous care, supervision or security as provided by a dwelling on the land, or whether they can be managed from an off-site location.

In the Farming zone Schedule 2:

- For a proposed dwelling required in association with improved land management or conservation outcome, whether the environmental management plan is satisfactory; and whether a section 173 agreement pursuant to the *Planning and Environment Act 1977* is required, to ensure an environmental management or rehabilitation plan is enacted in perpetuity.
- The impact of the proposed use or development on the amenity of the area.

For subdivision applications:

- Whether a section 173 agreement pursuant to the *Planning and Environment Act 1977* is required in the following circumstances:
 - Where a parcel less than the minimum lot size is proposed to be re-subdivided or subdivided, to prevent further subdivision of the remnant parcel.
 - Where a parcel less than the minimum lot size is proposed to be re-subdivided or subdivided, to prevent a further dwelling to be placed on the vacant parcel.
 - Where bushfire risk mitigation requires ongoing vegetation management.
- Where an application proposes the creation of a lot for an existing dwelling:
 - Whether the balance lot is at least the minimum specified in the schedule to the zone.
 - Whether the excision of the dwelling is compatible with and will not reduce the potential for farming or other established rural land uses nearby.
 - Whether the design of the lot does not isolate key rural infrastructure from the remnant parcel of the land.
 - Whether previous lot excisions have taken place and the cumulative impact on the viability of the parent lot for agriculture or related use.

22.02-5 Policy References

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Latrobe City Rural Land Use Strategy 2017

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22 LOCAL PLANNING POLICIES

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22.03 Rural Tourism in the Farming Zone

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This policy applies to an application for rural tourism in the Farming zone Schedule 1 and Farming zone Schedule 2.

Policy Basis

This policy builds on and supports Clause 21.05-1 Agriculture and Clause 21.07-7 Tourism, to facilitate the following:

- Land uses that complement and enhance the viability of agricultural activity through small scale rural based tourism.
- The development of low impact rural tourism and related activities within the Farming zone where it is consistent with settlement patterns, landscape, amenity and environmental values.

22.03-1 Objectives

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In the Farming zone Schedule 1 and Schedule 2:

- To provide for the orderly and complimentary use of land for rural and nature based tourism in attractive rural landscapes.
- To ensure buildings are suitably designed and sited to protect the landscape characteristics and respond to any identified bushfire risk.
- To ensure that the use and development of land for rural tourism and related activities does not adversely impact on the productive use of land for food and fibre.
- To ensure that the siting of dwellings or accommodation required in association with rural tourism does not prejudice existing and future agricultural activities on surrounding land including buffers required by industry codes of practice.

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22.03-2 Policy

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For all land in the Farming zone Schedule 1 and Schedule 2, it is policy to:

- Encourage all buildings, including dwellings and associated development, to be located away from ridgelines and hilltops to ensure that the buildings blend into the landscape.
- Ensure that the siting of all buildings, including dwellings and associated development, does not compromise the operation of nearby commercial agricultural enterprises by encroaching on existing industry buffer and separation distances.
- Give preference to rural tourism proposals that are:
 - Sensitive to the rural landscape and natural environment, aiding the achievement of biodiversity conservation on that land and lead to greater appreciation and enjoyment of the natural environment, or;
 - Ancillary to an agricultural or rural land use, thereby adding to the sustainability of the agricultural industry.
- Strongly discourage a dwelling or accommodation within 100 metres of agricultural production infrastructure, activity nodes (such as effluent ponds, stock yards etc), or intensive animal production, or within the buffer distances

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for any as-of-right animal production land uses.

- Discourage rural tourism proposals that are likely to result in significant disturbance of remnant bushland.
- New dwellings or other buildings requiring a BAL, should demonstrate that they will be sufficiently setback from any bushfire hazard to achieve a construction standard no higher than BAL-29, unless there are significant siting constraints, in accordance with AS 3959 Construction of buildings in bushfire prone areas.
- In a BPA outside the BMO, a tourism development application involving accommodation for persons not normally resident on the site (i.e. other than for a dwelling or dependent persons unit) must prepare a bushfire risk assessment report for the development, which will be referred to the CFA for comment, showing how any identified bushfire risk will be acceptably mitigated.
- Support large scale tourism developments within rural areas only where:
 - The proposed tourism enterprise requires a rural location.
 - The development will not contribute to the urbanisation of the area.
 - The land use is compatible with the use of adjoining and surrounding land for agriculture or forestry and complimentary to the rural setting.
 - The facility will significantly contribute to the tourism economy of the region.
 - The site is strategically located with respect to tourist routes, tourist attractions and other infrastructure.
 - The site has access to all relevant servicing infrastructure and the development will meet all costs for infrastructure provision to the site.
 - If deemed necessary, whether the proposal is to be undertaken by way of combined land rezoning and planning permit application to apply the Rural Activity one.

For land in the Farming one Schedule 1, it is policy to:

- Ensure that rural tourism is ancillary to and associated with an existing farming activity undertaken on the property, and that the agricultural activity remains the primary land use.
- Ensure the proposed use of land for tourism will economically assist, promote, and form part of the productive agricultural enterprise (or rural use) to avoid potential land use incompatibilities.
- Ensure the mix of uses will not be out of balance with, nor change the character and nature of the agricultural land use, or result in an unreasonable loss of productive agricultural land.

For land in the Farming one Schedule 2, it is policy to:

- Support the establishment of small scale rural tourism opportunities, including agriculture related or nature based activities, bed and breakfasts, cabins, farm stays, cellar door and restaurants.
- Discourage tourism uses, including caravan parks, backpacker hostels, market or residential hotels that would likely introduce conflict with adjoining agriculture uses, land conservation outcomes or rural amenity values.
- Encourage buildings and ancillary infrastructure to be clustered together where site conditions enable this to be achieved and that screening from view from neighbouring dwellings is provided.

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Application Requirements

An application for a rural tourism within the Farming one must include the following

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information, as appropriate:

- Proposed buildings and works, including driveways, waste and treatment disposal area and native vegetation to be retained or affected by the proposed development.
- Setbacks from waterways, boundaries, adjacent farm infrastructure and neighbouring dwellings, including view lines to neighbouring dwellings.
- Where land is undulating, contours and proposed earthworks to show how the proposed development will be integrated into the landscape.
- For sites proposed to be subject to environmental rehabilitation or management for conservation purposes, a management statement including a schedule of works to achieve site rehabilitation or management, and describing how a dwelling or accommodation use would be an integral part of this. This should include a weed management program.
- A report outlining why a rural location is required and how the proposal is sympathetic or complimentary to the agricultural or natural environment values on the subject land and its surrounds.
- Proximity and access to tourism features and infrastructure.
- Expected hours of operation, including maximum daily visitors.
- Explanation of how the proposal will complement the local tourism economy, including anticipated employment directly and indirectly expected to result from the proposal.
- A bushfire risk assessment report for a tourism development must be prepared by a suitably qualified or experienced bushfire practitioner, and show:
 - Siting of buildings that responds to the hazard such that buildings can achieve a construction standard no higher than a BAL-29
 - Adequate access for emergency services
 - An adequate water supply for fire fighting and property protection
 - A Bushfire Emergency Management Plan (BEMP) detailing emergency management arrangements and procedures for the site on days of elevated fire danger.
- Description of safety measures to be deployed in response to fire risk and other hazards, where present.

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Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in the Farming one, the responsible authority will consider as appropriate:

- Whether the proposal is located within the buffer or 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) or within the as-of-right buffers of an animal production land use.
- Whether the proposed buildings and works will be located away from ridgelines or hill tops and the impact on the local landscape.
- Whether the proposed development, including access, will require the removal of existing native vegetation or likely result in significant vegetation disturbance.
- Likely benefits to the local and regional tourism economy.
- Whether the proposal will generate a substantial increase in traffic or require road improvements or signage likely to adversely affect the rural character of the road(s) serving the localities.

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- For large scale tourism whether the application for permit should be considered as part of Section 96(A) application under the Planning and Environment Act 1987 for the rezoning of land to a Rural Activity zone.
- The impact of the proposed use or development on the surrounding agriculture, natural environment or rural amenity of the area.
- The views of the relevant fire authority.
- Whether any identified bushfire risk will be able to be acceptably mitigated in an ongoing capacity, for the life of the development.

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22.03-5

Policy References

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Latrobe City Rural Land Use Strategy 2017 (as amended)

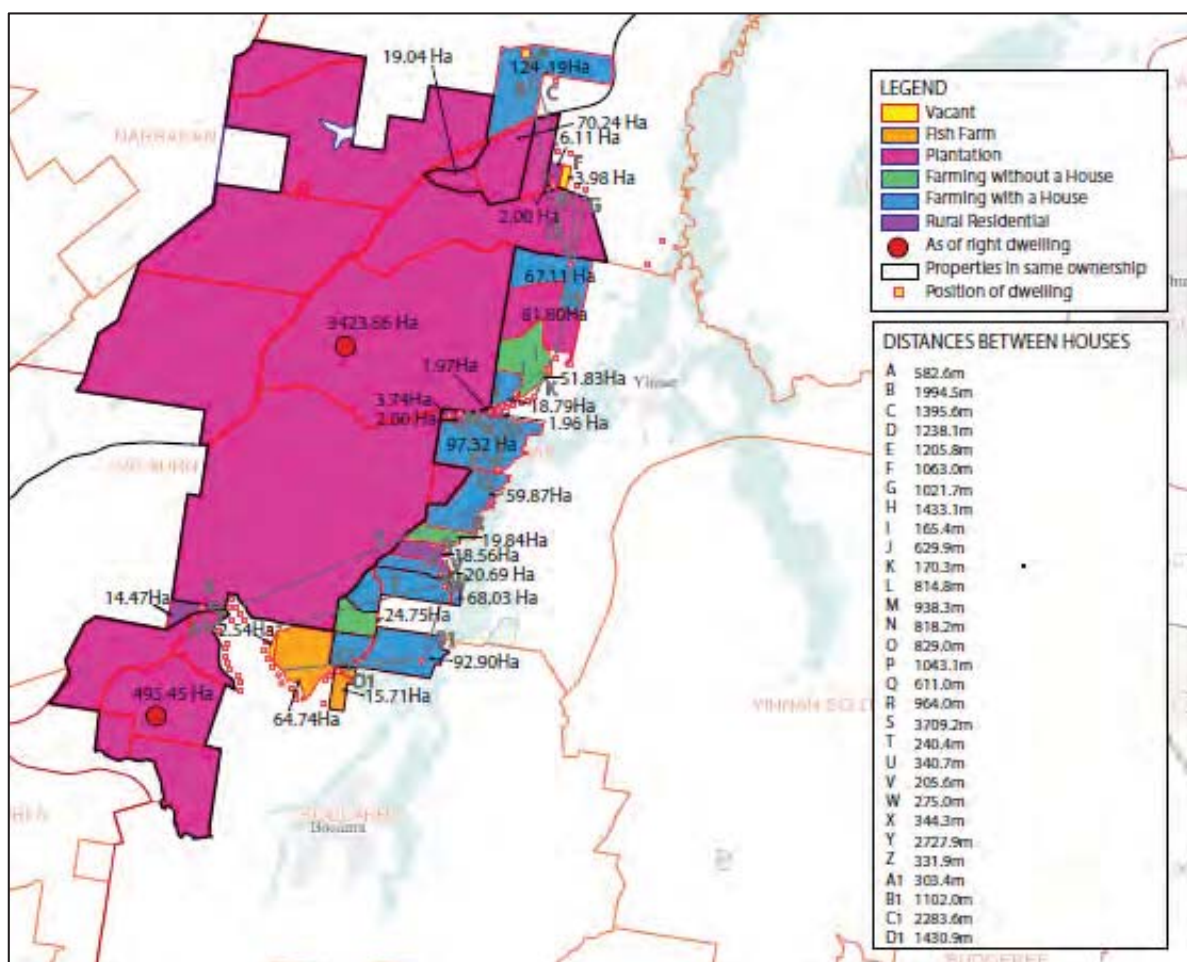
Attachment 6: Additional information to Intensive Agriculture Precincts

Amendment C105 introduces local policy at Clause 22.01 – Intensive Agriculture. Intensive agriculture (as intended by the Rural Land Use Strategy) includes intensive animal husbandry and protected cropping. It is noted that these locations are identified to show where such opportunities may be achieved, and is not intended to exclude opportunities for intensive agriculture in other locations within the Farming Zone – Schedule 1.

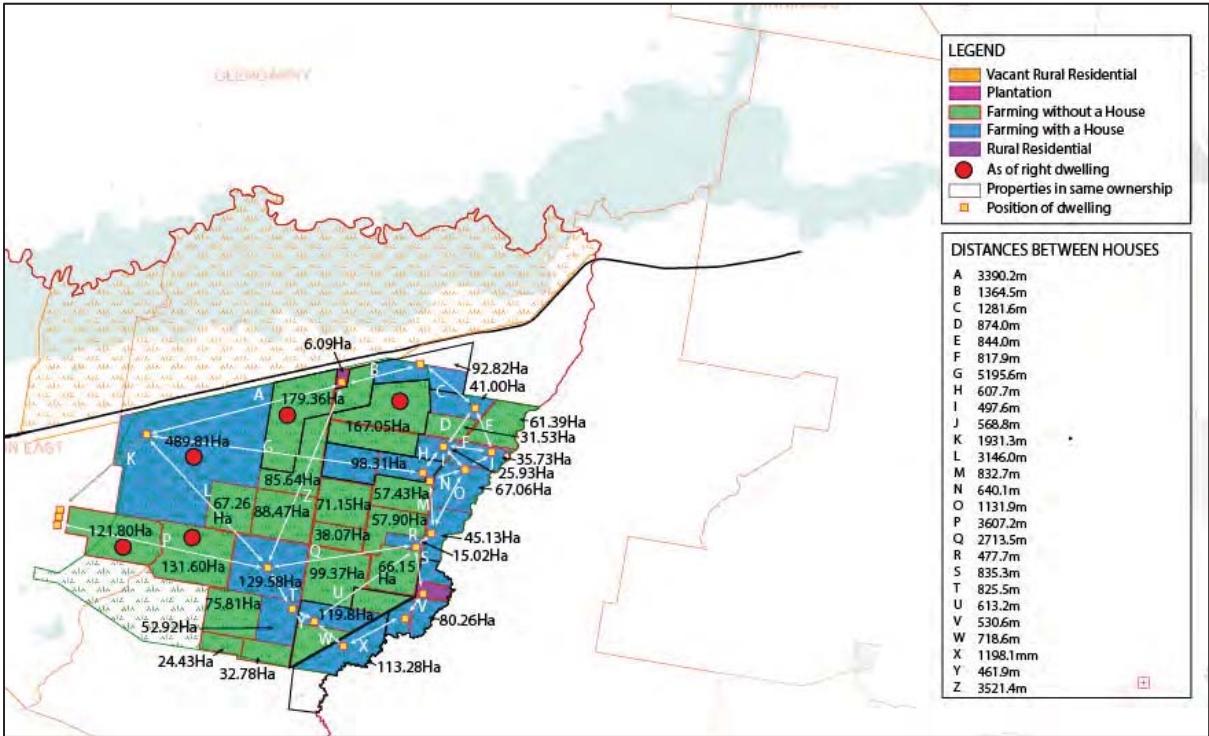
The identification of Intensive Agriculture precincts suited to such uses identified by the Rural Land Use Strategy followed the below methodology shown at Table 11, page 47 of the strategy.

The following maps provide an assessment of each location, showing lot size and the proximity of dwellings between properties.

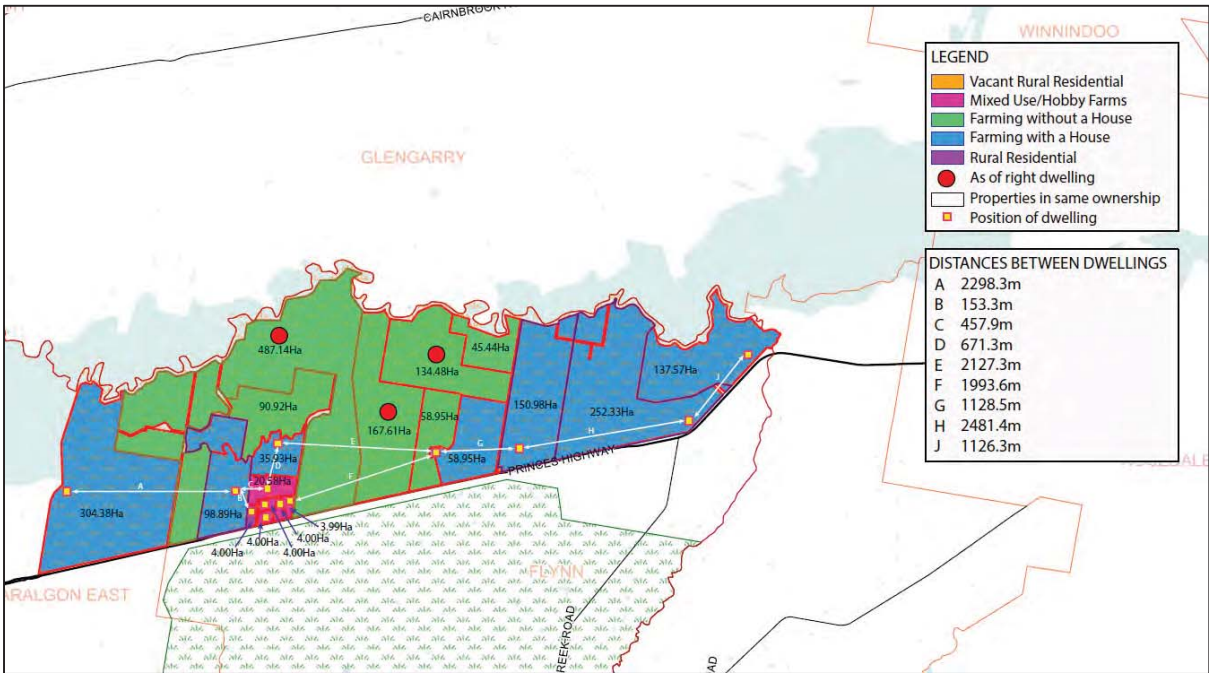
Silver Creek Intensive Agricultural Precinct (Delburn):



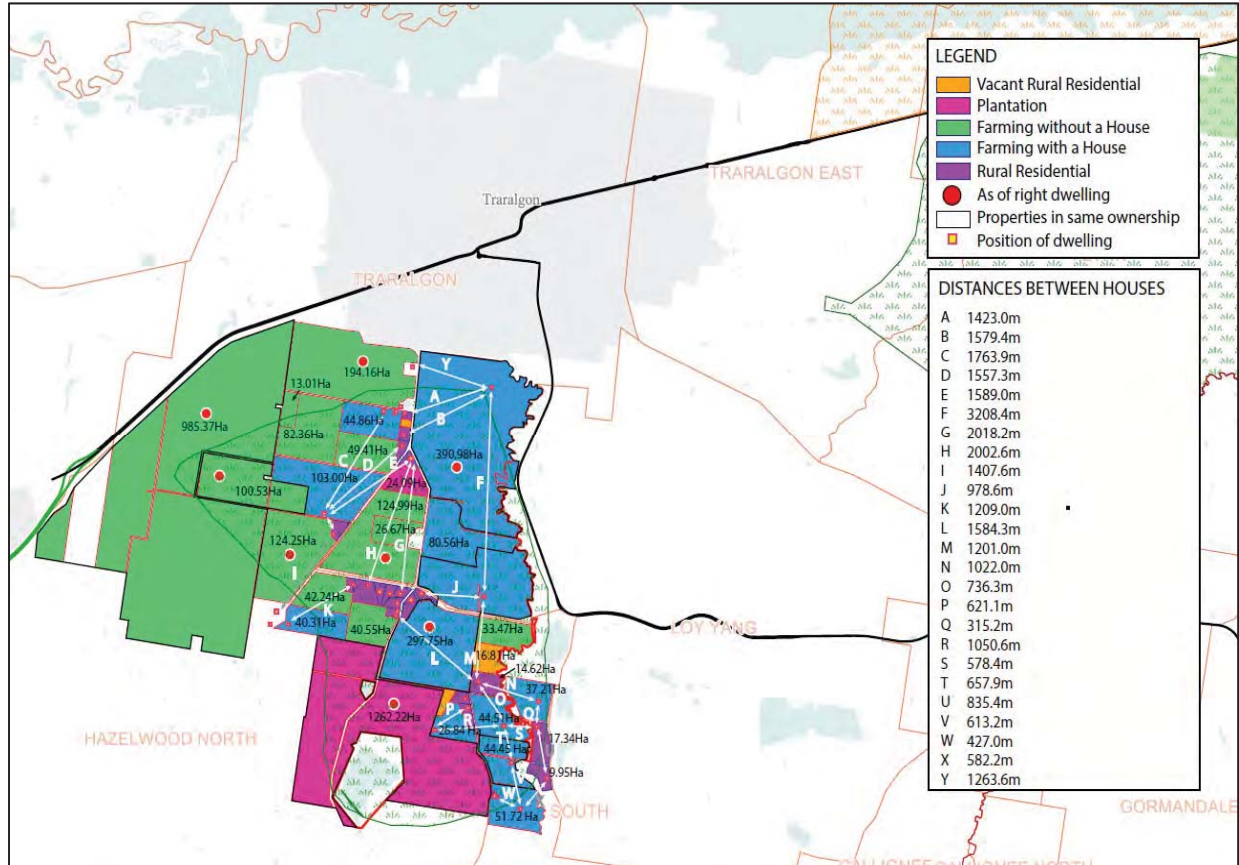
Latrobe River East Intensive Agricultural precinct:



Flynn Creek Intensive Agricultural precinct:



Traralgon Creek Intensive Agriculture precinct:



APPENDIX 7: Additional information to Farming Zone – Schedule 1 and 2

The following information describes the objective of the Farming Zone – Schedule 1 and 2 then provides quantitative assessment of the current land use and development implications of each schedule.

Further detailed discussion of the each schedule and how they have been applied is outlined within the exhibited *Rural Land Use Strategy*.

Additional guidance regarding future land use and development within the proposed Farming Zone schedules is provided by the exhibited local policies including:

- Clause 22.01 – Intensive Agriculture
- Clause 22.02- Rural Dwelling and Subdivision in the Farming Zone
- Clause 22.03 – Rural Tourism in the Farming Zone

1. CONTEXT

Rural Land Use Strategy

The exhibited *Rural Land Use Strategy* explains the results of community consultation undertaken during Live Work Latrobe Stage 1.

This indicated that community members sought a more site specific approach to assessing applications for dwellings and the subdivision of land in Farming Zone areas which has regard to farming productivity as opposed to relying on minimum lot size provisions.

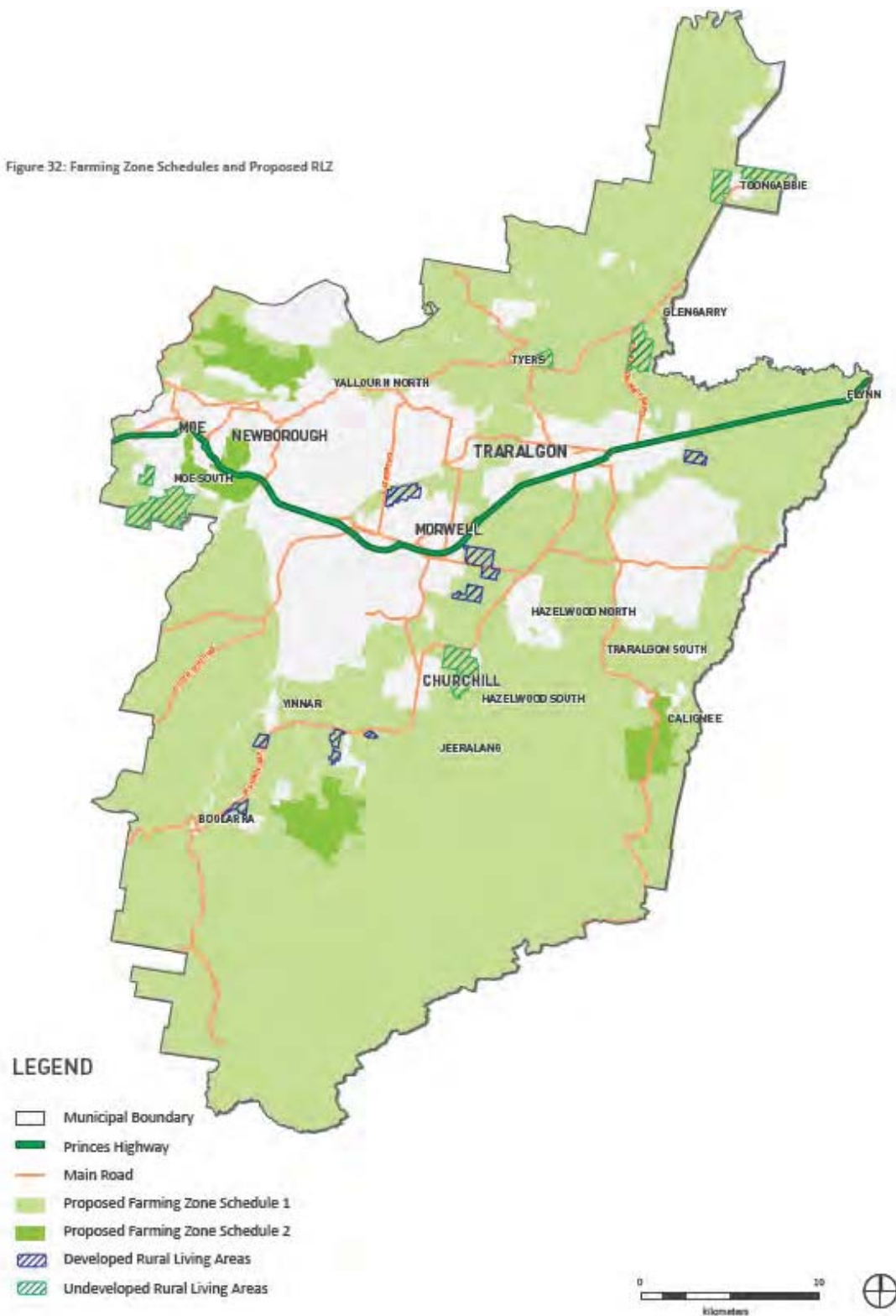
In response, the *Rural Land Use Strategy* seeks to provide clear direction to Council and the community regarding locations where productive agricultural land is located, should be protected and commercial agriculture is to be the primary land use.

It recommends that Farming Zone schedules be tailored to identify areas of productive agricultural land and areas where commercial scale agriculture should be protected from fragmentation and residential encroachment. It also recommends that Local Planning Policy be developed to inform the assessment of applications for dwellings and subdivision as well as clarifying discretionary uses to be considered or discouraged in the Farming Zone on a site-by-site basis.

The location of the exhibited Farming Zone – Schedule 1 and 2 locations is shown below.

Note: Minor variations to the locations of the Farming Zone Schedules are proposed as post exhibition changes. These are shown within the revised Rural Land Use Strategy at Attachment 11 to Council's Part B submission to the Planning Panel.

Figure 32: Farming Zone Schedules and Proposed RLZ



2. FARMING ZONE – SCHEDULE 1 COMMERCIAL AGRICULTURE:

The purpose and changes introduced by the Farming Zone - Schedule 1 include:

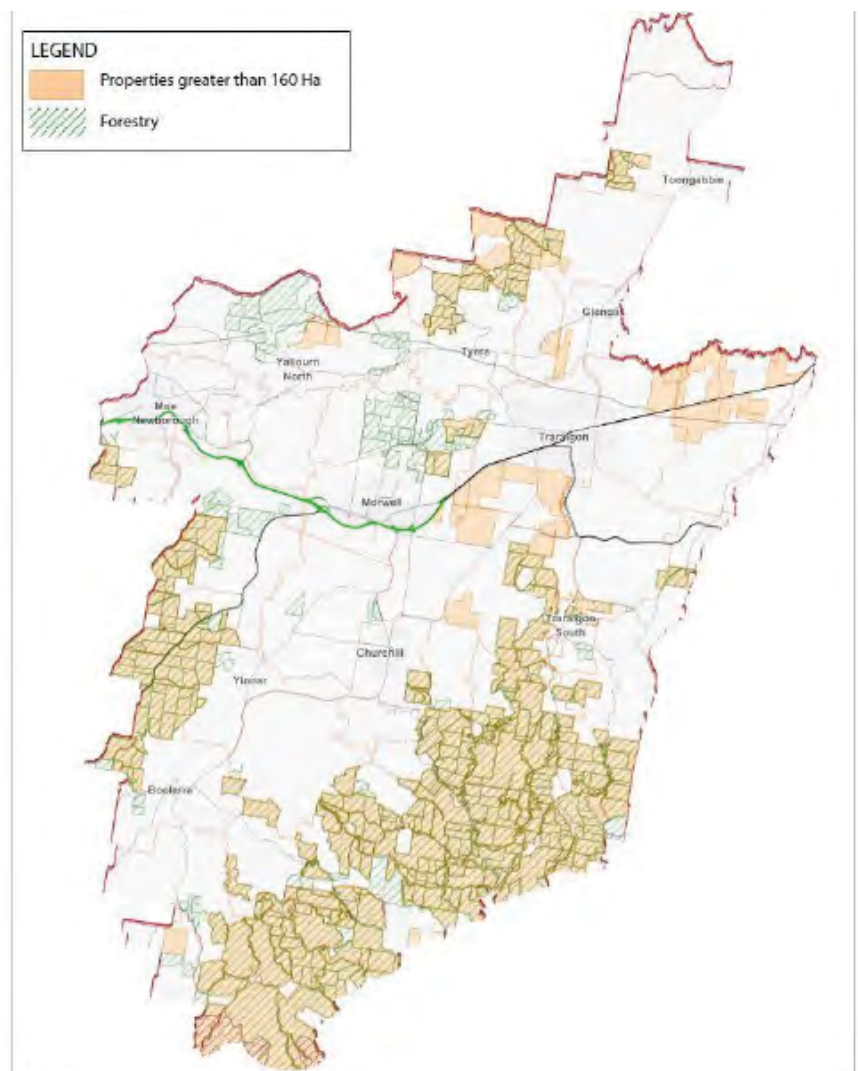
- To ensure that the use, development or subdivision of land does not adversely impact on the productive use of land for food and fibre.
- To discourage the proliferation of dwellings not associated with agriculture.
- To ensure that the siting of dwellings does not prejudice existing and future agricultural activities on surrounding land.
- To limit the fragmentation of land by subdivision and discourage the creation of irregular shaped or small lots.
- To preserve and encourage the creation of large land parcels through consolidation and/or re-subdivision.
- Increases the subdivision area to 80 hectares and permit requirement for a dwelling from 40 hectares to 100 hectares

Subdivision opportunity:

There are currently 183 properties that are subdividable within the Farming Zone (including forestry).

Under the proposed Farming Zone, a total of 68 properties would have further subdivision opportunity (including land presently used for forestry). This equates to a difference of 115 properties or 12,230 Hectares.

Currently 55,962 Hectares is subdividable, under the proposed FZ1 there is a 43, 732 hectares that would have subdivision opportunity.



Dwelling opportunity:

The proposed Farming Zone – Schedule 2 increases the minimum lot size from 40 hectares to 100 hectares for a 'no permit requirement' to use land for a dwelling.

- Dwelling permit requirement change:
 - Currently **163 properties** above 40 ha (as of right dwelling)
 - Currently **38 properties** above 100 ha (as of right dwelling under proposed Amendment C105)
 - Difference of **125 properties**

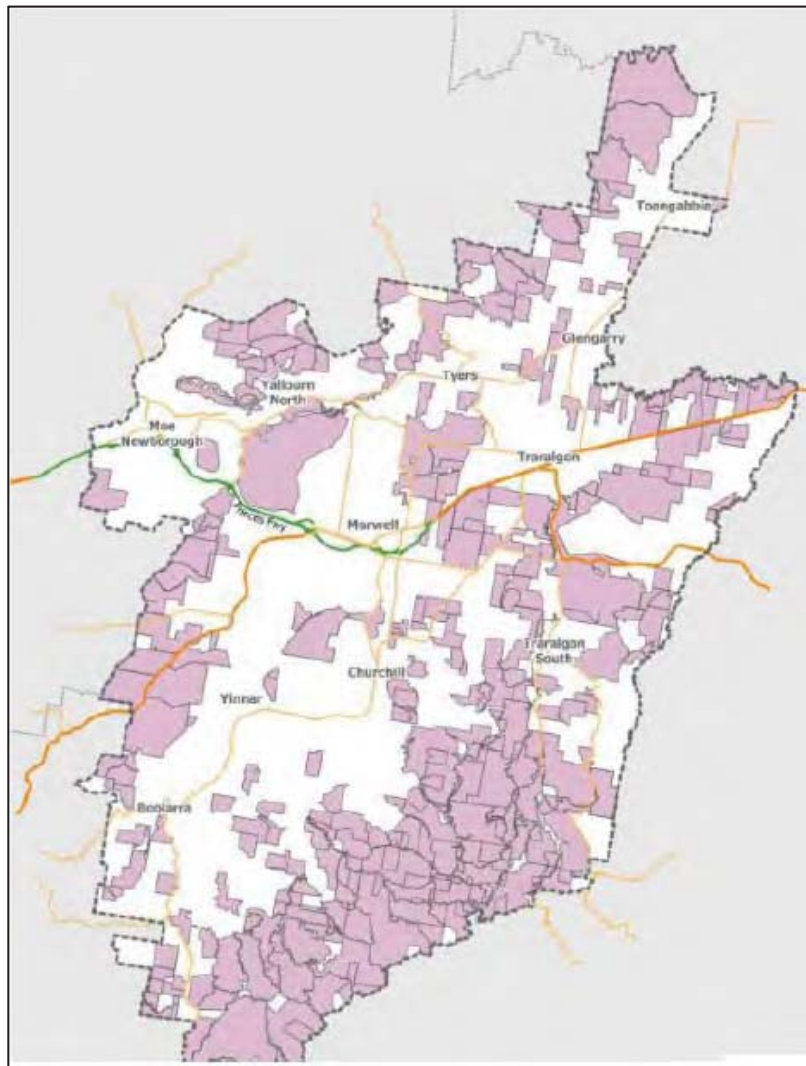


Figure 1: **Pink:** All properties currently located in a Farm Zone greater than 100ha.

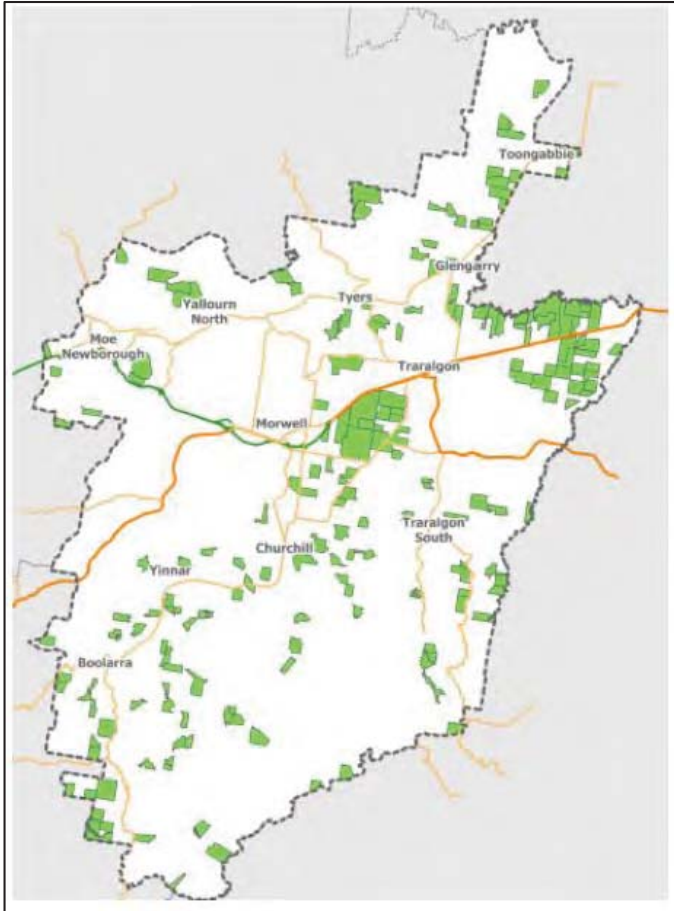


Figure 21: **Green:** All properties currently in a Farm Zone greater than 40ha (excluding properties developed with a dwelling or land managed by DEPI and forestry industries).

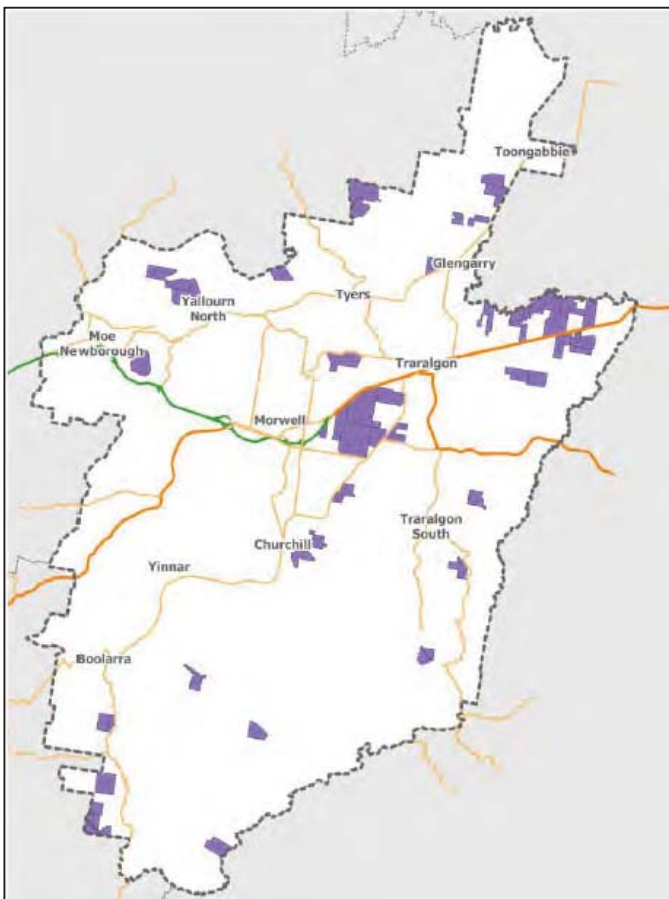


Figure 22: **Purple:** All properties currently in a Farm Zone greater than 100ha, (excluding properties developed with a dwelling or land managed by DEPI and forestry industries).

3. FARMING ZONE – SCHEDULE 2 MIXED FARMING (FZ2)

Farming Zone – Schedule 2 is proposed to apply to four localities including Yinnar South, Moe South, Yallourn North and Callignee.

The *Rural Land Use Strategy* recommends that Farming Zone, Schedule 2 be applied to locations where smaller scale mixed farming is undertaken.

This schedule seeks to recognise areas where rural land use is a mix of commercial agriculture, hobby farming and rural residential. It is acknowledged that investment in commercial agriculture may be limited due to conversion to rural lifestyle and speculative land ownership. However, rural land in Farming Zone Schedule 2 will play an important role in providing a transition between urban centres and commercial agriculture and forestry, protecting the rural landscape, providing opportunities for rural tourism, maintaining separation between industrial and sensitive uses and promoting efficient development of zoned Rural Living estates.

The exhibited Clause 22.02 provides direction for the assessment of dwellings and rural subdivision within Schedule 2. In relation to the Farming Zone – Schedule 2, this policy includes:

Objectives:

- *To provide for the orderly and complimentary use of land for agriculture, tourism, niche and mixed farming and related purposes in attractive rural landscapes.*
- *To discourage dwellings in locations that will limit the operation of surrounding commercial agriculture enterprises – including buffers required by industry codes of practice.*
- *To ensure buildings are suitably designed and sited to protect the landscape characteristics of the area.*
- *To support improved biodiversity and conservation outcomes through improved land management.*

Proposed Farming Zone – Schedule 2 does not alter the minimum lot size of 40 hectares for subdivision or planning permit requirement for a dwelling. Further information for each of the proposed Farming Zone – Schedule 2 precincts is provided on the following pages.

3.1. Land Use:

For each of the FZ2 precincts, a desk top assessment using Council's GIS mapping system and review of Council property rates information was used to indicate current land use and development within each precinct. A description of the land use categories applied for each precinct is outlined below.

Note the information provided on 'land use' has not been confirmed with on site investigation of all properties.

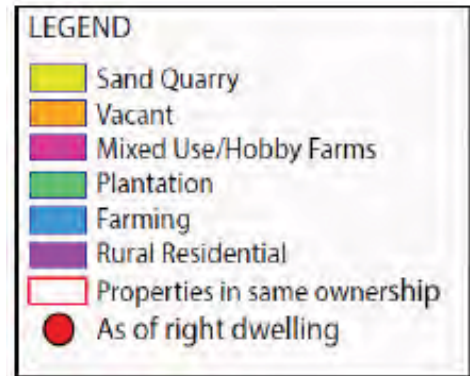
Quarry: Land use for extraction of stone, sand and other earth resources.

Vacant: No dwelling is present and no underlying land use has been determined. Where a vacant parcel of land (i.e. no dwelling) is in single ownership with an adjoining property, the adjoining land use has been applied as relevant.

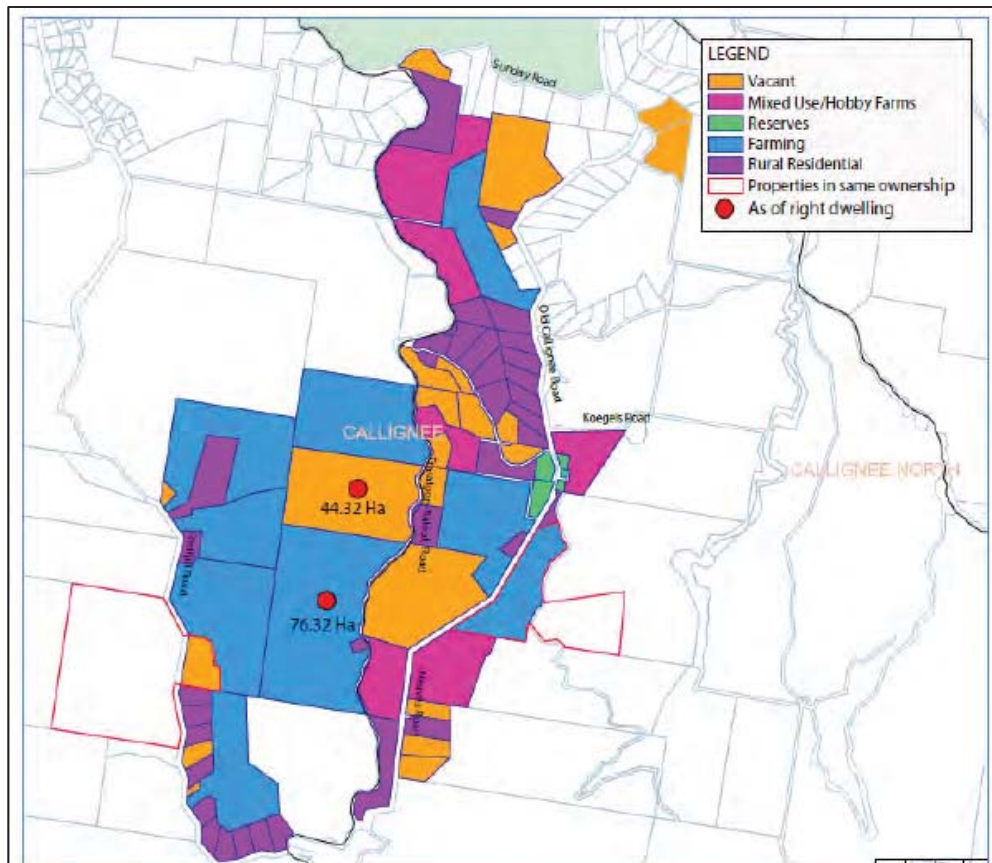
Mixed Use /Hobby Farms: Dwelling is present along with pens and associated infrastructure required for livestock. Land with a dwelling that is that predominantly covered in vegetation and is not used extensively for agriculture.

Farming: Land use identified through the rates system as a mixed use farm or as a commercial farm. Property receives the Farm Rate discount.

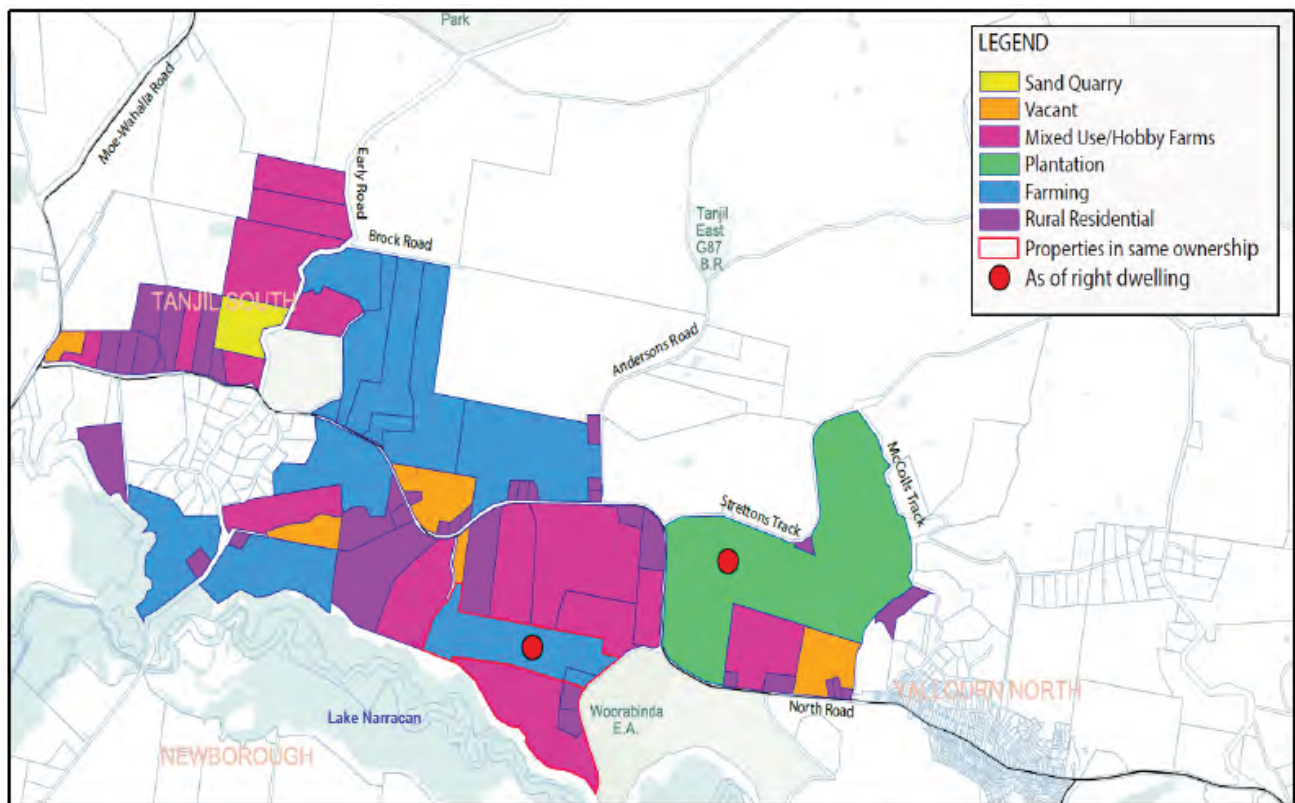
As of right dwelling: Vacant land where a planning permit would not be required by the proposed Farming Zone – Schedule 2 for the use of land for a dwelling (i.e. above 40 hectares).



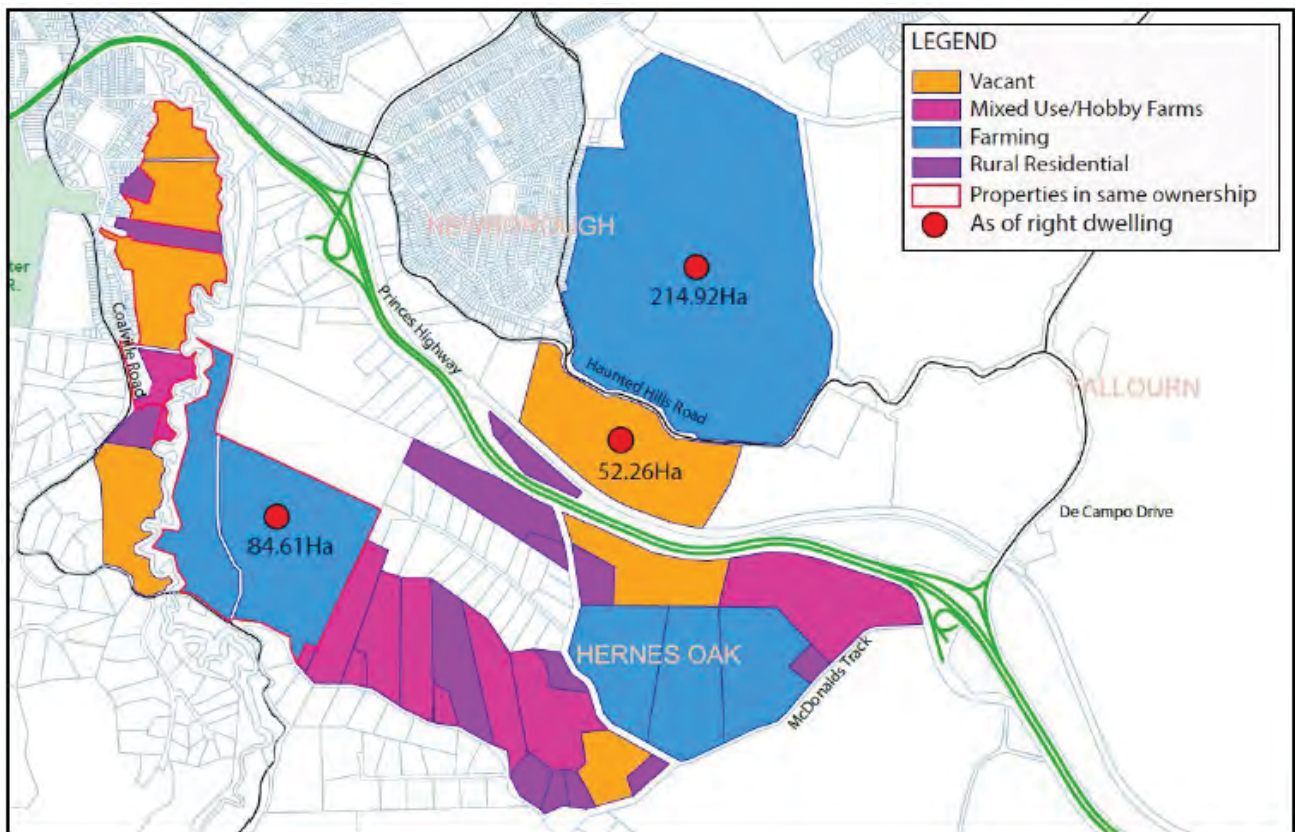
Callignee precinct:



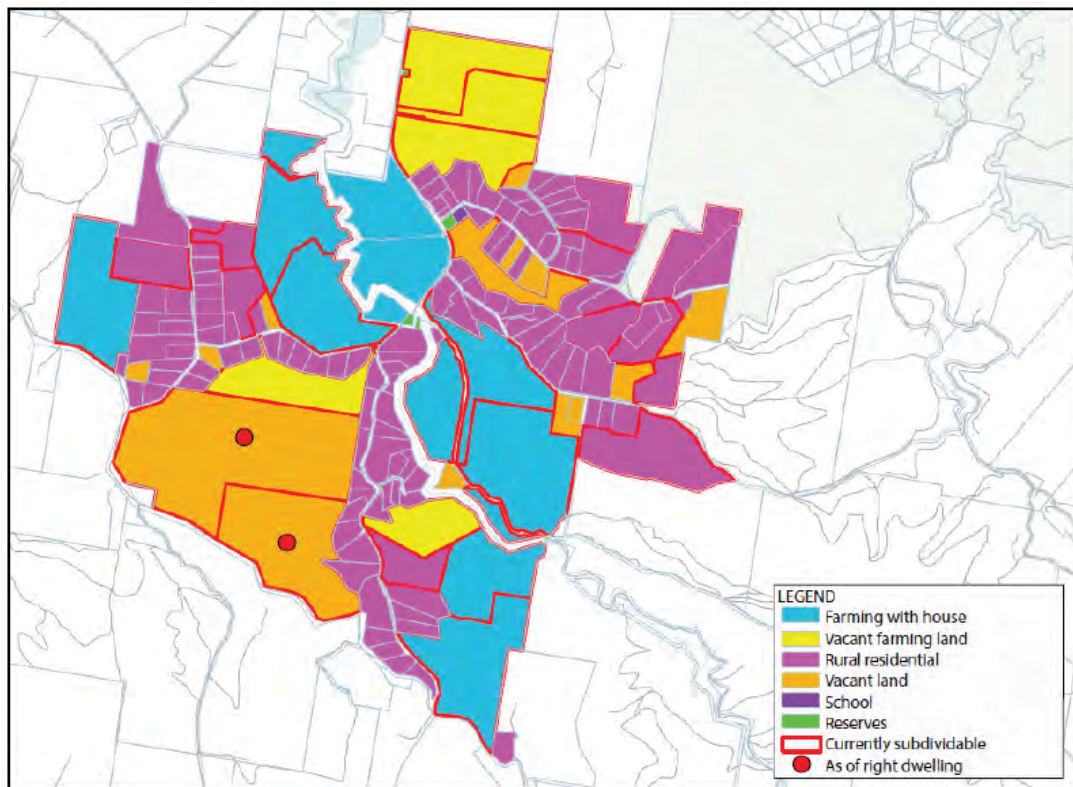
Lake Narracan North / Yallourn North precinct:



Moe South precinct:



Yinnar South precinct:

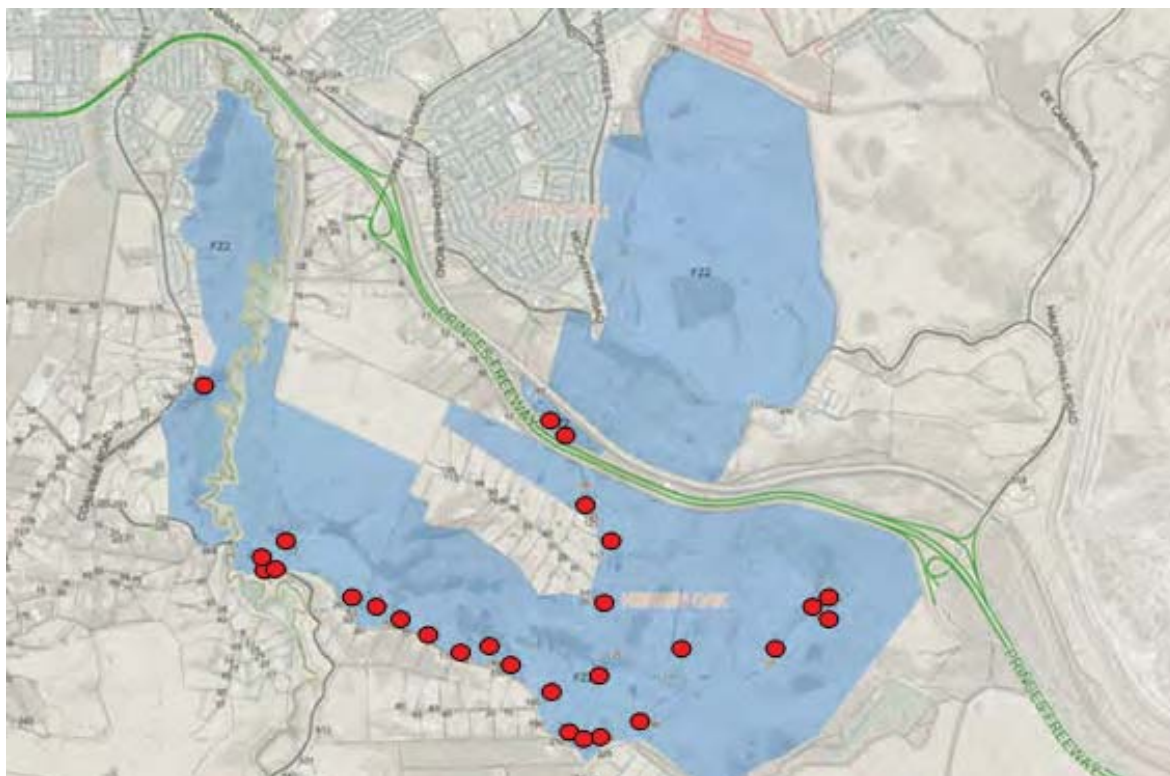


3.2. Location of existing dwellings is provided below:

Yinnar South precinct:

The location of existing dwellings has not been completed for Yinnar South, as the location of Rural Residential land generally signifies the location of dwellings. Vacant properties are also shown.

Moe South precinct:



3.3. Environmental Values within Farming Zone – Schedule 2 precincts:

Parts of the Farming Zone – Schedule 2 (FZ2) precincts contain some of Latrobe cities significant biodiversity.

Ecological Vegetation Classes (EVC) are the standard unit for classifying vegetation types in Victoria.

EVC types and key habitat present within the proposed FZ2 areas include both threatened and vulnerable flora and fauna. Whilst detailed site surveys of individual properties has not been undertaken, EVC classifications represent a 'biogeographic range' of flora communities with similar habitat. This then provides an indication of likely fauna species to be found.

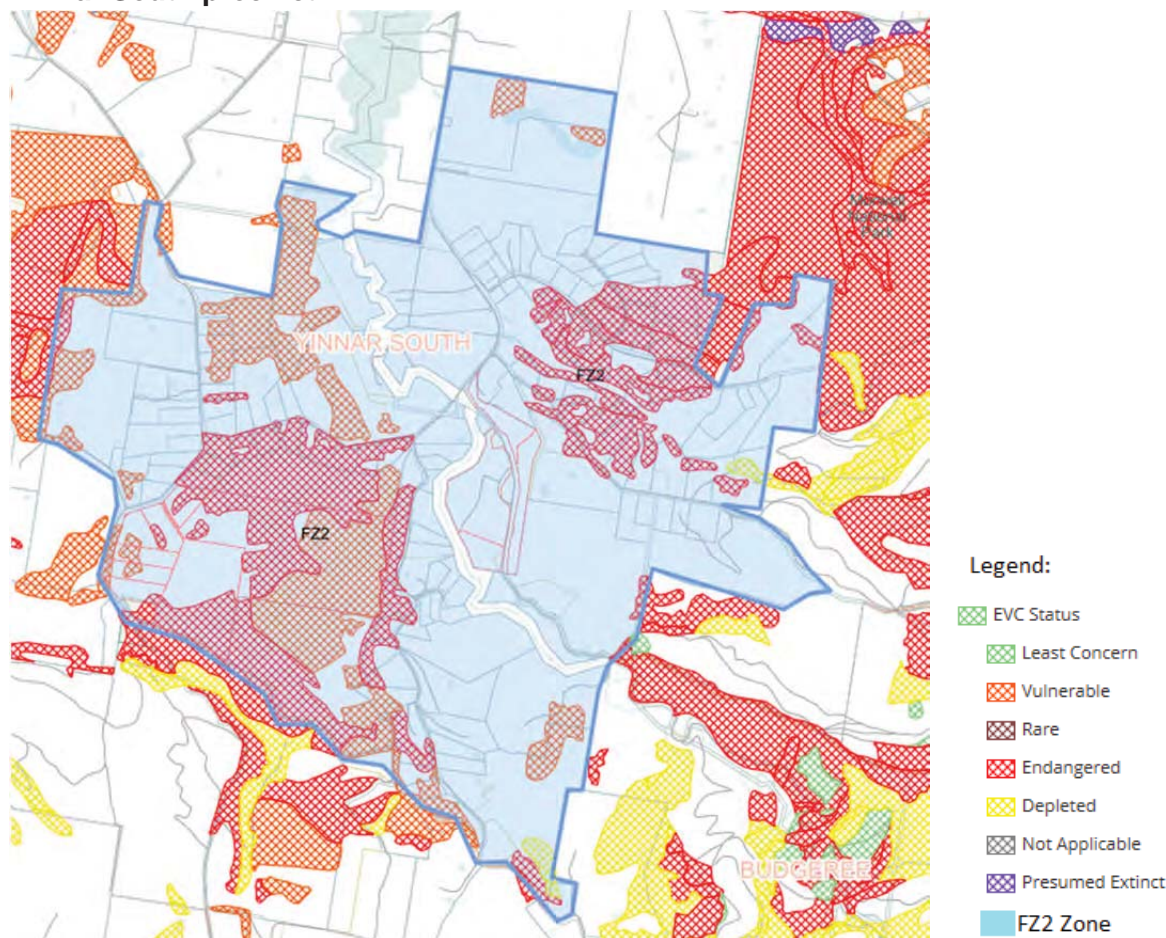
EVC Classification descriptions are as follows:

- An endangered EVC consists of less than 10% of former range (pre-European settlement remains).
- A vulnerable EVC consists of 10 to 30% pre-European extent remaining.
- A depleted EVC consists of 30-50% pre-European extent remaining in Victoria.
- For an EVC to be classified as being least concern it has greater than 50% of its pre-European extent.

Strategic Biodiversity Scores (SBS) combine information on biodiversity values with vegetation type and condition to show the relative value of landscapes in Victoria. These scores help identify priority areas for protection.

Mapping of environmental values for each of the Farming Zone – Schedule 2 precincts follows:

Yinnar South precinct:

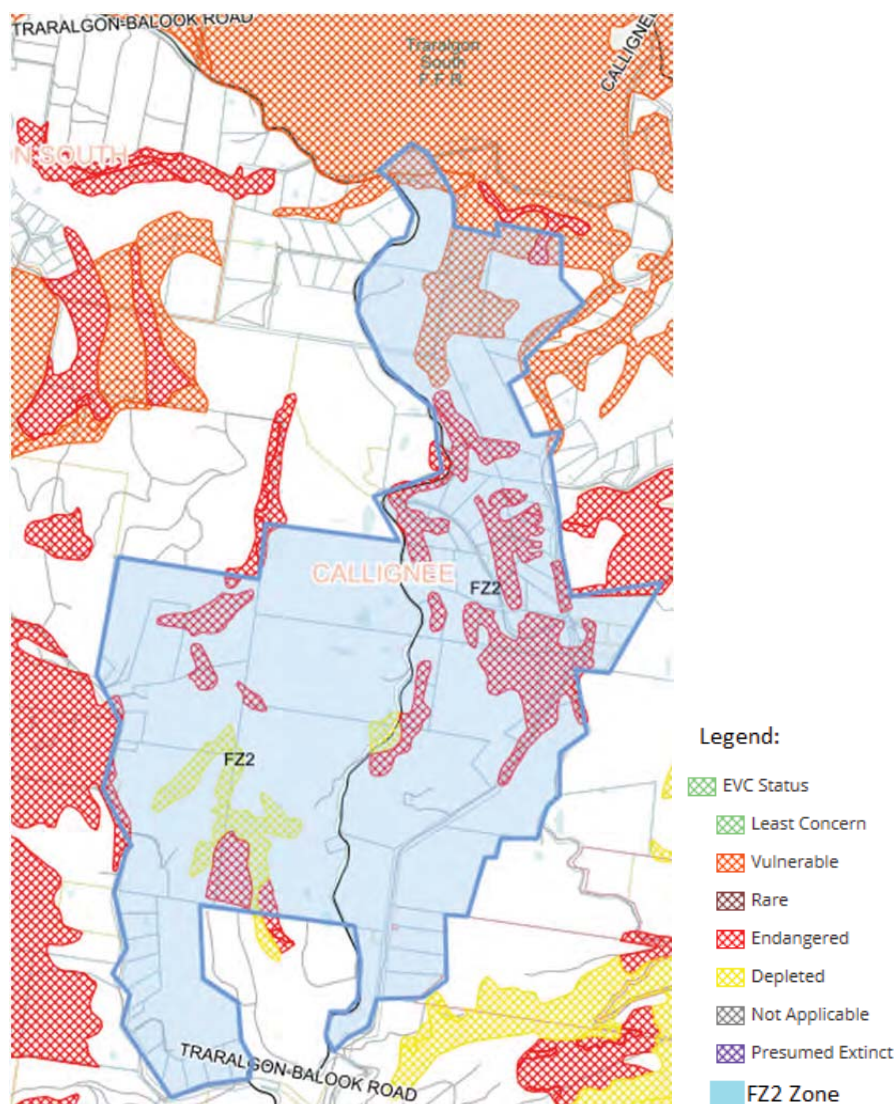


This FZ2 precinct is in close proximity of the Morwell national park to the east and state forest bushland to the west of the precinct. It contains some of Latrobe cities highest biodiversity scores with an SBS ranges 50 and 81. Significant areas of vulnerable and endangered EVC types are displayed on the map above.

The high biodiversity values were considered in many instances to be prohibitive to further significant subdivision and development. The below table indicates a diverse range of EVC types to be found.

Name	Code	Bioregion	Status	Number of records
Lowland Forest	16	Strzelecki Ranges	Vulnerable	16
Herb-rich Foothill Forest	23	Strzelecki Ranges	Endangered	37
Damp Forest	29	Gippsland Plain	Endangered	22
Wet Forest	30	Strzelecki Ranges	Depleted	41
Warm Temperate Rainforest	32	Strzelecki Ranges	Endangered	1
Swampy Riparian Woodland	83	Gippsland Plain	Endangered	24
Plains Grassy Forest	151	Strzelecki Ranges	Endangered	62

Callignee precinct:

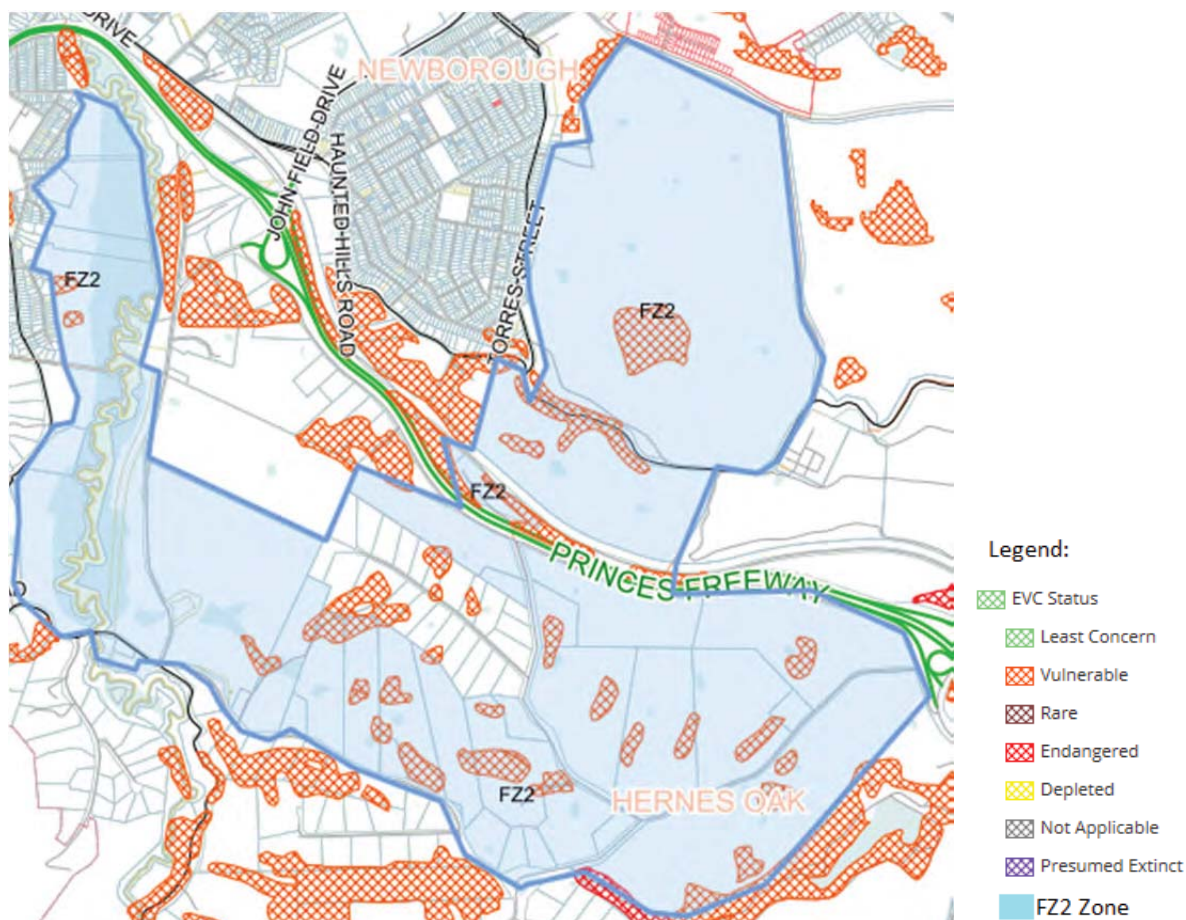


The proposed FZ2 precinct is located in close proximity of the Traralgon south flora and fauna reserve and contains some significant stands of endangered Swampy riparian woodlands.

Table 1: This table displays the EVCs located in the Callignee FZ2 precinct and there Conservation status.

Name	Code	Bioregion	Status	Number of records
Lowland Forest	16	Gippsland Plain	Vulnerable	50
Damp Forest	29	Strzelecki Ranges	Endangered	162
Wet Forest	30	Strzelecki Ranges	Depleted	84
Swampy Riparian Woodland	83	Gippsland Plain	Endangered	2

Moe South precinct:



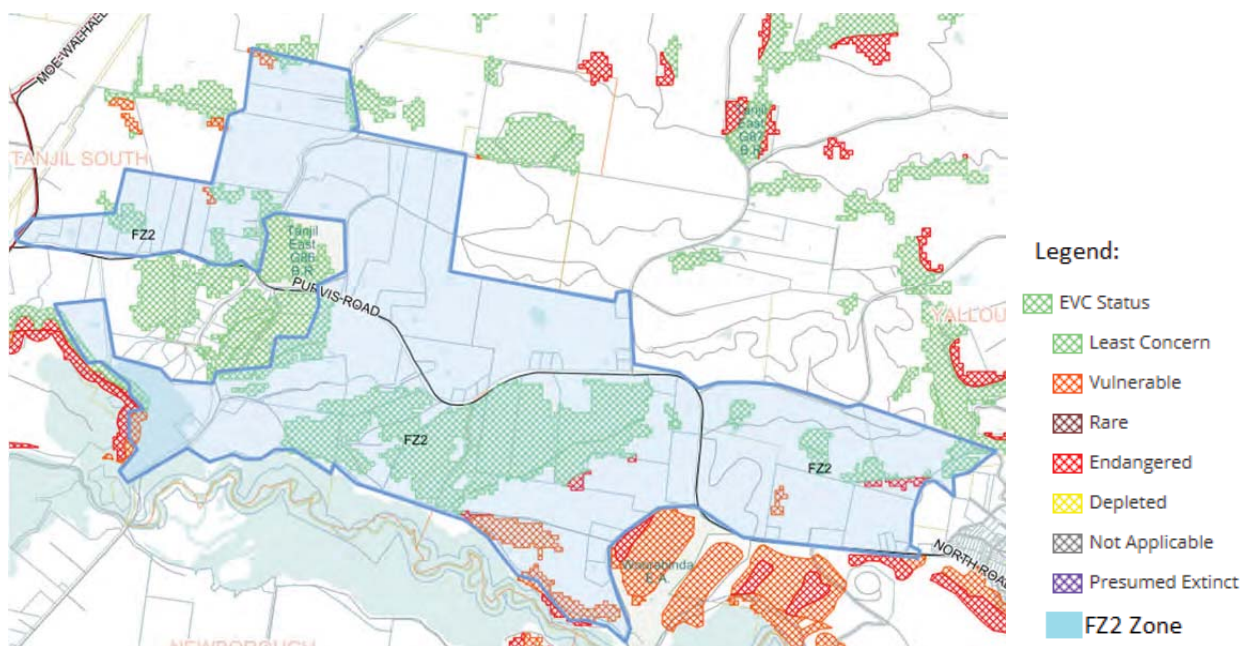
As this precinct is in relatively close proximity to the Newborough and contains significantly less environmental assets compared to the other FZ2 locations. This precinct is located within the potential Strzelecki-Alpine Bio-Link and contains the endangered swamp scrub EVC type. Improvement of land management and biodiversity outcomes are encouraged by the FZ2 strategies and Decision Guidelines included within proposed Clause 21.02.

The below table displays the EVCs located in the Moe South FZ2 precinct and their Conservation status.

Name	Code	Bioregion	Status	Number of records
Lowland Forest	16	Gippsland Plain	Vulnerable	65
Swamp Scrub	53	Gippsland Plain	Endangered	30
Plains Grassy Forest	151	Gippsland Plain	Vulnerable	1

Lake Narracan North / Yallourn North precinct:

The Lake Narracan FZ2 precinct is in close proximity to Lake Narracan and contains some locations of vulnerable and endangered vegetation types. The flood plain riparian woodland is a relatively rare EVC in Latrobe city due to it only being located near areas that are readily positioned to flood. As these vegetation classes are unique they provide niche habitat for some of Latrobe's significant fauna species such as the Lace monitor. This precinct also is positioned in close proximity to the Tanjil East Bushland Reserve.



The below table displays the EVCs located in the Lake Narracan FZ2 precinct and their Conservation status.

Name	Code	Bioregion	Conservation Status	Number of records
Lowland Forest	16	Highlands - Southern Fall	Least Concern	71
Damp Forest	29	Highlands - Southern Fall	Least Concern	10
Floodplain Riparian Woodland	56	Gippsland Plain	Endangered	8
Plains Grassy Forest	151	Highlands - Southern Fall	Endangered	27
Riparian Scrub	191	Highlands - Southern Fall	Vulnerable	20

4. Agricultural Capability

Productive agricultural land generally has one or more of the following characteristics as identified on page 29 of the Rural Land Use Strategy (RLUS):

- Suitable soil type;
- Suitable climatic conditions;
- Suitable agricultural infrastructure, in particular irrigation and drainage systems; and
- Pattern of subdivision favourable for sustainable agricultural production.

Therefore, as demonstrated above key differences between the soil atlas mapping and the agricultural land use mapping are that the land use is also taken into account when determining the capability of the land being used for agriculture. A map of Latrobe's agricultural capabilities (sourced from the exhibited RLUS) is provided in figure 1 below along with table 1 which describes the degree of limitation for each agricultural land use class.

The remaining sections of this report focus on soil based data available within the Latrobe City municipal area. The report also aims to give suggestions as to which land use may be suitable in selected areas (subject to change). In the Gippsland region it has been evident in the past that there is a strong presence of agriculture with high amounts of milk; meat; wool; eggs and fruit produced in the area. As Latrobe City has many unique land uses such as mining and forestry, the agriculture presence is important to maintain to ensure the areas with quality soils continue to be utilised to their best ability.

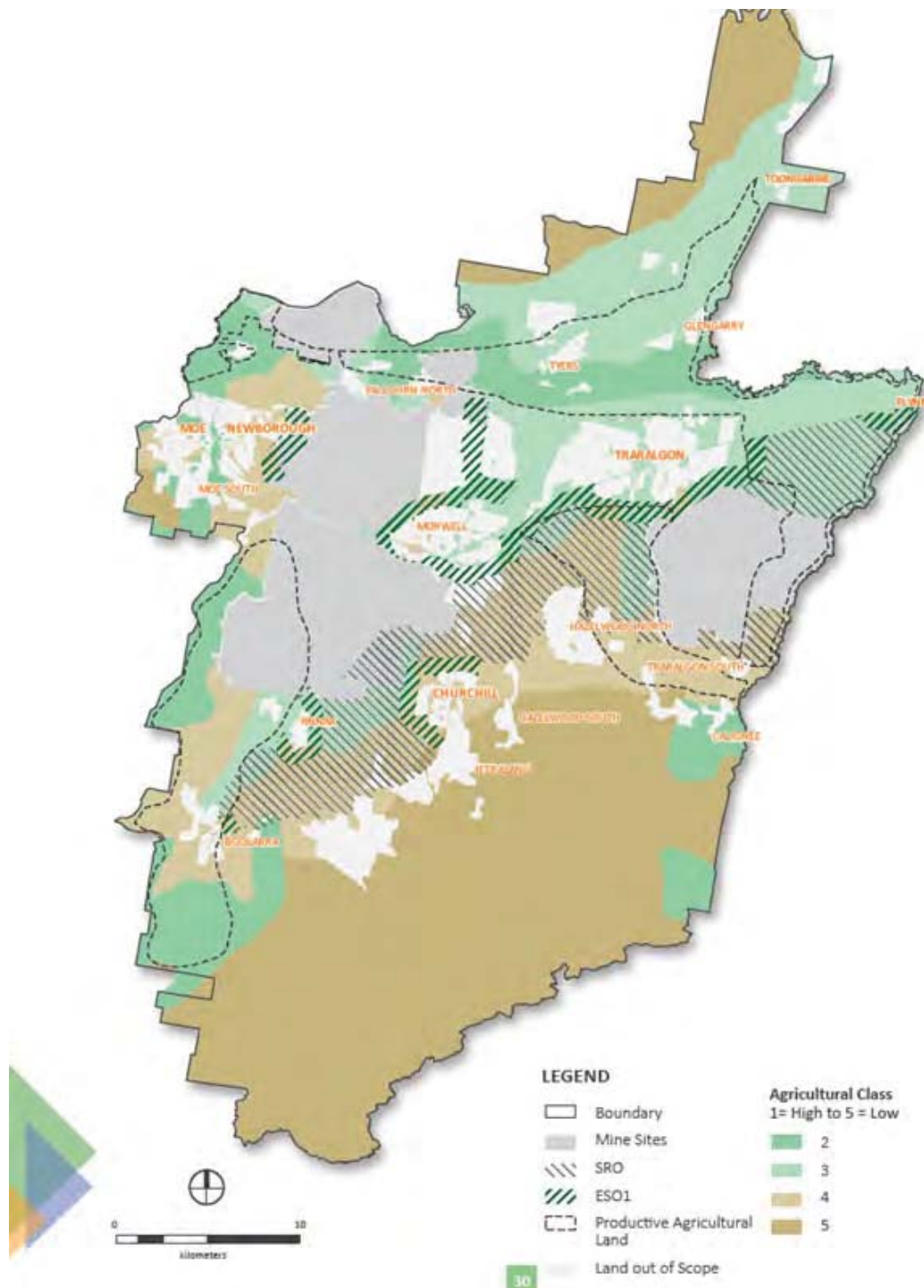


Figure 1: Agricultural capability mapping as prepared for the Rural Land Use Strategy. (Pg. 30 in the Rural Land Use Strategy).

Table 1: Describes the criteria of agricultural land use that is used in the map of agricultural

CLASS	CAPABILITY	DEGREE OF LIMITATION
Class 1	Very good	Can sustain a wide range of uses including an intensive cropping regime. Very high levels of production possible with standard management level (None in Latrobe City).
Class 2	Good	Moderate limitations to agricultural productivity, overcome by readily available management practices.
Class 3	Fair	Can sustain agricultural uses with low to moderate levels of land disturbance such as broad acre cultivation in rotation with improved pastures. Moderate to high levels of production possible with specialist management practices such as minimum tillage.
Class 4	Poor	Low capacity to resist land disturbance such as cultivation. Moderate production levels possible with specialist management such as improved pasture establishment with minimum tillage techniques. Recommended for low disturbance agriculture such as grazing or perennial horticulture.
Class 5	Very poor	Very low capability to resist land disturbance. Areas of low productive capacity. Minimal grazing levels or non-agricultural uses recommended.

Soil Classification

Soil quality/type can influence many factors around the Latrobe City Council. Factors such as agricultural land use, ground stability, erosion control and resilience from a natural disaster can be largely influenced by the soil quality in an area. Soils are made up of inorganic materials and organic materials. Inorganic materials provide structure (rock, clay, silt and sand) while organic materials provide nutrients and hold water to support the growth of living organisms.

One of the most important contributions that soils give to the Latrobe City municipality is its capacity to support vegetation and the food supply to the land uses of dairy, meat production and plantations, etc. The map of soil types in the Latrobe City Council has been extracted from Australian Soil atlas with assistance by an environmental and agricultural consultancy agency (RMCG). This map produced by RMCG located in this report under figure 2 below, lists each area within the Latrobe City Council by a specific soil classification.

The soil classification has been constructed on six different soil factors that each explains the soils integrity and ability to perform a certain land use. The six soil factors that are used to map the soil classifications are:

- Permeability, Profile water holding capacity, Soil texture profile, Soil reaction class (pH), Nutrient status and Soil depth.

Each one of these factors when combined tells a story on what the ability of the soils functioning capability is. A summary of all the different soil data in Latrobe City aims to do the following;

- Explain factors influencing soil quality.
- Describe the data from the Australian soil atlas data for Latrobe City.
- Help explain how land use classifications were derived in the Rural Land Use Strategy.
- Assist focused interpretations on key precincts where a change in the land zone or policy is proposed.

How to interpret soil types in Latrobe City

Latrobe City Council has been showed to have 10 different soil types according to the Australian soil atlas.

This map has been sourced from the Australian Soil atlas and derived for use in Latrobe City Council by RMCG within the *Rural Land Use Strategy*.

Topography

Topography is the surface features of a part of land. It includes the mountains, hills, creeks, and other bumps on a particular section of the earth. Hill shade clearly shows topography using colour and makes a visual representation of areas steepness. The angle of the slope or lay of the land will affect the areas ability to support agriculture due to the type (steepness), depth and moisture content of the soil. Areas lying among low lying gullies may have flooding periods that can affect the suitability for agriculture. As soil is a key part for agriculture the slope can also affect the soils erosion factor, with steep areas having higher erosion when the soil is disturbed for agriculture. Additional extremely steep slopes have issues with access and landslides.

Hillshade in Latrobe City

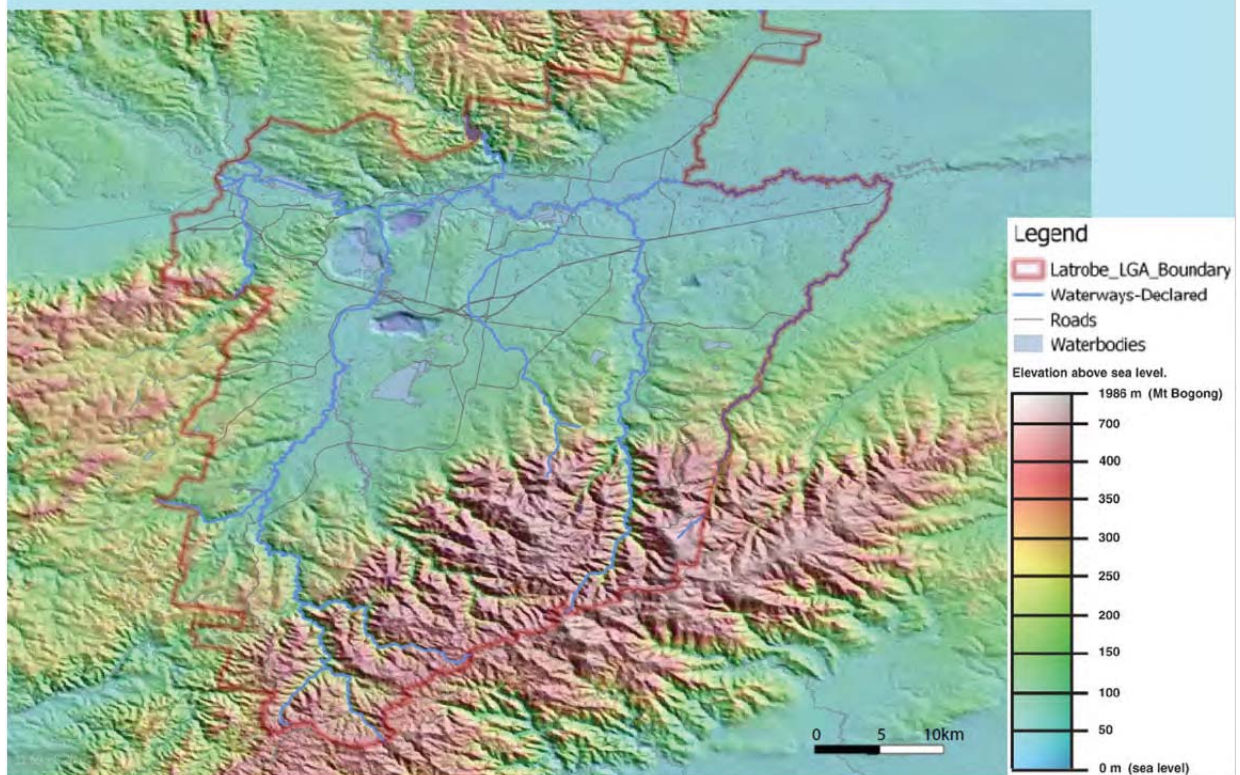


Figure 6: This above map shows the hill shade in the Latrobe City Council area. As Latrobe's municipality is mostly sitting in a valley the topography across the middle is relatively similar around the 50 m above sea level. The Strzelecki ranges can be shown to be increasingly steep with elevations between 350 and 700 m above sea level. For more information about topography the <http://www.land.vic.gov.au/> website can be used to calculate contours on specific locations.

Data sourced from: Victorian State government data library, accessible online: <https://www.data.vic.gov.au/data/dataset/vicmap-lite>

Climate & Rainfall

Bureau of meteorology has data explaining climate forecasts and past information on rainfall and others. Temperature is a key component when determining agricultural land and most vegetation types (cropping, horticulture etc.) cannot grow if the temperature falls below an average 6°C. As a consequence many areas around the world are unsuitable for crop cultivation.

As water is a key component for growing almost every type of vegetation in Victorian agriculture it is crucial that adequate water supply is in proximity to the region, the cheapest and sometimes best source of irrigation is rainfall, so a key factor when determining agricultural land is the amount of rainfall in a region.

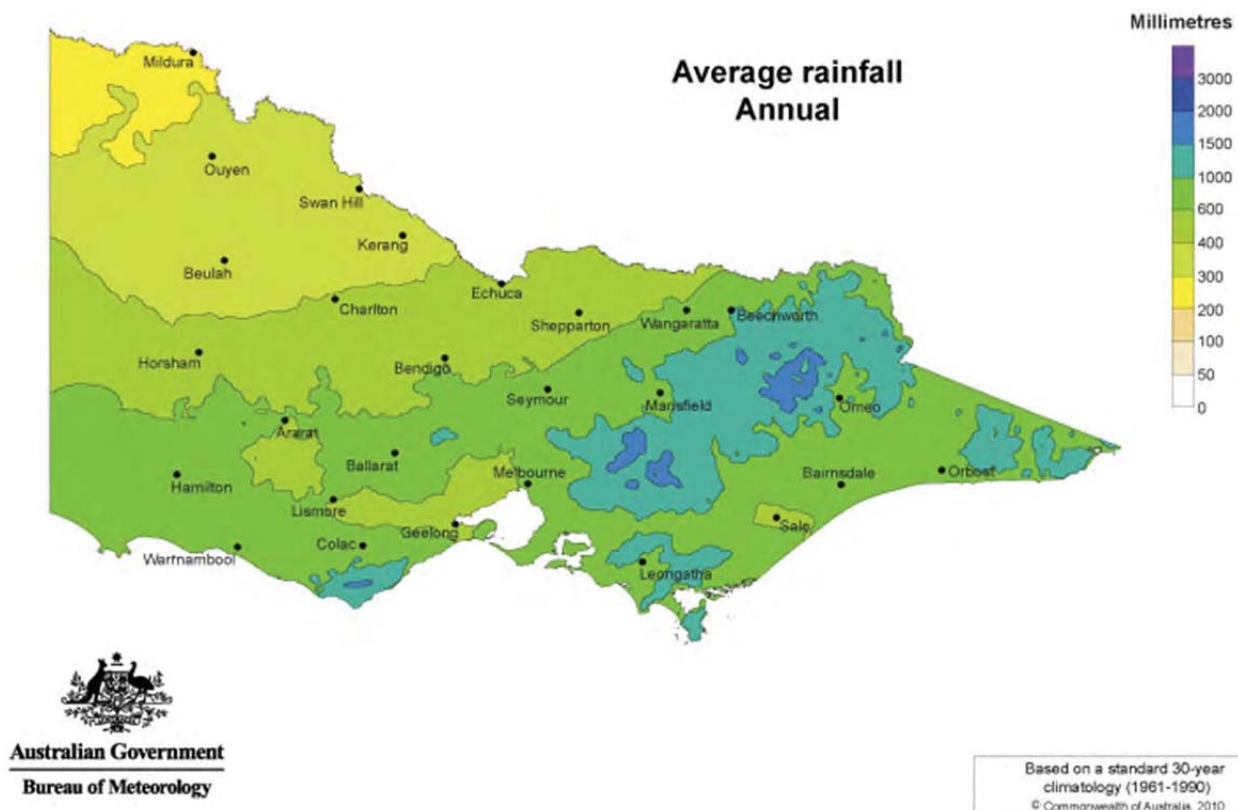


Figure 7: This image above is a map of Victoria's average rainfall annually based on the bureau of meteorology's data from 1961-1990. Latrobe City Council largely identifies as being an area with between 600-1000mm and near the higher altitudes of alpine and Strzelecki regions having between 1000 to 1500mm of rain annually. For additional information on rainfall forecasts the <http://www.bom.gov.au/> website can be used.

Data sourced from: The bureau of meteorology government Australia, The climate Australia average annual, seasonal and monthly rainfall.

[Online]: http://www.bom.gov.au/jsp/ncc/climate_averages/rainfall/index.jsp?period=an&area=vc#maps

Winds effect on Agriculture

Climate in general is an important component when deciding on areas for agriculture and wind can have a destructive effect on crops. Harmful winds can dry soils; this can result in reducing moisture and increasing the potential for soil erosion.

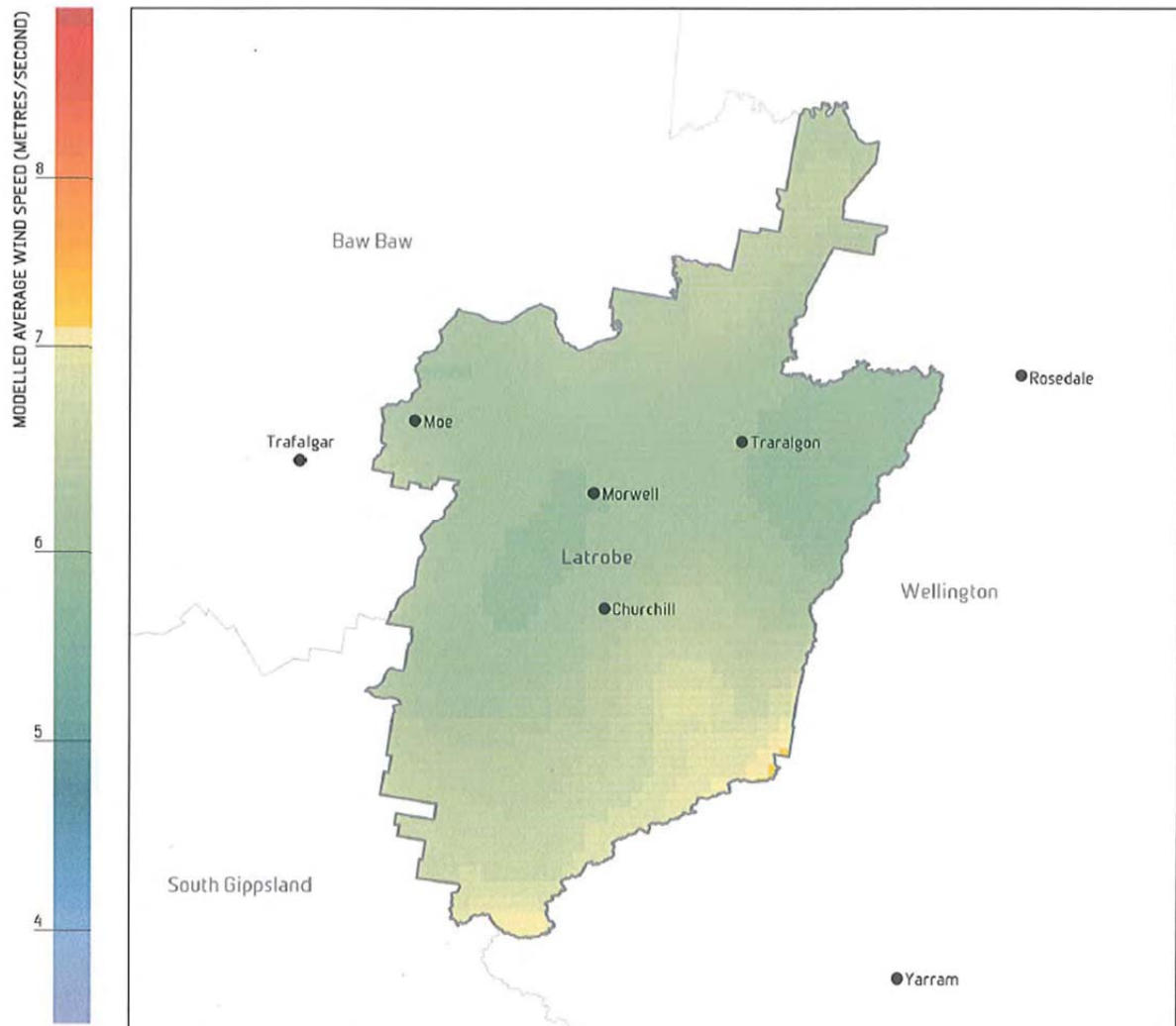


Figure 8: The figure above details the average wind speeds across the Latrobe municipality, as the area is mostly occupying the valley with largely low lying areas the wind speed has smaller variances than other municipalities which are based across a range of topographies. Most of Latrobe's area is sitting around a wind speed of 6 m/s, with the Strzelecki ranges having average speeds around the 7 m/s. For additional information on wind speed forecasts the <http://www.bom.gov.au/> website can be used.

Data sourced from: The Victorian Wind Atlas, Sustainable energy Authority Victoria.

Soil atlas

For additional resources on soil quality and type in a region, other soil atlas maps are available that identify the soil types in each specific region using different classifications. Other soil atlas maps in detail for the Latrobe City and Victoria alike can be found on the Victorian resources online website. The maps on this website take in to account the landform, geology, original vegetation, land use and dominant soil type of an area.

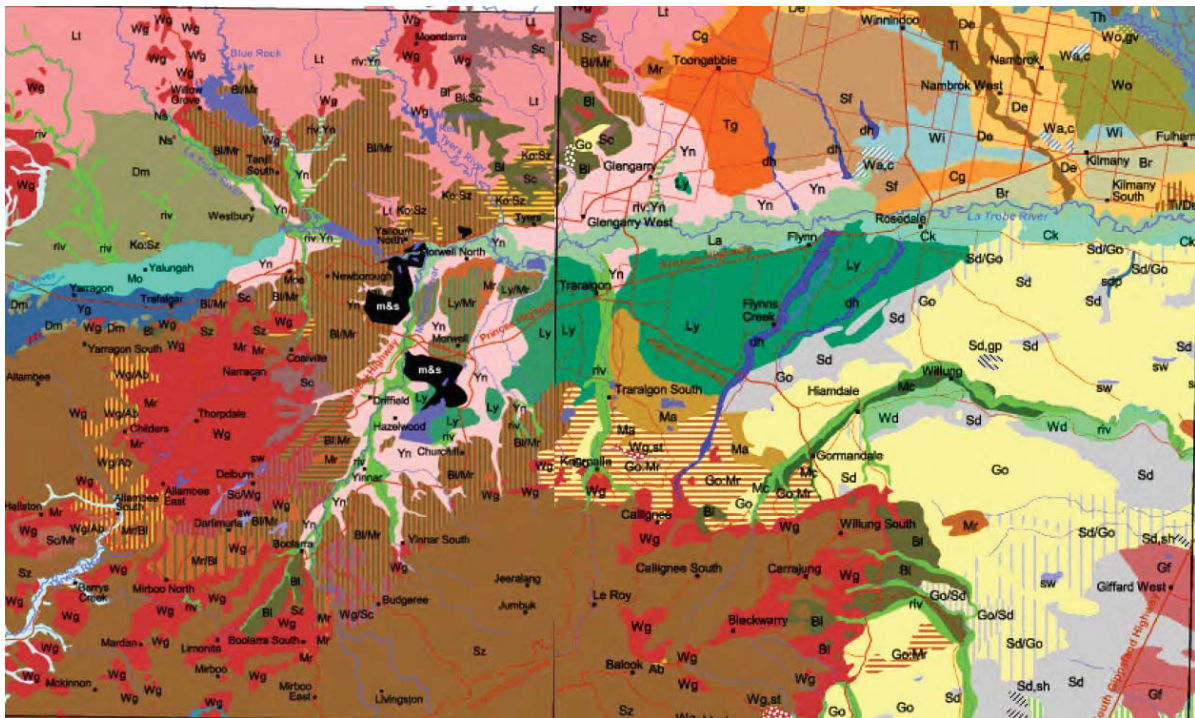
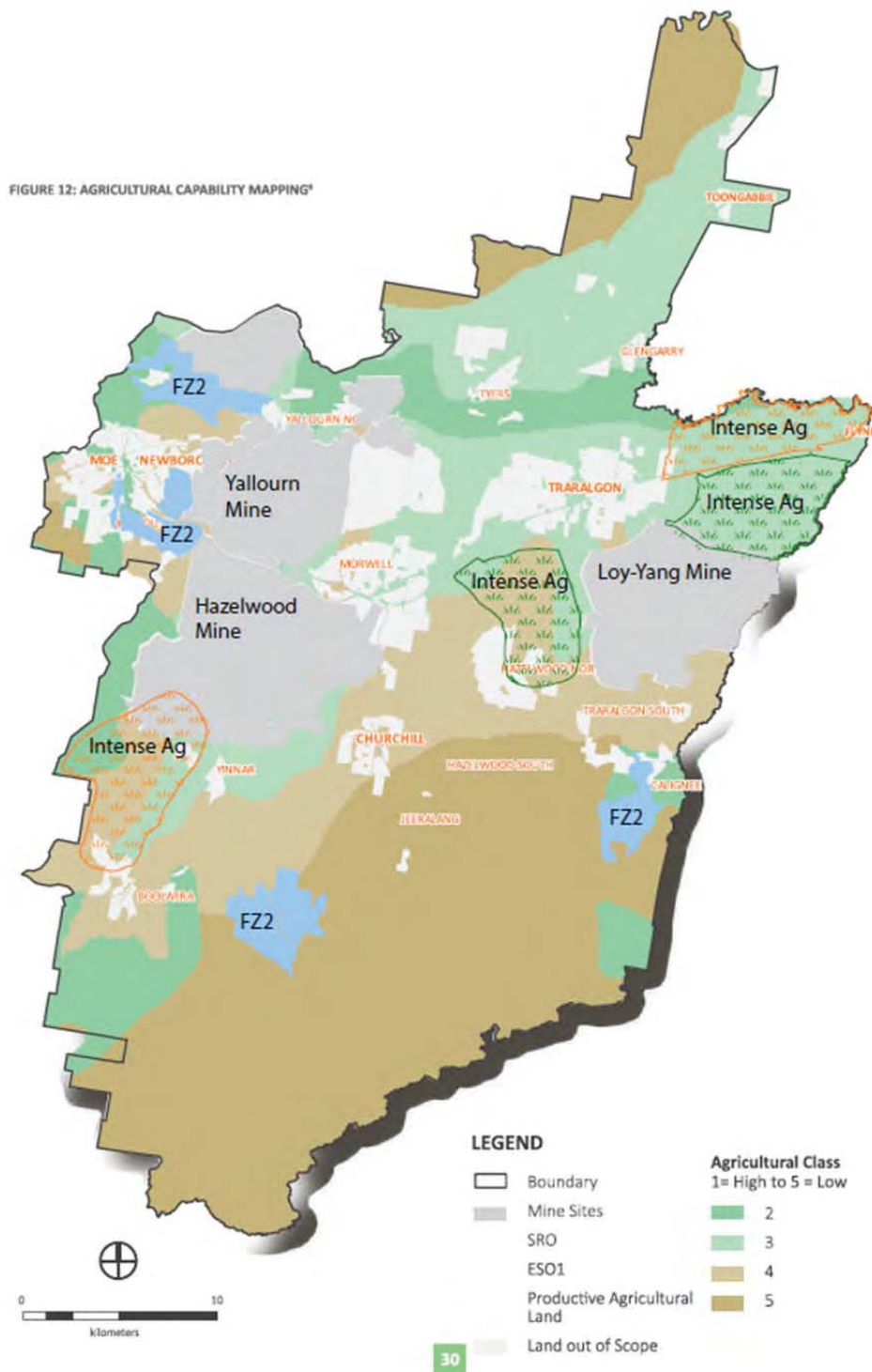


Figure 9: The figure above details a combination of the Victorian soil atlas Moe and Traralgon map sheets sourced from the Victorian resources online website. The data shown in these maps can be understood by using the website and it is an additional resource that can be used to determine soil quality in an area.

Data sourced from: Victorian Resources Online (2003). Regional soil landform mapping. Based on sergeant and Imhof studies. Department of Economic Development, Jobs, Transport and Resources. Accessible Online: http://vro.agriculture.vic.gov.au/dpi/vro/wgreqn.nsf/pages/wg_soil_detailed

Precincts of Interest in Latrobe City

An assessment of soil quality within selected precincts identified by the Rural Land Use Strategy is provided below. These precincts include those locations recommended for inclusion within the Farming Zone 2 and the Areas of Intensive Agriculture (with or without SRO). In each of these key precincts it is likely that some have similarities in soil quality. Areas of specific differences in soil quality are therefore the focus of discussion.



Proposed Farming Zone 2 (FZ2) Precincts

Yinnar South – Mid:LT & Strz

The proposed Yinnar South FZ2 precinct features two different soil units, being Mid:LT and Strz, these soil units are described below.

Mid:LT is a soil unit functioning capabilities is based off 6 distinct factors as follows:

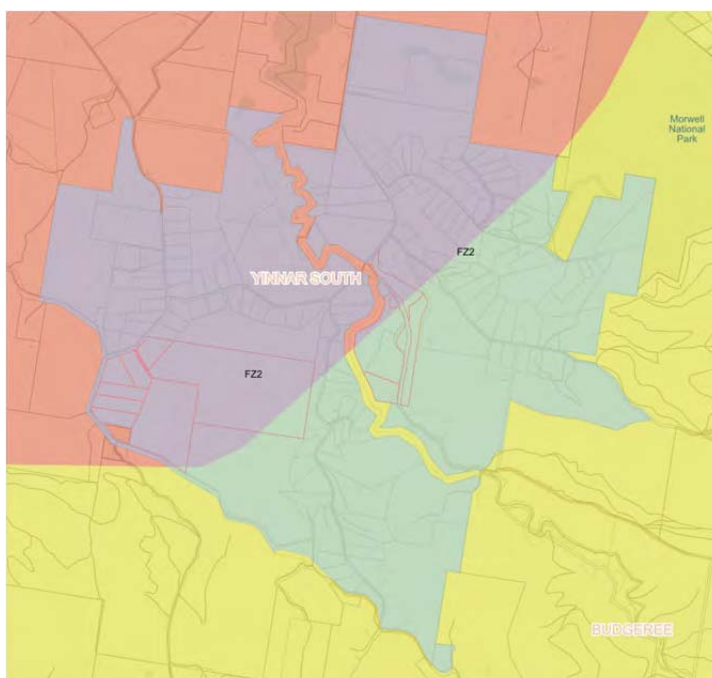
Permeability for this soil unit explains that less than 0.2 mm/hr is the average range of water infiltration, this low level of infiltration rate gives evidence to support that the soil in this area is highly compact (high clay content percentage).

Soil water holding capacity also relates the high clay content as the water is stored in the top 50 mm of the soil.

The soil texture profile has been described as the being duplex meaning that the soil texture contrast in the subsoil (horizon B) is dominated by soil one and a half (or more) times finer (smaller particle size) than the top soil (horizon A). The soil has an acidic pH meaning its pH range is suitable for the production of crops.

The gross nutrient status data was not collected for this area however making assumptions from its high clay content it is most likely to have a low nutrient status based on the clay and duplex nature of the soil. The soil depth ranges between 0.5 metres and 1.5 metres this is a reasonable shallow soil depth however would be suitable for most of Gippsland's shallow rooted annuals (pasture grass) and some native Australian vegetation.

Strz is a soil unit that gives information on the areas soil factors. The soil factors for the Strz soil unit tell us the intensity of infiltration is greater than 21 mm/hr. The water holding capacity for this area is between 150 and 250 mm and the soil texture is Gradational Clay. The area has acidic soil with a pH range between 5 and 6.5, this range is the optimum level for agricultural production of pasture or crops. The nutrient status of the area is moderate suggesting responses to nitrogen and phosphorus is possible with the occasional influx of micronutrients. The soil depth in the area is greater than 1.5 metres suggesting that longer root crops may have the ability to grow in the area.



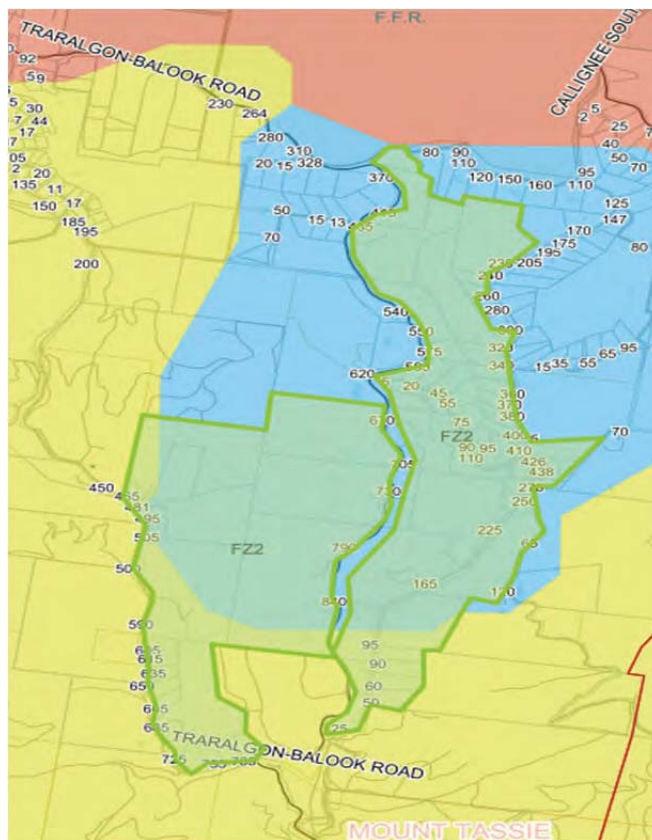
This Farming zone 2 precinct in Yinnar south has been divided by the middle creek, this therefore corresponds with the access to water as the farm lands are located in the middle creek catchment and could have supply to water for stock and domestic use. Available water for off take has not been identified.

As the area is in the catchment of middle creek a large amount of the already cleared land in the precinct has a suitable topography for production of agriculture, due to its low lying gentle slope. This topography supports the adequate flow of water, allowing for the correct soil water holding capacity of 150mm to 250mm depth be accumulated.

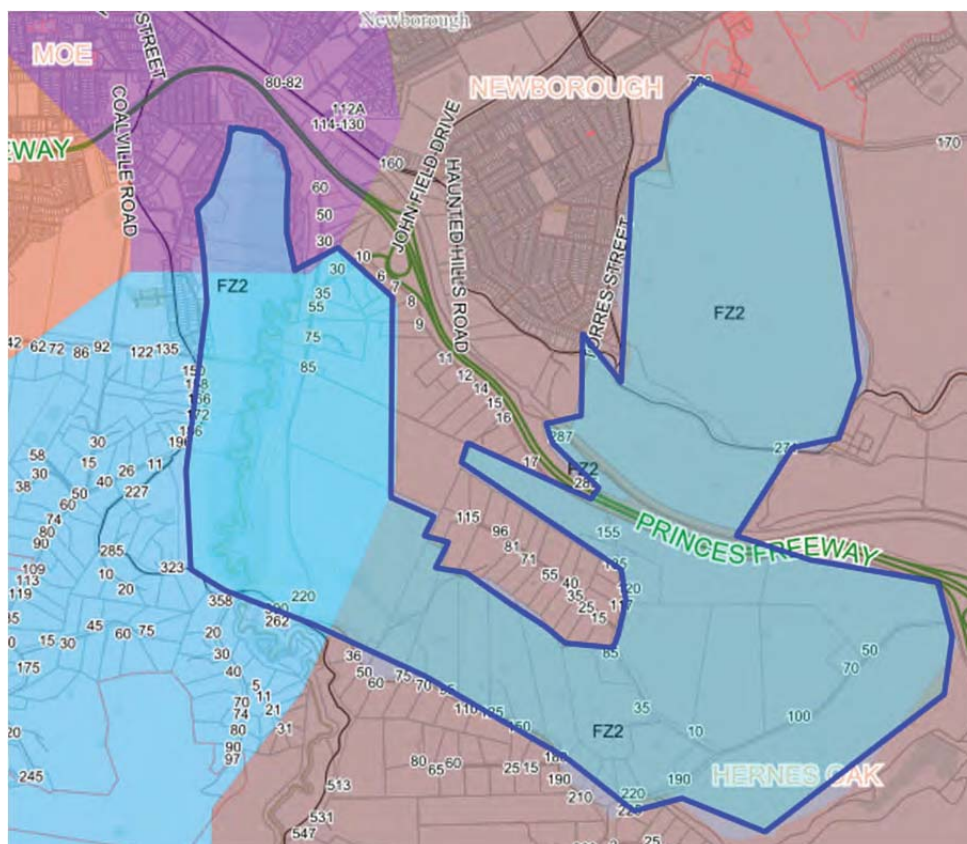
Callignee Area - W:LT (& Strz)

Soil unit W:LT is the predominant soil type found within the Callignee/ Callignee South area. This soil unit W:LT gives information on Callignee areas soil factors. The soil characteristics for the W:LT soil unit tell us the intensity of infiltration is greater than 21 mm/hr. The water holding capacity for this area is between 150 and 250 mm and the soil texture is Gradational Clay.

The area has acidic soil with a pH range between 5 and 6.5, this range is the optimum level for agricultural production of pasture or crops. The nutrient status of the area is moderate suggesting responses to nitrogen and phosphorus is possible with the occasional influx of micronutrients. The soil depth in the area is greater than 1.5 metres suggesting that longer root crops may have the ability to grow in the area.



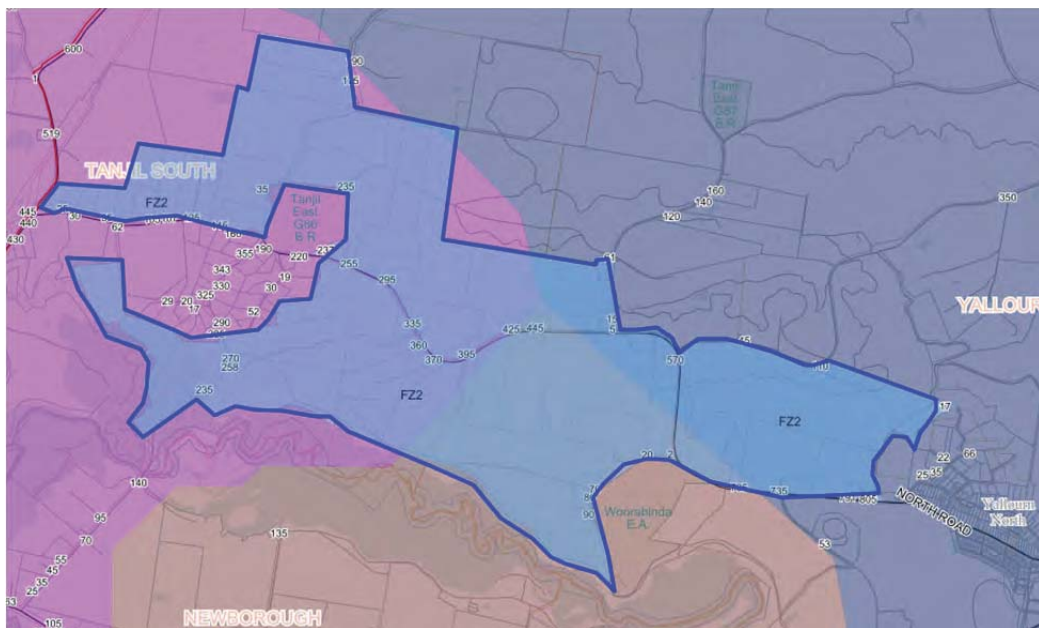
The Moe South precinct is solitary located within an area identified as having a soil unit Hoak. This soil type indicates the area to have sandy acidic soil of significant depth (greater than 1.5 metres).



Lake Narracan -NW:LT –(N:LT & Hoak)

The Lake Narracan area has a mix of three different soil classes as shown above, this is relatively common for areas that are situated near a gully as the ranges either side separate the terrain ultimately changing the soil characteristics for each area.

The main soil unit that inhabits in the Lake Narracan farming Zone is the NW:LT unit. This unit displays unique characteristics to others in the Latrobe City Council municipal area as it has a permeability range of 2 -21 mm/hr which is relatively slow suggesting the areas clay content is slightly higher than soil similar to the area that is Clay-loam. The water holding capacity is also represented as clay- silt like substance as it is in a range of 50-150 mm which is expected to be in the B horizon. The nutrient status of the area is general predicted to be moderate as clay usually contains good amounts of nutrients and stores them with ease, however this area has been described as having a low nutrient status, and this may be the case for the whole area that is predicted for zoning as the other soil units (N:LT & Cb10) have suggested a low nutrient status also.



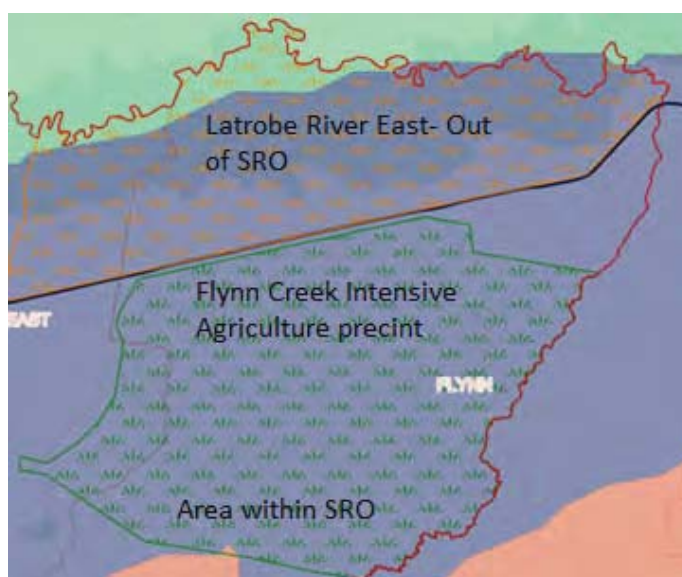
Areas of Potential intensive agriculture within the State Resource Overlay

Whilst suitability of these precincts for possible intensive agricultural pursuits is not necessarily soil based (rather considers land size and distances from sensitive uses/receptors as primary considerations), the following discussion provides an assessment of soil types specific to each of the identified precincts. Soil based information may be a consideration for intensive horticulture pursuits in these precincts where large volumes of water would be available to the land.

State Resource Overlay (SRO) is applied to protect areas of mineral, stone and other resources, identified as being of state significance, from development that would prejudice the current or future productive use of the resource. Areas that may be utilised for intensive agriculture have been identified as an appropriate use within the SRO areas given the symbiotic benefit of the large lots found in these locations and the buffers from sensitive uses which the SRO has established.

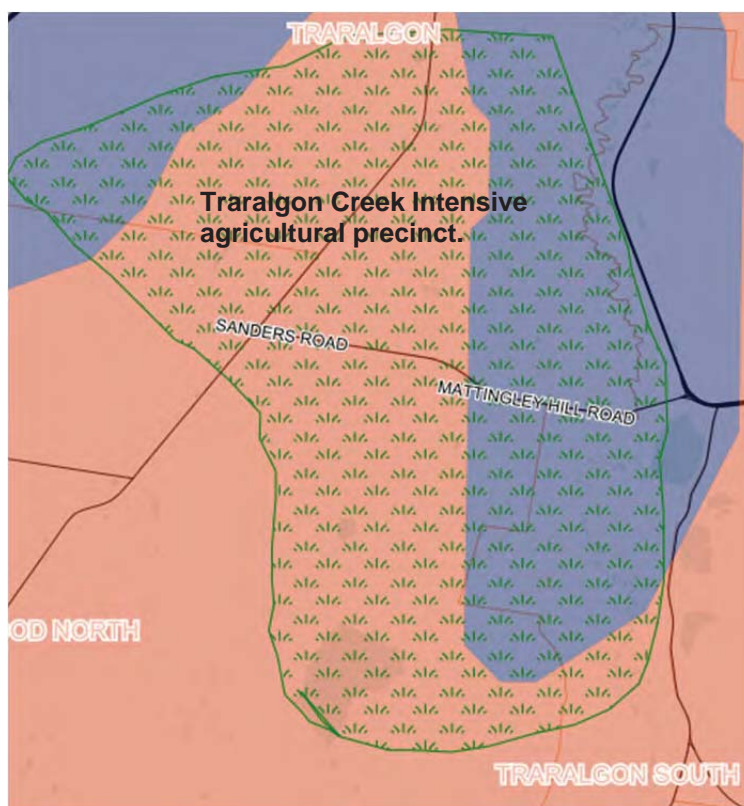
Flynn Creek - N:LT

N:LT is the common soil type recorded within the Flynn Creek area. The permeability for this soil unit explains that less than 0.2 mm/hr is the average range of water infiltration, this low level of infiltration rate gives evidence to support that the soil in this area is highly compact (high clay content percentage). The soil water holding capacity also relates the soil to have high clay content as the water is stored in the top 50 mm of the soil. The soil texture profile has been described as the being duplex meaning that the soil texture contrast in the B horizon is dominated by a texture class one and a half (or more) finer than the A horizon. The soil has not been given data for its acidity. The gross nutrient status suggested it has a low nutrient status based this could be based on its clay and duplex nature of the soil. A low nutrient status recommends that it requires additional fertilizer to produce crops compared to other areas which may already have an abundance of readily available nutrients. The soil depth ranges between 0.5 metres and 1.5 metres this is a reasonable shallow soil depth however would be suitable for most of Gippsland's shallow rooted annuals and some native Australian vegetation. An image of the Flynn creek area of potential agricultural intensity is provided underneath the Latrobe River East section due to both being in close proximity.



Traralgon creek - Mid:LT

Mid:LT is a soil unit explains the soils functioning capabilities based off 6 distinct factors. The permeability for this soil unit explains that less than 0.2 mm/hr is the average range of water infiltration, this low level of infiltration rate gives evidence to support that the soil in this area is highly compact (high clay content percentage). The soil water holding capacity also relates the soil to have high clay content as the water is stored in the top 50 mm of the soil. The soil texture profile has been described as the being duplex meaning that the soil texture contrast in the B horizon is dominated by a texture class one and a half (or more) finer than the A horizon. The soil has an acidic pH meaning its pH range is suitable for the production of crops. The gross nutrient status data was not collected for this area however making assumptions from its high clay content it is most likely to have a low nutrient status based on the clay and duplex nature of the soil. The soil depth ranges between 0.5 metres and 1.5 metres this is a reasonable shallow soil depth however would be suitable for most of Gippsland's shallow rooted annuals and some native Australian vegetation.

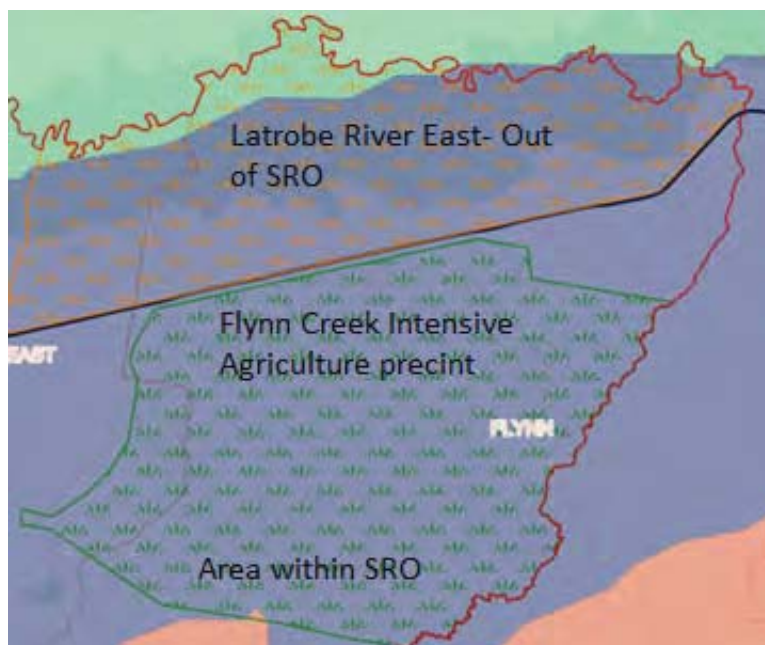


Areas of Potential intensive agriculture out of the State Resource Overlay

Latrobe River east - N:LT

N:LT is a soil unit explains the soils functioning capabilities based off 6 distinct factors. The permeability for this soil unit explains that less than 0.2 mm/hr is the average range of water infiltration, this low level of infiltration rate gives evidence to support that the soil in this area is highly compact (high clay content percentage). The soil water holding capacity also relates the soil to have high clay content as the water is stored in the top 50 mm of the soil. The soil texture profile has been described as the being duplex meaning that the soil texture contrast in the B horizon is dominated by a texture class one and a half (or more) finer than the A horizon. The soil has not been given data for its acidity. The gross nutrient status suggested it has a low nutrient status based this could be based on its clay and duplex nature of the soil.

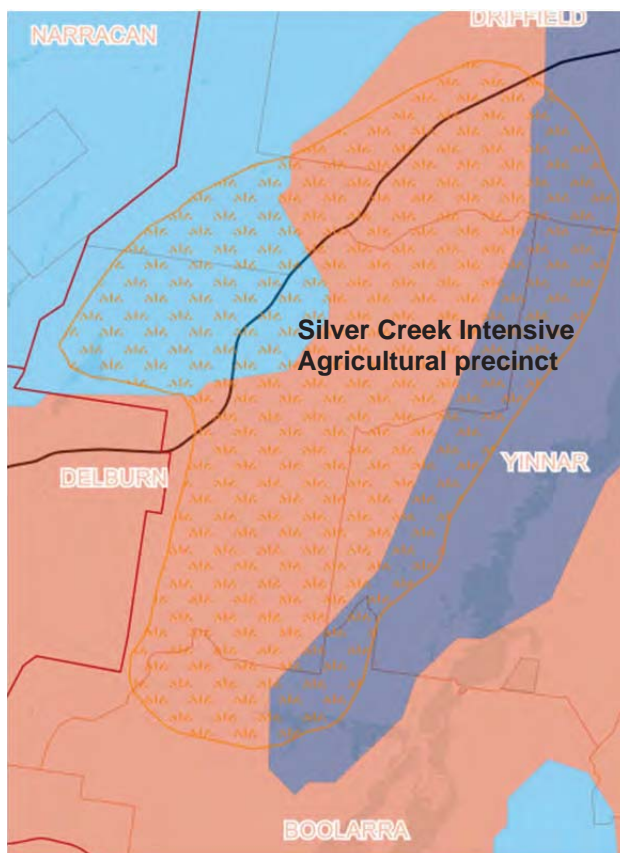
A low nutrient status recommends that it requires additional fertilizer to produce crops compared to other areas which may already have an abundance of readily available nutrients. The soil depth ranges between 0.5 metres and 1.5 metres this is a reasonable shallow soil depth however would be suitable for most of Gippsland's shallow rooted annuals and some native Australian vegetation.



Silver Creek - W:LT & Mid:LT

W:LT is a soil unit that gives information on the areas soil factors. The soil factors for the W:LT soil unit tell us the intensity of infiltration is greater than 21 mm/hr. The water holding capacity for this area is between 150 and 250 mm and the soil texture is Gradational Clay. The area has acidic soil with a pH range between 5 and 6.5, this range is the optimum level for agricultural production of pasture or crops. The nutrient status of the area is moderate suggesting responses to nitrogen and phosphorus is possible with the occasional influx of micronutrients. The soil depth in the area is greater than 1.5 metres suggesting that longer root crops may have the ability to grow in the area.

Mid:LT is a soil unit explains the soils functioning capabilities based off 6 distinct factors. The permeability for this soil unit explains that less than 0.2 mm/hr is the average range of water infiltration, this low level of infiltration rate gives evidence to support that the soil in this area is highly compact (high clay content percentage). The soil water holding capacity also relates the soil to have high clay content as the water is stored in the top 50 mm of the soil. The soil texture profile has been described as the being duplex meaning that the soil texture contrast in the B horizon is dominated by a texture class one and a half (or more) finer than the A horizon. The soil has an acidic pH meaning its pH range is suitable for the production of crops. The gross nutrient status data was not collected for this area however making assumptions from its high clay content it is most likely to have a low nutrient status based on the clay and duplex nature of the soil. The soil depth ranges between 0.5 metres and 1.5 metres this is a reasonable shallow soil depth however would be suitable for most of Gippsland's shallow rooted annuals and some native Australian vegetation.



References that have informed the assessment of soil, climate and topography include:

Latrobe City Council. (2017). Rural Land Use strategy. Public exhibition draft Live Work Latrobe.

McKenzie, N. (1992). Some limitations of the Atlas of Australian soils and its associated interpretations.

McKenzie, N. Hook, J. Interpretations of the Atlas of Australian soils. CSIRO Division of soils. Technical Report 94/1992.

McKenzie, N. Jacquier, D. Ashton, L. & Cresswell, H. (February 2000) Estimation of soil properties using the atlas of Australian soils. CSIRO Land and Water, Canberra ACT. Technical Report 11/00.

Northcote, K. et. al. (1960). Atlas of Australian Soils, Sheet 2, CSIRO Canberra.

Swan, I. & Volum, A. (1984). Assessment of agricultural quality of land in Gippsland. Project series No. 134. Department of Agriculture, Victoria.

Randolph, J (2012). Environmental Land Use Planning and Management. Island Press, 2nd edition, Pg 143-185. Washington, USA.

ATTACHMENT 8: Changes not made in response to submissions

The below table outlines requested changes to the exhibited Amendment that Council officers had previously recommended for further assessment and / or change (as shown within Attachment 2 to the Council report, agenda item 10.6 at the ordinary Council meeting held 3 September 2018). Following further assessment these changes are **not** supported.

A summary of the change requested , explanation as to why the change is now not supported, along with the corresponding submission number is provided.

TABLE 1: REQUESTED CHANGES PREVIOUSLY IDENTIFIED FOR FURTHER ASSESSMENT AND / OR A CHANGE TO THE EXHIBITED AMENDMENT – WHICH FOLLOWING FURTHER REVIEW ARE <u>NOT</u> SUPPORTED.			
NUMBER	CHANGE REQUESTED (Note: Not all matters raised by submissions have been included. Please refer to full submissions for further details).	REASONS WHY CHANGE WAS NOT MADE (Note: The below comments do not represent the adopted position of Council. Council's adopted position will be made following its consideration of a the Planning Panel's recommendations as required by the <i>Planning and Environment Act 1987</i>).	SUBMISSION REFERENCE
Clause 21.01 – Municipal Profile			
1	Submission 56 provided the following comments <i>Clause 21.01-3 is unnecessarily burdensome in its current format</i> <i>Clause 21.01-3 references the SPPF but then uses different headings to those used in the SPPF (i.e. 'Built Environment and Settlement' as opposed to 'Built Environment and Heritage').</i>	Clause 21.01-3 was reviewed in response to the submission. However it is not believed that any changes are required to this clause. We acknowledge that there are different headings used to the SPPF, this will be considered as part of the PPF translation as part of the smart planning program.	Submission 56
2	Submission 56, provides overall comments as follows:	This list identifies key issues for council and	Submission 56

	<p><i>Existing wording of the clause was consistent with SPPF clauses and order except for 'Regional Growth Plan' (Clause 11.10) which is a sub-clause of 'Settlement' (Clause 11) and the grouping of 'Transport' (Clause 18) and 'Infrastructure' (Clause 19) as a single issue.</i></p> <p><i>The Clause lists references to all SPPF issues (Clauses 11-19), which in effect makes the clause redundant as Council is considering all SPPF issues to be 'Key Issues'.</i></p>	<p>does not necessarily mimic identically with the SPPF; for council the Gippsland Regional Growth Plan is considered a "key issue" rather than just a broader "settlement" issue – in particular directions related to Latrobe City's recognition and role as the Regional City in Gippsland.</p> <p>No changes are proposed to be made. Structural changes will be addressed as part of the Smart Planning Program and translation to the PPF.</p>	
Clause 21.02 – Built Environment and Settlement			
3	<p>Under Clause 21.02-14 Strategies 1.1 and 1.6 appear to be in conflict in terms of rural living within the buffer areas. Clarification is required, so the strategies are not misinterpreted.</p>	<p>We agree that there is some confusion between the strategies 1.1. and 1.6. However, this is an existing policy. A condition of authorisation directs that no changes to coal policy were made.</p>	Submission 50
4	<p>Submission 56, provides the following comments in relation to Land Use Buffers:</p> <p><i>21.02-14 Land Use Buffers supports a range of SPPF directions and may be better placed as a stand alone local policy or objectives split and incorporated into relevant sections (e.g. 21.02-16 further supports strategies identified in 14.03</i></p>	<p>Whilst some restructure may be appropriate, this can be dealt with under the PPF translation with Smart Planning. A condition of authorisation directs that no changes to coal policy were made.</p>	Submission 56
5	<p>Submission 56 provide the following comments in relation to terminology used regarding corridors:</p> <p><i>21.02-1 Greater consistency with identification terms is needed. The identification and purpose of different 'corridors' (e.g. 21.01-5 refers to the Morwell – Traralgon corridor as a 'key employment precinct' whereas this clause refers to it as a 'transport corridor') is inconsistent. The 'key</i></p>	<p>Clause 21.02 has been reviewed to ensure consistency of terms, however no changes to the Amendment were considered necessary.</p>	Submission 56

	<i>employment precinct' referenced in 21.01-5 appears to have been further split into the 'Morwell – Maryvale corridor' (for industrial and commercial investment) and the 'Traralgon West Growth Corridor' (for residential, commercial and industrial development) in this clause? Note: The Industrial & Employment Strategy references 'Traralgon – Morwell Growth Area' and 'Alexanders Road (East)'.</i>		
6	Submission 56 provides the following comments in relation to strategies 1.1 and 1.7: <i>21.02-2 Strategy 1.1 and 1.7 are in conflict. It is noted that there is documented support for the merging of the Morwell and Traralgon urban areas with a clear strategy and focus to develop a new and substantial 'key employment precinct' as the primary way of merging these existing urban areas outside of the previously identified township boundaries.</i>	Clause 21.02 – 2 Strategies were reviewed, however no conflict was identified.	Submission 56
7	Submission 56 makes the following comment in relation to industrial strategies: <i>21.02-3 Strategies make no specific reference to 'industrial'</i>	Noted, strategies in relation to industrial are in Clause 21.07-7.	Submission 56
Clause 21.03 – Environmental and Landscape Values			
8	Submission 56 provide the following comments in relation to Climate Change <i>A number of objectives for 21.04-1 Greenhouse and Climate Change appear to relate to different SPPF issues</i>	The comments provided in the submissions were reviewed. However, no changes are proposed to the amendment in response.	Submission 56
9	Submission 56 provides the following comments in relation to the Mine rehabilitation: <i>21.04-14 appears to be a significant issue and provides strategies in support of Clause 14.03. Mine</i>	In relation to coal related issues, it was a condition of authorisation to not change coal related policy..	Submission 56

	<i>site remediation has been included as an issue with no strategies or further work identified to address or respond to the issue.</i>		
Clause 21.05 – Natural Resource Management			
10	Requests that the Extractive Industry Interest Areas be shown on the Rural Framework Plan.	See submission response table	Submission 60.
11	Submission 64 requested that Farming Zone - Schedule 2 be applied to land in Glengarry North.	<p>Council's initial response to the submission was to include this area as a Farming Zone - Schedule 2 investigation area.</p> <p>However, upon more detailed analysis this is not supported:</p> <ul style="list-style-type: none"> • The area is surrounded by large farming parcels or multiple parcels within single ownership • The value of the agricultural land is high as it is flat and with future opportunity being explored for irrigation by Southern Rural Water. • There was no clear area in which we could define a Farming Zone – Schedule 2 investigation area due to large land parcels • The area is not in close proximity to the existing Glengarry township or large established Rural Living areas. 	Submission 64
12	Submission 142 requests that further small lots in Callignee be considered for the Farming Zone – Schedule 2	<p>Latrobe City Council's response to submission was to identify future investigation areas for Farming Zone – Schedule 2.</p> <p>However, upon further review, it has been determined that in response submission 25 we have included the small lots referred to in a FZ2. Therefore this change is no longer</p>	Submission 25 and 142

		<p>required. Additional areas for expansion have not been identified as requested by Submission 142.</p>	
13	Submission 81 requested that Farming Zone – Schedule 2 be applied to land at 300 Tyers Road, Tyers	<p>Council's initial response to the submission was to include this area as a Farming Zone 2 investigation area. However, upon further investigation there is only one other additional small lot, with the surrounding land being made up of large farm holdings. Therefore the suitability for a Farming Zone – Schedule 2 application is not appropriate. This advice has been provided to the submitter</p> <p>The primary reason stated in the submission was to support an application for a Bed & Breakfast.</p> <p>A bed and breakfast is a section 1 use if it meets the following conditions in the Farming Zone:</p> <ul style="list-style-type: none"> • <i>No more than 10 persons may be accommodated away from their normal place of residence.</i> • <i>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</i> <p>A planning permit has been granted for the requested use in the past.</p>	Submission 81
14	Submission 7 and 135 both requested the Farming Zone 2	Council's initial response to the submission	Submission

	be applied to their land at Lot 3 LP62251 Pages Road, Yinnar South and CA 15H Speargrass Road, Yinnar South.	was to include this area as a Farming Zone 2 investigation area, subject to consultation with DEDJTR. Advice from DEDJTR indicated that they would not support the Farming Zone 2 Investigation area being identified at this time. Therefore, the change has not proceeded.	
15	Submission 62 and 62A requested that a portion of land at part 75 Tyers – Walhalla Road, Tyers by shown as Rural Living.	Council's initial response to the submission was to show this parcel of land as a future Rural Living Investigation area. However, upon further investigation this would fragment a smaller Farming Zone Schedule 1 lot create a split zone. DEDJTR have indicated concerns regarding the land in the Special Use Zone (former Quarry).	Submission 62 and 62A
16	Submission 9 requested areas in Hernes Oak be included in a Rural Living Zone area not Farming Zone Schedule 2.	Council's initial response to the submission was to show this parcel as a Future Rural Living Investigation area. However, upon further investigation it was believed that any future Rural Living would compromise the Farming Zone 2 area which is trying to achieve a level of Mixed Farming and rural tourism related activities.	Submission 9
Clause 21.07 – Economic Development			
17	Submissions 56, provide the following comments in relation to Activity Centres: <i>Would benefit from the inclusion of Clause 21.02-5 Activity Centres</i>	Whilst the position of the submission is agreed, the Amendment does not implement any Retail Strategy or Activity Centre Strategy. Therefore, we believe it is outside the scope of the Amendment to introduce the change.	Submission 56
Clause 21.09 – Local Area Growth Plans			

18	Request re-consideration of annotation of land east of Minniedale Road, Traralgon from 'Future Industrial' to Future Residential. This is seen premature given the current work by others regarding the Traralgon Bypass route finalisation and on optimum buffer width for urban areas relative to Loy Yang coal mine.	<p>The change from 'future industrial' to 'future residential' does not change the extent of the urban boundary.</p> <p>Details regarding the bypass route are currently being undertaken by VicRoads, however, the alignment of the bypass is set within the Planning Scheme. This was undertaken through an Advisory committee in 2007 and subsequent Planning Scheme Amendment (C42). A Public Acquisition Overlay and Design and Development Overlay to protect the alignment. If there are any changes to the alignment it is expected that consultation with Latrobe City Council, landowners will be undertaken.</p> <p>A Planning Scheme Amendment will also be required to make such changes.</p> <p>The area east of Minniedale Road is outside a 2km buffer area as confirmed in Amendment C87. This buffer area relates in particular to issues with the Northern batters of the AGL mine.</p>	Submission 60.
Clause 21.10 – Implementation			
19	<p>Submission 118A requests changes that include:</p> <ul style="list-style-type: none"> • The Planning Scheme includes reference to the application of the PCRZ to all areas in the Cores and Links Catchment Area, once handed back to the community. • Urges Council to consider an Environmental Significance Overlay or Vegetation Protection Overlay be applied to the College Creek Catchment area. • Roadside reserves on Budgeree Road be afforded the highest level of protection and or Vegetation Overlays 	<p>The exhibited changes to the Planning Scheme respond to the points raised in the submission.</p> <p>In relation to dot point 1, Clause 21.10 Implementation under Zones, states to: <i>Apply the Public Conservation and Resource Zone to scenic, natural feature and conservation reserves, State, Regional and National parks, public forest areas and the like.</i></p>	Submission 118A

	<ul style="list-style-type: none"> Promotion of natural assets for Nature based eco – tourism, bed and breakfast accommodation, mountain trail bike riding, boutique niche farms etc. 	<p>It is believed that this implementation clause will respond to concerns raised in the first dot point.</p> <p>In relation to dot point 2 and 3, Clause 21.10 Implementation under further strategic work, it states to:</p> <ul style="list-style-type: none"> <i>Prepare a plan and facilitate the formal recognition of the Strzelecki-Alpine Biolink, incorporating plantation, public, private, road reserve land and mining areas ready or scheduled for rehabilitation through the appropriate application of zones and overlays, such as Rural Conservation Zone and Environmental Significance Overlay.</i> <i>Undertake a landscape assessment of rural areas and apply appropriate planning scheme tools to protect significant landscapes, vistas or areas of significance.</i> <p>At the present time, there is not enough strategic justification to implement associated environmental overlays to areas of high significance. Therefore, further work has been identified which would be able to do this.</p> <p>However, the areas of significance highlighted in the submission will be referred to any future work undertaken.</p> <p>In relation to dot point 4, Clause 22.03 Rural Tourism in the Farming Zone - it is believed</p>	
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		that this policy address and promotes nature based and niche farming opportunities. Therefore no changes are proposed in the Amendment.	
20	<p>Latrobe City Council's response to submissions number 48, 93, 94, 121 suggested to:</p> <p><i>Identify 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</i></p>	<p>Upon further investigation it was determined that no change was required as Clause 21.10 Implementation under Zones, states to:</p> <ul style="list-style-type: none"> • <i>Undertake a landscape assessment of rural areas and apply appropriate planning scheme tools to protect significant landscapes, vistas or areas of significance.</i> 	Submissions 48, 93, 94, 121
Overall Comments			
21	<p>Submission 56 provides an overall comments in encouraging a range of dwelling types:</p> <p><i>Whilst policy, strategies and schedules 'encourage' medium density housing in appropriate areas (i.e. close to activity centres), there is a lack of policy, strategies and controls relating to smaller housing types (one and two bedroom dwellings) and/or that 'discourage' or limit larger housing types. Additional controls or decision guidelines could be included into schedules to ensure the 'right' type of housing occurs in the 'right' locations as intended by the housing strategy and medium density doesn't continue to occur only haphazardly when it is the preferred housing type.</i></p>	<p>These comments have been reviewed; however no changes to the amendment have been identified.</p> <p>It is not planning's role to dictate the number of bedrooms within a dwelling, rather set up the framework which would allow the market to determine this. By having medium density controls in place (i.e. encouraging medium density within 400m of an activity centre), some of these sites, given they are in established neighbourhoods, may only be able to accommodate smaller dwellings, or it may be the smaller dwellings are more feasible for the developer. These are situations outside of the control of planning.</p>	Submission 56
22	<p>Submission 56 provides an overall comment in regards to social housing which states:</p> <p>It is noted that the Housing Strategy recommends the preparation of a Social Housing Strategy. An interim position on the matter would likely be</p>	<p>Clause 21.02-9 strategy 1.3 provides some guidance on Social Housing. Until a Social Housing Strategy has been undertaken, no further guidance can be provided.</p>	Yes, submission 56

	beneficial.		
23	<p>Submission 56 provides the following comment in relation to the strategy:</p> <p>Section 7.2 planning scheme implementation, of the housing strategy recommends a Local Planning Policy applicable to RGZ sites abutting sites within the Heritage Overlay. A Local Policy does not appear to have been created nor the issue addressed through other means?</p>	<p>In response to conditions of authorisation, Council officers met with DELWP regarding the implementation of the housing Strategies and Zone schedules.</p> <p>It was determined that a Local policy was not required and the objectives of a schedule to the zone could achieve what was required.</p>	Submission 56
24	<p>Submission 56 provides the following comments in relation to industrial land supply:</p> <p><i>It is noted there is enough supply of industrial zoned land for in excess of 15 years. However, it is further noted that heavy industry requiring large lots have limited opportunities particularly given the objectives and strategies related to the approx. 500ha south of Princes Highway, Morwell. This may necessitate an increased priority to the following action from the Industrial and Employment Strategy: Support the development of the areas around the Maryvale Paper Mill for heavy industrial uses, which may include considering rezoning SUZ1 land located to the west of the Mill and/or land Farming Zone land currently used for plantations and sand quarrying located east of the Mill. Planner LCC DEDJTR, RDV, LVA, Australian Paper Medium 2. The Industrial & Employment Strategy makes no comment in regard to the role of Commercial 2 zoned land in providing for 'Industry'. Existing lands of this zoning appears to be in short supply and include a range of industries with minimal amenity impacts and limited land use conflict implications. 3. No high demand or low demand scenario. (all</i></p>	<p>Noted, this issue has been addressed through Amendment C111 and the removal of the State Resource Overlay from land zoned Industrial 1 and 2.</p>	Submission 56

	<i>analysis is shown on an average calculation)</i>		
25	<p>Submission 56 provides the following comments in relation to the Farming Zone Schedule 1.</p> <p><i>The Farming Zone – Schedule 1 is not consistent with Baw Baw Shire Council's minimum lot size for subdivision and dwelling in Farming Zone. The minimum lot size proposed in the strategy justifies that the proposed lot size would encourage large scale commercial farming activities. However, with modern farming practices 40 ha in FZ can run commercial farm activities. The increased lot size might create a pressure on the neighbouring properties and might increase the land value of the neighbouring smaller land in Baw Baw as there will less subdivision happening in Latrobe. Decision guidelines lacking direction for determining a dwelling associated with agriculture (viable business or agricultural productivity in line with the ATO definition is missing)</i></p>	<p>Latrobe has increased their minimum lot size as a way of protecting genuine commercial agricultural enterprises and to reduce future fragmentation of productive agricultural land. Land quality in Latrobe is different from Baw Baw and as such needs to be treated differently.</p> <p>The parent Farming Zone decision guidelines will still be applicable and as such, the normal parameters apply for justification for a dwelling (as always has been, is the dwelling required on the land for the purpose of undertaking the agricultural land use).</p> <p>Regarding the pressure on neighbouring smaller lots and property value, land value is not a planning consideration as various factors influence property value.</p>	Submission 56
26	<p>Submission 56 makes the following comment in relation to the Rural Activity Zone</p> <p><i>The rezoning of land into RAZ from FZ with a planning permit might result in a haphazardly zoned land of RAZ. Practice Note 42 mentions the following about RAZ:</i></p> <p><i>“Because the mix of uses that is supported in the Rural Activity Zone is wide-ranging, the planning scheme should be clear about: • what the planning authority wants to achieve in the area where the zone is to be applied • how discretion in the zone will be exercised.” Therefore, haphazard location of RAZ land might create conflict with other</i></p>	There is no proposed Rural Activity Zone as part of the Amendment.	Submission 56.

	<i>surrounding land uses. The planning permit might determine the use of the land however there is a risk of losing that use over the years (the applicant might lapse the planning permit), then back rezoning won't be preferred option.</i>		
27	Submission 56 provides the following general comment: <i>Other Projects Comments 1. Changes should be considered in context of other relevant projects currently being progressed. Relevant projects include Smart Planning, PEGZ, etc. For example, Baw Baw sees an opportunity to focus on environmental issues such as the bio links identified by Latrobe at a regional level and would encourage their inclusion as part of the PEGZ project.</i>	Changes required as result of approved Amendments will be made to the Amendment documents as required. However, no direction has been finalised in relation to these projects.	Submission 56
Clause 22.02 – Rural Dwelling and Subdivision in the Farming Zone			
28	<i>'House excision requirements for land in the Farming Zone, Schedule 1 need to provide for flexibility in the consideration of applications not involving the re-subdivision of multiple lots'.</i>	<p>We believe that enough flexibility has been provided in the following policy in relation to subdivision and excision of dwellings:</p> <p>Enable the excision of dwellings from existing lots only where all of the following requirements apply, as appropriate:</p> <ul style="list-style-type: none"> • There are beneficial agricultural outcomes, such as the expansion of an existing agricultural operation; • It is the re-subdivision of land so that the number of lots is not increased, or includes the consolidation of a number of small allotments; • The dwelling is located in close proximity to a road. Long narrow lots, 'battle-axe' or island style lots will be 	Submission 50.

		<p>strongly discouraged.</p> <ul style="list-style-type: none"> No detriment is likely to result to adjoining agricultural activities. 	
29	<p>Submission 56, provides the following comments in relation to defined terms:</p> <p><i>22.02-2 ensure activities mentioned refer to defined land use terms by removing the reference to 'Cabins', 'Farm Stays' and other non defined uses.</i></p>	<p>This clause was reviewed and no change has been made in proposed to the Amendment. The non-defined use can be used as their "ordinary meaning" or dictionary defined meaning is used in lieu of a defined definition in the scheme.</p>	Submission 56
Clause 22.03 – Rural Tourism in the Farming Zone			
30	<p>Submission 56, provides the following comments in relation to tourism:</p> <p><i>Tourism is not a defined land use but SPPF Clause 17.03 provides the following strategy: Encourage the development of a range of well designed and sited tourist facilities, including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail opportunities. Seek to ensure that tourism facilities have access to suitable transport and be compatible with and build upon the assets and qualities of surrounding urban or rural activities and cultural and natural attractions. It is suggested greater clarity around what land uses will be 'encouraged' for tourism purposes may be needed. It is noted that strategy 1.4 of 21.07-17 provides additional guidance.</i></p>	<p>This clause was reviewed and no change has been made in proposed to the Amendment as the policy should not pre-empt what type of land uses could be established. We have established parameters to ensure what can be developed in appropriate.</p>	Submission 56
Clause 32.07 (RGZ) Schedule 3			

31	Submission 5 requests discretion to height in the schedule.	<p>It was proposed to make changes to the schedule to allow for discretion in heights. However, further investigation has indicated that this is not the allowed as the schedule to the zone sets a mandatory building height.</p> <p><i>Some discretion is allowed in the zone, including:</i></p> <ul style="list-style-type: none"> • <i>A building may exceed the maximum building height specified in a schedule to this zone if: It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building</i> • <i>There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.</i> • <i>It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.</i> • <i>It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.</i> 	Submission 5
Rural Land Use Strategy			

32	<p>HVP requested Future Rural Living at:</p> <ul style="list-style-type: none"> • Glendonald Road, Churchill • Traralgon – Balook Road, Traralgon South • Hopkins Court Hazelwood 	<p>Glendonald Road, Churchill or Traralgon – Balook Road, Traralgon should not be shown as on the revised Rural Framework Plan for further investigation for rezoning to a Rural Living Zone.</p> <p>Churchill has a sufficient land identified for Rural Living and for future investigation. Traralgon South is in an area of high bushfire risk and could be deferred to be reviewed with the preparation of a Traralgon South Structure Plan.</p> <p>Land at Hopkins Court Hazelwood is privately owned.</p>	Submission 74.
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ATTACHMENT 9 – Post exhibition changes (as at 12 November 2018)

The below table outlines post exhibition changes made in response to submissions and other matters identified by Council.

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Clause 21.01 – Municipal Profile			
1	Amend Clause 21.01-1 Municipal profile to include latest data and year.	Administrative	N/A
2	Amend Clause 21.01-1 to amend figures on Gross Regional Product to more recent figures.	Administrative	N/A
3	Amend Clause 21.01-5 Strategic Framework Plan, insert new map to fix typographical error in Callignee.	Administrative	N/A
Clause 21.02 – Built Environment and Settlement			
4	Amended Clause 21.02-10 Objective 2, Strategy 2.5 to include more detailed description of the area 'South of Shakespeare Street, Traralgon'. The Strategy now reads: <i>Discourage housing intensification in areas identified for 'Future Substantial Change' south of Shakespeare Street Traralgon, until existing industrial development located to the south (Area 8 within the Traralgon Structure Plan) transitions to more compatible uses.</i>	In response to submission 50 Strategy 2.5 was reviewed to ensure clarity was given to the area in which the strategy applies to.	Submission 50
5	Amend Clause 21.02-9 Objective 1, Strategy 1.3 to include reference to Strategic Development Sites. The Strategy now reads: <i>Encourage a diversity of housing across a variety of tenures, including Strategic Development Sites in order to provide, affordable, social and supported housing types, in order to meet the changing housing needs of Latrobe City.</i>	In response to submissions received, further clarification was required about Strategic Development Sites on the Housing Framework Plan and Specialised Housing types.	Submissions 61 and 61A, 158, 50, 56.
6	Amend Clause 21.02-12 Objective 4 (Limited Change Areas), Strategy 4.1 and 4.3 to include criteria about supporting development on lots larger than 1500m2 above the standard that is required. The Strategy now reads: <i>Reinforce the spacious regional suburban character of</i>	In response to submissions received, further clarification was required on larger lots (above 1500m2) which exist in the limited change areas. Policy direction needed to be	Submissions 61 and 61A, 158, 50, 56.

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>existing and developing residential neighbourhoods by supporting the development of detached dwellings and dual occupancies only. If a lot is greater than 1500m² a greater density could be supported if that lot:</i></p> <ul style="list-style-type: none"> <i>• Is within 400m walking distance from a public transport network;</i> <i>• Meets the objectives and requirements of the Zone, Housing Strategy and Urban Design Guidelines;</i> <i>• Is consistent with the average lot size or density development of the area within a 150m radius. Only lots within a residential zone should be considered and should exclude the subject site. ; and</i> <i>• Not constrained by an overlay which affects the development potential of the lot (heritage, bushfire or flooding overlay);</i> <p><i>Discourage units or townhouses beyond 200 metres from an existing or planned Neighbourhood Activity Centre or Local Activity Centre, except on Strategic Development Sites.</i></p>	<p>included that would support greater than 2 dwellings/ detached dwellings due to the lot size. Criteria was developed based on the intent of the housing strategy, Council's resolution regarding 11 dwellings per ha, tools which could aid in assessment of applications and road tests of particular sites.</p>	
7	<p>Amend Clause 21.02-14 title from 'Buffers' to 'Constraints' and amends dot point 5 to improve readability.</p>	<p>Administrative. This clause refers to Overlays, land uses and buffers. Therefore 'constraint' is a more appropriate word.</p>	No
8	<p>Amend Clause 21.02 – 18 Rural Living to amend the last sentence in the last paragraph to read:</p> <p><i>While agricultural, tourism and rural enterprises are permissible uses in areas zoned for Rural Living, it should retain its ability to accommodate rural</i></p>	<p>Administrative</p>	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<i>residential land uses and small scale farming pursuits.</i>		
9	Amend Clause 21.02-19 Objective 1, Strategy 1.6 to improve readability, the strategy now reads: Encourage animal keeping facilities or animal production uses in rural living areas only where the proposal is of low intensity, and is able to be undertaken in accordance with relevant codes of practice, environmental standards and guidelines (including noise).	Administrative	No
10	Inserted a new strategy under Clause 21.02-19 Objective 1, Strategy 1.7 has been included to say: <i>Discourage new rural living zone areas where existing timber haulage routes are identified to avoid road safety and amenity issues.</i>	In response to submission 74 and the recognition of timber haulage routes and the amenity and road safety issues cause when surrounded by Rural Living precincts.	Submission 74.
11	Amend Clause 21.02-22 Public Open Space to refer to new particular provision Clause in the Planning Scheme, Clause 53.01, not 52.01).	Administrative, in response to Amendment VC148	No
Clause 21.03 – Environmental and Landscape Values			
12	Inserted new Clause 21.03-12, 21.03-13 Objective and Strategies for ‘Development around Pipelines’. 21.03- 11 Development around Pipelines <i>The Morwell – Dandenong, Tyers – Morwell, Longford – Dandenong, Rosedale – Tyers, Maryvale and Flynn – Loy Yang B pipelines are high pressure gas transmission pipelines licensed under the Pipelines Act 2005. Changes to land use and development in the vicinity of the pipelines must be carefully considered to ensure risks to human life and the functional operation of the</i>	In response to submission 73 from APA, it was considered that this change is an existing policy neutral change.	Submission 73

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>pipelines are not impacted.</i></p> <p>21.03-12 Objective 1</p> <p><i>To ensure future land use and development appropriately responds to existing high pressure gas pipelines.</i></p> <p>Strategies</p> <p><i>1.1 Consider risks associated with land use and subdivision within the measurement length of high pressure gas transmission pipelines.</i></p> <p><i>1.2 Encourage risk sensitive development to be located outside of the pipeline measurement length where practicable.</i></p>		
13	Updated Clause 21.03-9 Biodiversity to change reference to the national significance of the Strzelecki Koala.	Technical correction.	n/a
14	<p>Updated Clause 21.03-10 Objective 1, Strategy 1.4 to include reference to waterways. The strategy now reads:</p> <p><i>Improve the retention of native vegetation in the landscape on roadsides, waterways and public and private land to facilitate healthy habitats to improve biodiversity.</i></p>	In response to submission 148 to improve the recognition of their importance in regards to retention of native vegetation.	Submission 148
15	<p>Amended Clause 21.03-10 Objective 1, Strategy 1.6 to clarify the reference to 30% of native vegetation coverage. The strategy now reads:</p> <p><i>Encourage rural landholders to pursue a target of 30 % of native vegetation coverage across their properties and the landscape as a critical threshold for biodiversity conservation, particularly within the Strzelecki – Alpine bio-link.</i></p>	In response to submission 50, Strategy 1.6 was reviewed to provide clarity that it is 30% vegetation coverage on the property and in particular focussing on the bio link.	Submission 50

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
16	Amend Clause 21.03 – 10 Objective 1, and insert new strategy 1.8 which states: <i>Ensure that the enhancement of biodiversity outcomes, including the establishment of a potential biodiversity corridor, considers bushfire risk and does not pose an unacceptable increase in risk to existing residents and infrastructure.</i>	In response to submission 155, an objective which ensures concerns from the CFA regarding an increase in bushfire risk from a potential bio-link is considered.	Submission 155
Clause 21.04 – Environmental Risk			
17	Amend Clause 21.04-8 Objective 1, Strategies 1.4, 1.5 and 1.6 to update reference from houses to dwellings.	Administrative	No
18	Amend Clause 21.04 to correct Clause 13 heading title from Environmental Risks to Environmental Risks and Amenity.	Administrative in response to Amendment VC148	Submission 56
19	Amend Clause 21.04-1 Greenhouse and Climate Change to include a further dot point around bushfire. The impacts on climate change now state: <ul style="list-style-type: none"> • <i>Changes in rainfall patterns that pose challenges for water supply and agriculture.</i> • <i>More common intense rainfall events which increase the risk of severe flooding.</i> • <i>Higher temperatures which increase the likelihood of large and intense fires.</i> • <i>Increased number of hot days and heatwaves which place substantial pressure on health services and infrastructure.</i> • <i>A likely increase in the frequency and severity of days of elevated fire danger</i> • <i>Biodiversity changes.</i> 	In response to submission 155 to include further information around bushfire risk following the Bushfire Assessment undertaken.	Submission 155
20	Amend Clause 21.04-12 preamble to expand on bushfire in relation to Latrobe City Council. The pre-amble now reads	In response to submission 155 to include further information around	Submission 155

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>Like many local government areas in Victoria, large areas of the municipality are prone to bushfire. The highest risk areas, where bushfire behaviour may be extreme, including the possibility of crown fire, extreme ember attack and significant radiant heat, are subject to the Bushfire Management Overlay. High hazard areas include rural residential areas in the vicinity of the foothills of the Strzelecki Ranges and southern fall of the Alpine Ranges, where development could be exposed to long bushfire runs through high fuel hazard forest vegetation.</i></p> <p><i>Grassland fires, and fires in bushland reserves and plantations, also pose a risk to development across the municipality.</i></p> <p><i>Bushfire risk can be managed through the planning and building system by ensuring statutory compliance in BMO areas, compliance with the building regulations in Bushfire Prone Areas (BPA) outside of the BMO, and, for strategic planning and larger or more vulnerable developments; requiring consideration of bushfire risk as at Clause 13.02 Bushfire’.</i></p> <p><i>Latrobe City Fire Management Plan 2017 – 2020 (FMP) is outlines the planned and coordinated implementation of measures designed to minimise the occurrence and mitigate the effect of fire in Latrobe across all agencies. The FMP will play an increasingly important role in land use planning, particularly where consideration of continued land management is necessary.</i></p>	<p>Bushfire Risk in Latrobe.</p>	

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
21	<p>Amend Clause 21.04-13 Objective 1 to insert new strategies 1.3, 1.4 and 1.5. The new strategies state:</p> <p><i>1.3 Ensure the application of, and compliance with, the BMO, in highest risk parts of the municipality.</i></p> <p><i>1.4 Outside of the BMO, in BPA parts of the municipality:</i></p> <ul style="list-style-type: none"> • <i>Ensure new development and uses are appropriately located and designed in response to the bushfire hazard.</i> • <i>Ensure that larger or more vulnerable developments and uses as identified at Clause 13.02, incorporate measures to acceptably mitigate any identified bushfire risk, including as appropriate;</i> <ul style="list-style-type: none"> ○ <i>Assessment of the landscape risk;</i> ○ <i>For subdivisions of more than 10 lots, a lot layout that responds to the risk and incorporates a perimeter road and two ways in and out of the development where possible;</i> ○ <i>A construction standard no higher than BAL-29 unless there are significant siting constraints, with commensurate vegetation management for defensible space;</i> ○ <i>A reliable water supply for property protection and firefighting;</i> ○ <i>Adequate access for emergency management vehicles; and</i> 	<p>In response to submission 155 to include further information around Bushfire Risk in Latrobe.</p>	<p>Submission 155</p>

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> Development of a Bushfire Emergency Management Plan (BEMP) as appropriate, including triggers for closure or restricted operation on days of elevated fire danger. <p>1.5 Ensure alignment of, and consistent between, planning policy and practices, and the Latrobe City Municipal Fire Management Plan.</p>		
Clause 21.05 – Natural Resource Management			
22	Amend Rural Framework Plan to show:		
	To show existing Rural Living Areas and Rural Living Investigation Areas;	In response to submission received by CFA, landowners and changes to Amendment VC140 all proposed Rural Living Zone land has been removed from the Amendment. This is a strategic change affecting multiple sites. Latrobe City Council will need to undertake further work in relation to Rural Living Areas (including a Rural Living Study and Bushfire Assessments) before proposing any changes to Rural Living Areas. Therefore it has been identified that the Rural Living Areas remain and investigation areas until this work is undertaken.	Submissions 4, 14, 15, 16, 23 and 23A, 54, 55, 75, 82, 96, 113, 115, 120, 130, 132, 133
	Yinnar South as part Rural Living Zone, Part Farming Zone 2 and Part Farming Zone 1 at property L 2 LP 215051 Middle Creek Road, Yinnar South.	In response to submissions received the areas in Yinnar South which have smaller Rural Living lots are to	Submissions 6 and 6A, 8, 18, 24 and 24A, 29, 34, 35, 38 and 38A, 39, 42, 43, 44, 45 and 45A, 47, 68,

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		<p>remain in the Rural Living Zone. It was considered appropriate to make this change as there is limited to no subdivision potential on the properties; further fragmentation of the land is unlikely to be achieved. There would be no increase in bushfire risk in making this change. One submitter requested property at L 2 LP 215051 Middle Creek Road, Yinnar South to be rezoned from Farming Zone 2 to Farming Zone 1. This change is considered appropriate as it is on the edge of the Yinnar South precinct and is surrounded by Farming Zone 1 properties to the north, east and west.</p>	83, 87, 88, 91, 92, 97, 100, 103, 104, 105, 106, 107, 109, 110, 111, 112, 114, 116, 118, 121, 122, 126, 128, 129, 131, 143, 149
	To include Rural Living Investigation area in 925 Hazelwood Road, Hazelwood North.	In response to submissions received, further Rural Living Investigation Areas have been identified within the revised <i>Rural Living Strategy</i> and shown on the Rural Framework Plan at Clause 21.05.	Submission 31
	To show Lot 1 Yeats Road and 406 Coalville Road, Hernes Oak within the Farming Zone 2 precincts.	In response to submissions received. The land is a small parcel, surrounded by Rural Living Zone properties and within the Farming Zone Schedule 2 precinct. Therefore, it is deemed appropriate for this area to be zoned to Farming Zone	Submission 25, 57

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		Schedule 2.	
	To show future Farming Zone 2 Investigation Areas at Cowwarr Special Catchment Area, Koornalla, Pincini Court, Boolarra,	In response to submissions received further land has been identified which might be considered for the Farming Zone 2 – mixed farming precinct. Further investigation is required of these areas to ensure that loss of productive agriculture land or special characteristics that exist that would make these precincts viable for the Farming Zone 2 (Mixed Farming).	Submission 36, 46, 63, 70, 71, 76, 77, 78, 119, 123, 124, 135, 138
	To show all future Rural Living areas as proposed in Structure Plans (Tyers, Glengarry) as investigation areas which will be considered as part of a Rural Living Study.	In response to submissions received, further investigation of future Rural Living Areas should be undertaken as part of a Rural Living Study in response to Amendment VC140.	Submission 62A
	To show current and future Cores and Links PCRZ locations.	In response to submissions received.	Submission 74
23	<p>Amend Clause 21.05-2 Objective 1, Strategy 1.5, the Strategy now reads:</p> <p>Promote the establishment of intensive agriculture and horticulture in suitable areas which could include identified locations, as per the Rural Framework Plan, subject to coal resource and buffer area policies.</p>	In response to submission 154, clarity was required around the establishment of intensive agricultural industries. Latrobe City Council have identified some appropriate locations for intensive agriculture, but this is not to say there are other appropriate location in which intensive agriculture could establish if requirements are met. Therefore, the Strategy has been updated to reflect this.	Submission 154

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Clause 21.07 – Economic Development			
24	<p>Inserted new Strategy 3.6 at Clause 21.07-7 Objective 3 to include the following statement:</p> <p><i>Provide buffers between industrial and existing and potential sensitive use areas where residential amenity is impacted.</i></p>	<p>In response to submissions 144 and 56 the current Latrobe Planning Scheme has Objective 6 and Strategy under Clause 21.02-1 Key Issues Urban Growth. This objective and clause has been removed in error from the Planning Scheme. We believe this strategy better aligns with Clause 21.07 and Industry and Employment and will address concerns from the EPA regarding buffer distances.</p>	Submission 144 and 56.
25	<p>Update the Industrial Framework Plan to:</p> <ul style="list-style-type: none"> Remove reference to the Heavy Industry Precinct Industrial 1 and 2 Zone Remove the State Resource Overlay hatching from the Heavy Industrial Precinct Remove to Review SRO area from the Heavy Industrial Precinct and legend 	<p>Amendment C111 was gazetted by the Minister for Planning on 27 September 2018. This Amendment removed the State Resource Overlay from the Industrial Zone 1 and 2 and south of Firmins Lane (Heavy Industrial Park). Therefore the notations on this plan are no longer required.</p>	No
26	<p>Amend Clause 21.07-4 Industry to amend the industry sectors description. The description now reads:</p> <p><i>The industrial sector in Latrobe City is divided into three main areas:</i></p> <ul style="list-style-type: none"> <i>The heavy industry precincts which are currently sustained by the coal and timber resources. The</i> 	Administrative	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>main location of this industrial complex is in the north and south of Morwell within Industrial 1 and 2 Zones and the Special Use - Brown Coal zoned areas in association with the power stations and mines.</i></p> <ul style="list-style-type: none"> <i>The emerging industries, including those establishing in Churchill taking advantage of proximity to Federation University or east of Morwell with advantages such as the outfall sewer and other key infrastructure.</i> <i>The servicing industry providing for local and regional community needs.</i> 		
27	<p>Amend Clause 21.07-5, Objective 1, and Strategy 1.6 to remove reference to the State Resource Overlay. The Strategy now reads:</p> <p><i>Encourage the establishment of large format and heavy industry uses on Industrial 2 Zone land.</i></p>	Administrative, in response to Amendment C111 which removed the State Resource Overlay from the land.	No
28	<p>Amend Clause 21.07-10 description to improve readability and inserted census data date. The description now reads:</p> <p>New wards and theatres are being built and planned for. The cancer care centre and allied health facilities have been extended together with the mental health wing and maternity facilities</p>	Administrative	No
29	<p>Amend Clause 21.07-14 description to improve readability. The description now reads:</p> <p><i>Combining traditional with new technologies, the industry has developed a highly skilled workforce. The industry has the capacity to service expanding local</i></p>	Administrative	No.

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<i>industry and business providing innovative IT solutions to commercial and industrial businesses throughout Australia and internationally.</i>		
Clause 21.08 – Transport and Infrastructure			
30	Amend Clause 21.08-5 Objective 1, Strategy 1.3 to improve readability. The Strategy now reads: <i>Promote active lifestyles and avoid social isolation by locating new dwellings close to user-friendly pedestrian and cycle paths which provide shade, toilet facilities, drinking taps, cycle racks, seating and directional signage where possible.</i>		
Clause 21.09 – Local Area Growth Plans			
31	Amended Housing Framework Plans to:		
	Boolarra: <ul style="list-style-type: none"> - Remove Zoning reference to be consistent with other Housing Framework Pan 	Administrative and in response to Submission 50, 52 for Traralgon.	Submissions 50, 52, 61, 158
	Traralgon: <ul style="list-style-type: none"> - Update Substantial Change Areas in Kay Street; Peterkin, Davidson and Mason Streets; Hickox Street to Substantial Change (light purple) to align with proposed zones changes; - Include land at Latrobe Street, Traralgon as Incremental change to align with proposed zone changes; - Update Area around Tennyson Street / Whitakers Road and Shakespeare Street from Substantial Change (light purple) to Limited Change to align with proposed zone changes; - Update Part land at Argyle Street, Traralgon from 		

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p>Substantial Change (dark purple) to Limited change to align with proposed zone changes;</p> <ul style="list-style-type: none"> - Include Strategic Development Site at Lodge Drive and Princes Street Traralgon - Update land at 112 McNairn Road, Traralgon from Public Open Space to Neighbourhood Residential Zone as a result of changes from Planning Scheme Amendment C106, Part 1. - Update Reserve 1 PS 603057 and Reserve R2 PS 644123 (Ellavale Drive), Part L 53 LP 21094 (Catterick Cres), CA 94A (Hickox Street), RES 1 PS 700172 (Hazelwood Road) from Limited Change to Public Open Space. 	<p>In response to submission 61, identification of Strategic Development Sites where large parcels of undeveloped land exists.</p> <p>Planning Scheme Amendment C106 Part 1 rezoned land at 112 McNairn Road from Public Park and Recreation Zone to General Residential Zone as it was privately owned and a public zone cannot be on private land. It was determined in consultation with the landowner and DELWP that the surrounding General Residential Zone would apply. Therefore as the surrounding zone is changing to Neighbourhood residential zone, it is appropriate for 112 McNairn Road to be shown as this zone.</p> <p>As part of Amendment C108, these reserves were zoned from Residential Zone to Public Park and Recreation Zone to reflect ownership and reserve status. Therefore, it is appropriate to amend the plan to reflect this change.</p>	<p>Submission 61 and 61A</p> <p>Submission 61 and 61A</p>

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> - Update land at Queens Parade, Traralgon and Grey Street and Franklin Street, Traralgon from Substantial Change to Other Zoned land. - Remove 200m buffer from LACs and show incremental change areas instead. - Include LACs at corner Park Lane and Smith Street, corner Gilmour Street and Johnson Crescent, corner Gwalia Street and Liddiard Road, and Cameron Street, Traralgon. - Update legend to better define differences between Substantial Change Areas (light and dark purple). 	<p>Administrative change, land is zoned Mixed Use Zone.</p> <p>As part of Authorisation of Amendment C105, DELWP Planning Services (Melbourne) who dealt with the introduction of the new Residential Zones were consulted. During these discussions the preference to show a zone and schedule based change around LACs instead of relying on policy wording was indicated. Therefore, zoned incremental change areas were exhibited. The Framework Plans need to be updated to reflect this change.</p> <p>Administrative error.</p> <p>Administrative error.</p>	
	<p>Moe / Newborough:</p> <ul style="list-style-type: none"> - Update land at surrounding Monash Road to a 'Future 	In response to submission received,	Submission 153

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p>Incremental Change Investigation Area’.</p> <ul style="list-style-type: none"> - Change LAC at corner of Old Sale Road and Newark Avenue from proposed to current LAC. - Update Corner of Monash Road and Torres Street, Dwyer Street from Limited Change to Public Open Space - Remove red outline from precincts south of Princes Freeway - Insert LAC at corner Bayley Street and High Street - Remove 200m buffer from LACs and show incremental change areas instead. 	<p>the around Monash Road, Newborough is in-between two Local Activity Centres (LAC). The roads within these areas have wide verges, proximity to public open space, public transport etc. Therefore it is believe that this area could support further development within the future. It has been recommended as a future investigation area and further work is required to fully investigate the location and rezone the land.</p> <p>Administrative error</p> <p>Administrative error</p> <p>Administrative error</p> <p>Administrative error</p> <p>As part of Authorisation of Amendment C105, DELWP Planning Services (Melbourne) who dealt with the introduction of the new Residential Zones were consulted.</p>	

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> - Include Future LAC at Mitchells Road, Moe. - Remove Strategic Development Site from 60 Vale Street, Moe. - Update legend: <ul style="list-style-type: none"> o To consolidate Investigation Area and Potential Neighbourhood Character Investigation Area o Update Future Neighbourhood Activity Centre to include Future Local Activity Centre. 	<p>During these discussions the preference to show a zone and schedule based change around LACs instead of relying on policy wording was indicated. Therefore, zoned incremental change areas were exhibited. The Framework Plans need to be updated to reflect this change.</p> <p>Administrative error</p> <p>Administrative in accordance with the revisions to the Housing Strategy. Strategic Development Sites have been classed over 5000m2, this site does not meet the lot size criteria.</p> <p>Administrative error</p>	
	<p>Churchill:</p> <ul style="list-style-type: none"> - Include LAC at corner of Monash Way and Acacia Way, and corner of Gundaroo Place and Churinga Drive, Churchill. - Show incremental change areas around designated LACs 	<p>Administrative error</p> <p>As part of Authorisation of Amendment C105, DELWP Planning</p>	

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> - Remove Strategic Development Sites to remove sites at 15 Winston Drive, Canterbury Way and Tubb Road, Churchill. - Amend Strategic Development Sites at Silcocks Road, Churchill. 	<p>Services (Melbourne) who dealt with the introduction of the new Residential Zones were consulted. During these discussions the preference to show a zone and schedule based change around LACs instead of relying on policy wording was indicated. Therefore, zoned incremental change areas were exhibited. The Framework Plans need to be updated to reflect this change.</p> <p>Administrative in accordance with the revisions to the Housing Strategy. Strategic Development Sites have been classed over 5000m2, this site does not meet the lot size criteria.</p> <p>Administrative</p>	
	<p>Morwell:</p> <ul style="list-style-type: none"> - Remove 200m buffer from LACs and show incremental change areas instead. 	<p>As part of Authorisation of Amendment C105, DELWP Planning Services (Melbourne) who dealt with the introduction of the new Residential Zones were consulted. During these discussions the preference to show a zone and</p>	

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		schedule based change around LACs instead of relying on policy wording was indicated. Therefore, zoned incremental change areas were exhibited. The Framework Plans need to be updated to reflect this change.	
	Yallourn North: <ul style="list-style-type: none"> - Show incremental change areas around designated LAC - Adjust legend to include incremental change area <ul style="list-style-type: none"> - Adjust 200 catchment to go around the supermarket 	<p>As part of Authorisation of Amendment C105, DELWP Planning Services (Melbourne) who dealt with the introduction of the new Residential Zones were consulted. During these discussions the preference to show a zone and schedule based change around LACs instead of relying on policy wording was indicated. Therefore, zoned incremental change areas were exhibited. The Framework Plans need to be updated to reflect this change.</p> <p>Administrative error</p>	
	Glengarry: <ul style="list-style-type: none"> - Show incremental change areas around designated LAC - Adjust legend to include incremental change area 	As part of Authorisation of Amendment C105, DELWP Planning Services (Melbourne) who dealt with the introduction of the new	

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		Residential Zones were consulted. During these discussions the preference to show a zone and schedule based change around LACs instead of relying on policy wording was indicated. Therefore, zoned incremental change areas were exhibited. The Framework Plans need to be updated to reflect this change.	
32	Amended Clause 21.09-9 Objective 1, Strategy 1.1 to remove 'residential'. The strategy now reads: <i>Retain, promote and preserve the rural atmosphere and residential service centre role of District and Small towns</i>	In response to submission 50, amended strategy 1.1 to remove confusion and misinterpretation of 'rural residential'.	Submission 50.
33	Amended Clause 21.09-9 Objective 1, Strategy 1.4 to remove 'generous'. The strategy now reads: <i>Encourage residential allotment sizes that respect the character of District and Small towns.</i>	In response to submission 50, removed the word generous to avoid interpretation issues.	Submission 50.
34	Amended Clause 21.09-6 Industrial dot point 1 to remove 'early'. The strategy now reads: <ul style="list-style-type: none"> Encourage the transition of industrial land uses in the southern parts of the Transit City Precinct (Area 8a) to enable the conversion of land to uses that will benefit from the close proximity to the Traralgon Activity Centre. 	In response to submissions 80, removed the word 'early' to recognise the long term action of the transition of the Industrial land south of Traralgon.	Submission 80
35	Amend Clause 21.09-2 Objective 1 to insert a new strategy 1.8 in relation to bushfire considerations. The strategy states:	In response to submission 155 to include further information around Bushfire Risk in Latrobe.	Submission 155

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<i>Ensure local area growth planning identifies bushfire risk and considers where development should be located and how any risk can be mitigated.</i>		
Clause 21.10 – Implementation			
36	<p>Amend Clause 21.10 to include further strategic work to prepare a Rural Living Strategy which states:</p> <p><i>Prepare a Rural Living Strategy with a Bushfire Assessment for the municipality and apply appropriate planning scheme tools to land identified as appropriate for Rural Living.</i></p>	<p>In response to submission received by CFA, landowners and changes to Amendment VC140 all proposed Rural Living Zone land has been removed from the Amendment. This is a strategic change affecting multiple sites. Latrobe City Council will need to undertake further work in relation to Rural Living Areas (including a Rural Living Study and Bushfire Assessments) before proposing any changes to Rural Living Areas.</p>	<p>Submissions 4, 9, 14, 15, 23 and 23A, 31, 58, 59, 62 and 62A, 63, 70, 71, 75, 76, 77, 78, 82, 96, 113, 115, 119, 120, 123, 124, 130, 132, 133, 134, 138</p>
37	<p>Amend Clause 21.10 to include further strategic work which states:</p> <p><i>Undertake an assessment of future Incremental change areas and apply appropriate zones through a Planning Scheme Amendment.</i></p>	<p>In response to submission received, the around Monash Road, Newborough is in-between two Local Activity Centres (LAC). The roads within these areas have wide verges, proximity to public open space, public transport etc. Therefore it is believe that this area could support further development within the future. It has been recommended as a future investigation area and further work is required to fully investigate the location and rezone the land.</p>	<p>Submission 153</p>

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
38	Amend Clause 21.10 to include the Traralgon Inner South Precinct Master Plan as a reference document.	Administration error	No
39	Amend Clause 21.10 to include an additional Strategy in the Application of Zone and Overlays. The Strategy included reads: <i>Apply to the General Residential Zone to 'Future Local Activity Centres or Neighbourhood Activity Centres' when they have been established.</i>	As part of the review of zones, current Local Activity Centres it was found that there were a few Mixed Use Zone areas that have the potential to be Local or Neighbourhood Activity Centres. However, the current use of the land does not support the increased housing development through incremental change. In the future if these centres are further developed, the housing strategy supports a zoning change in these areas to promote an increase in housing change through an incremental change area. The application of the appropriate zone of the time should be supported.	No
40	Amend Clause 21.10-1 Application of Zones and Overlays to remove Flynn from the Rural Living Zone areas. The action now reads: <i>Apply the Rural Living Zone to areas committed to rural residential type use, including areas in Jeeralang, Toongabbie, Glengarry, Tyers, Hazelwood North, Hazelwood South, Callignee and Moe South.</i>	Administrative error, Flynn does not have or is proposed to have a Rural Living Zone.	No
41	Amend Clause 21. 10-1 Application of Zones and Overlay to amend Farming Zone application required. This actions now reads:	Administrative	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>Apply the Farming Zone Schedule 1 to commercial agricultural areas.</i></p> <p><i>Apply the Farming Zone Schedule 2 to mixed farming areas.</i></p>		
42	<p>Amend Clause 21.10-3 Reference documents to include DELWP publications on native vegetation. The Reference documents include:</p> <p><i>Protecting Victoria's Environment – Biodiversity 2037 (DELWP 2017)</i></p> <p><i>Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)</i></p>	In response to a submission from DELWP to give clarity around the consideration of the new native vegetation regulations.	Submission 151
43	<p>Amend Clause 21.10-2 Further Strategic Work to include a new item which states:</p> <p><i>Explore the application of appropriate Local Policy, Zone and Overlay Controls including the Rural Conservation Zone and/or Vegetation Protection Overlay to protect important values within the Strzelecki - Alpine Ranges biodiversity corridor and other core habitat locations, considering state-wide biodiversity information maintained by Department of Land, Water and Planning.</i></p> <p><i>And;</i></p> <p>Insert reference to the future investigation of locations requiring locations prone to erosion by amending the exhibited action as follows (see underlined):</p> <p><i>Undertake a landscape assessment of rural areas and</i></p>	In response to a submission from DEWLP and in response to the objectives of the Rural Land Use Strategy.	Submission 151, 118A

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<i>apply appropriate planning scheme tools <u>to recognise locations of high hazard erosion</u> and to protect significant landscapes, vistas or areas of significance.</i>		
44	Amend Clause 21.01 Overlays 10 th dot point in relation to applying the BMO. The application of the overlay now states: <i>Apply the Bushfire Management Overlay to bush fire prone areas where there is potential for extreme bushfire behaviour, consistent with state hazard criteria and mapping.</i>	In response to submission 155.	Submission 155
45	Amend Clause 21.10-2 Further Work to include a new strategy around a Bushfire Management Strategy. The new further work item states: <i>Prepare a Bushfire Management Strategy for the city in partnership with the CFA to effectively manage those settlement areas across Latrobe City with a significant fire risk.</i>	In response to submission 155.	Submission 155
46	Amend Clause 21.10-3 Reference documents to update date for the Municipal Fire Management Plan from 2013 – 2016 to 2017 – 2021.	In response to submission 155.	Submission 155
Clause 22.01 – Intensive Agriculture			
47	Inserted an additional Decision Guideline under 22.01-4 to say: <i>Whether the proposed use meets the separation distances of permitted or existing agricultural uses, as required under appropriate government codes or practice including biosecurity, the Environmental Protection Authority's Recommended Separation Distances for Industrial Residual Air Emissions (as amended).</i>	In response to submissions 144 and 154, adding an additional decision guideline in the Intensive Agricultural Policy to make sure separation distances are achieved.	Submission 144 and 154.

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
48	Amend further work on applying the Environmental Audit Overlay for readability purposes. The statement now reads <i>Identify locations and apply the Environmental Audit Overlay, including former landfill sites, fuel depots or industry locations identified for transition.</i>	Administrative	No
49	Amend Clause 22.01-2 Policy, first dot point to now state Encourage proposals for intensive agriculture to locate within appropriate locations, including precincts as shown on the Latrobe City Intensive Agriculture Precincts map.	In response to submission 154, clarity was required around the establishment of intensive agricultural industries. Latrobe City Council have identified some appropriate locations for intensive agriculture, but this is not to say there are other appropriate location in which intensive agriculture could establish if requirements are met. Therefore, the Strategy has been updated to reflect this.	Submission 154
50	Amend Clause 22.02-1 Objectives, dot point to include the word use. The objective now reads: To discourage the proliferation of dwellings not associated with agriculture use.	Administrative	No
51	Amend Clause 22.02-2 Policy, for land is FZ1 and FZ2 dot points 1 and 2 to provide further clarification about what is required. The policies now read: <i>Encourage dwellings where permitted and associated development to be located away from ridgelines and hilltops to ensure that the buildings blend into the</i>	In response to submission 154 further clarifications were required as around the policy objectives.	Submission 154

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>landscape.</i></p> <p><i>Ensure the siting of a dwelling does not compromise the operation of nearby commercial agricultural enterprises, including an assessment on how impacts can be managed and not encroach on existing industry buffer and separation distances.</i></p>		
52	<p>Amend Clause 22.02-3 Application Requirements to include a requirement for dwellings under Farming Zone 1 to have a Farm Plan and assessment requirements for the siting of a dwelling. The requirements state:</p> <p><i>For Farming Zone 1 applications, a farm plan which demonstrates that the dwelling is required for an agricultural use</i></p> <p><i>An assessment which considers how the surrounding commercial agricultural activity has been considered in the siting of the dwelling, including the following impacts:</i></p> <ul style="list-style-type: none"> • <i>Noise</i> • <i>Odour</i> • <i>Amenity (sight lines)</i> • <i>Infrastructure and livestock movements; and</i> • <i>Concentration of dwellings in the area</i> <p><i>and how these impacts have been mitigated.</i></p>	<p>In response to submission 154, application requirements have been included to ensure objectives and policies can be met.</p>	<p>Submission 154</p>

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
53	<p>Amend Clause 22.02-4 Decision Guideline to include a decision guideline which relates to second dwelling considerations and impact of commercial agriculture. The guidelines read:</p> <p><i>Where a second dwelling is proposed, whether the dwelling is required for a caretaker, farm manager or farm worker for the operation of the agricultural use, and is located on the same lot as the existing dwelling and the agricultural use</i></p> <p><i>Whether the dwelling will have a negative impact on surrounding commercial agricultural activity</i></p>	In response to submission 154, decision guidelines have been included to ensure objectives and policies are met.	Submission 154
54	Insert new intensive agricultural areas map to fix typographical error for Callignee.	Administrative	No
Clause 22.02 – Rural Dwelling and Subdivision in the Farming Zone			
55	<p>Amend Clause 22.02 Policy Basis dot point 1 to remove the word versatility and replace with flexibility. The Policy now reads:</p> <p><i>Retain larger lots and avoid the establishment of sensitive land uses within the Farming Zone – Schedule 1 in order to retain flexibility for current and future agriculture investment.</i></p>	In response to submission 50, the policy was established to ensure we have larger land holdings where different business can be accommodated without issues around buffers, complaints.	Submission 50.
56	Amended 22.02-3 Application requirement to consolidate application requirements and clarify what is required. In particular dot point 3 and 10 have been removed and consolidated into dot point 1.	Administrative	Submission 50 (part)

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
57	Amend Clause 22.02 – 2 Policy For land in the Farming Zone 1, second dot point to remove ‘on a lot’. The Policy now reads: <i>Discourage more than one dwelling unless it can be demonstrated that the additional dwelling is required for a caretaker, farm manager or farm worker for the operation of the agricultural use, and is located on the same lot as the existing dwelling and the agricultural use.</i>	Administrative correction in response to submission 56.	Submission 56
58	Amend Clause 22.02 – 2 Policy For land in the Farming Zone 2 dot point 2 to clarify terminology to be in accordance with 73.03, including removing ‘cabins’. The policy now reads: <i>Support the establishment of small scale rural tourism opportunities, including agriculture related or nature based activities, bed and breakfasts, host farms, wineries and restaurants.</i>	Administrative	Submission 56
59	Amend Clause 22.02 - 2 Policy For land in the Farming Zone 2 dot point 5 to clarify policy statement. The policy now reads: <i>Subject to site conditions, encourage dwellings and associated development to be clustered together in the landscape by requiring similar setbacks from road frontages.</i>	Administrative	No
60	Amend Clause 22.02 – 2 Policy for land in the Farming Zone 2 dot point 6 to improve readability on wastewater requirement and insert new point in relation to bushfire. The policy now reads <i>Support the use of land for a dwelling, including accommodation, provided all of the following</i>	Administrative and in response to submission 155 to increase consideration of bushfire risk.	Submission 155 (part)

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>requirements are met:</i></p> <ul style="list-style-type: none"> - <i>No detriment is likely to result to adjoining agricultural activities.</i> - <i>It can be demonstrated that improved land management and or rehabilitation for conservation purposes, or improvements to degraded land will result.</i> - <i>All wastewater can be retained onsite.</i> - <i>New dwellings or other buildings requiring a BAL, should demonstrate that they will be sufficiently setback from any bushfire hazard to achieve a BAL construction standard no higher than BAL-29, unless there are significant siting constraints.</i> 		
61	<p>Amend Clause 22.02 – 4 Decision Guidelines for Subdivision Applications dot point to add clarification around the excision for a dwelling. The guideline now reads:</p> <ul style="list-style-type: none"> ▪ Where an application proposes the creation of a lot for an existing dwelling: <ul style="list-style-type: none"> ▪ Whether the balance lot is at least the minimum specified in the schedule to the zone. ▪ Whether the excision of the dwelling is compatible with agricultural use and will not reduce the potential for farming or other established rural land uses nearby. ▪ Whether the design of the lot does not isolate key rural infrastructure from the remnant 	Administrative	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p>parcel of the land.</p> <ul style="list-style-type: none"> Whether previous lot excisions have taken place and the cumulative impact on the viability of the parent lot for agriculture or related use. 		
62	<p>Amend Clause 22.02-3 Application Requirements in include a new requirement in Bushfire Prone Areas. The requirement states:</p> <p><i>A BAL Assessment must be provided in a bushfire prone area</i></p>	In response to submission 155 to increase consideration of bushfire risk.	Submission 155
63	<p>Amend Clause 22.02-4 Decision guidelines to include two new guidelines in relation to bushfire considerations for dwelling construction and one new guideline in relation to subdivision. The guidelines state:</p> <ul style="list-style-type: none"> <i>The proposed BAL construction standard and setback from hazardous vegetation;</i> <i>The level of surety about ongoing vegetation management for the maintenance of defensible space or bushfire risk mitigation.</i> <i>Where bushfire risk mitigation requires ongoing vegetation management.</i> 	In response to submission 155 to increase consideration of bushfire risk.	Submission 155
Clause 22.03 – Rural Tourism in the Farming Zone			
64	<p>Amend Clause 22.03-2 Policy, For all land in FZ1 and FZ2 dot point 3 to make it clearer that we are supporting Rural tourism only in ancillary to agricultural use and sensitive to the landscape. The policy now reads:</p> <p><i>Support rural tourism proposals that are:</i></p> <ul style="list-style-type: none"> <i>Ancillary to an agricultural or rural land use, thereby adding to the sustainability of the</i> 	In response to submission 154, the VFF suggested that the current wording of this dot point read as we would give preference of Rural tourism over agriculture. Therefore the removal of the words 'give preference to' and re-ordering	Submission 154

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>agricultural industry; or</i></p> <ul style="list-style-type: none"> • <i>Sensitive to the rural landscape and natural environment, aiding the achievement of biodiversity conservation on that land and lead to greater appreciation and enjoyment of the natural environment</i> 	<p>the dot points should minimise this confusion.</p> <p>The Rural Land Use supports Rural tourism to complement and supplement to agricultural use of the land.</p>	
65	<p>Amend Clause 22.03-3 Application Requirements to fix an administrative error and include a requirement for an explanation on how the use is associated with an agricultural use. The application requirement now reads:</p> <p><i>An application for a rural tourism within the Farming Zone 1 and 2 must include the following information, as appropriate</i></p> <p><i>For Farming Zone 1, an explanation on how the use is associated with an agricultural use.</i></p>	<p>In response to submission 154, include an application requirement that addresses the policy concern above.</p>	Submission 154
66	<p>Amend Clause 22.03-3 Application Requirements to fix an administrative error and include a decision guideline for an on whether the use is associated with an agricultural use. The application requirement now reads:</p> <p><i>Before deciding on an application, in addition to the decision guidelines in the Farming Zone 1 and 2, the responsible authority will consider as appropriate</i></p>	<p>In response to submission 154, include a decision guideline that addresses the policy concern above.</p>	Submission 154

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<i>For Farming Zone 1, whether the application is in association with an agricultural use</i>		
67	Amend Clause 22.03-1 Objectives, dot point 2 to include reference to bushfire risk. The objective now reads: <i>To ensure buildings are suitably designed and sited to protect the landscape characteristics and respond to any identified bushfire risk.</i>	In response to submission 155 to increase consideration of bushfire risk.	Submission 155
68	Amend Clause 22.03-2 Policy to include 2 new dot points in relation to bushfire risk. The new policy reads: <i>New dwellings or other buildings requiring a BAL, should demonstrate that they will be sufficiently setback from any bushfire hazard to achieve a construction standard no higher than BAL-29, unless there are significant siting constraints, in accordance with AS 3959 Construction of buildings in bushfire prone areas.</i> <i>In a BPA outside the BMO, a tourism development application involving accommodation for persons not normally resident on the site (i.e. other than for a dwelling or dependent persons unit) must prepare a bushfire risk assessment report for the development, which will be referred to the CFA for comment, showing how any identified bushfire risk will be acceptably mitigated.</i>	In response to submission 155 to increase consideration of bushfire risk.	Submission 155
69	Amend Clause 22.03-3 Application Requirements to include a new application requirement in relation to bushfire. The new requirement states: <i>A bushfire risk assessment report for a tourism</i>	In response to submission 155 to increase consideration of bushfire risk.	Submission 155

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>development must be prepared by a suitably qualified or experienced bushfire practitioner, and show:</i></p> <ul style="list-style-type: none"> - <i>Siting of buildings that responds to the hazard such that buildings can achieve a construction standard no higher than a BAL-29</i> - <i>Adequate access for emergency services</i> - <i>An adequate water supply for firefighting and property protection</i> - <i>A Bushfire Emergency Management Plan (BEMP) detailing emergency management arrangements and procedures for the site on days of elevated fire danger.</i> 		
70	<p>Amend Clause 22.03-4 Decision Guidelines to include 2 new decision guidelines in relation to bushfire risk. The guidelines state:</p> <p><i>The views of the relevant fire authority.</i></p> <p><i>Whether any identified bushfire risk will be able to be acceptably mitigated in an ongoing capacity, for the life of the development.</i></p>	In response to submission 155 to increase consideration of bushfire risk.	Submission 155
Clause 32.07 (RGZ) Schedule 1			
71	Amended front fence height from 1.0 metre to 1.2 metres.	In response to submission 145 front fence heights were reviewed and upon investigation it was determined the more common standard fence heights were 1.2m.	Submission 145

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		Therefore, it was appropriate to revise fence height to be more consistent with current fencing types.	
72	Amend 3.0 Maximum building height requirements for a dwelling or residential building from natural surface level to natural ground level.	Administrative	No
Clause 32.07 (RGZ) Schedule 2			
73	Amended front fence height permit trigger from none specified to 1.2 metres	Administrative error. Clause 32.07-2 should have had requirement for front fence height as proposed in Clause 32.07-1 (RGZ1). This is considered to be in line with the recommendations of the Housing Strategy.	No
	Amend 3.0 Maximum building height requirements for a dwelling or residential building from natural surface level to natural ground level.	Administrative	No
Clause 32.07 (RGZ) Schedule 3			
74	Amended front fence height from 1.0 metre to 1.2 metres.	In response to submission 145, front fence heights were reviewed and upon investigation it was determined the more common standard fence heights were 1.2m. Therefore, it was appropriate to revise fence height to be more consistent with current fencing types.	Submission 145 (part)
75	Amend 3.0 Maximum building height requirements for a dwelling or residential building from natural surface level to natural ground level.	Administrative	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Clause 32.07 (RGZ) Schedule 4			
76	Amended front fence height from 1.0 metre to 1.2 metres.	In response to submission 145, front fence heights were reviewed and upon investigation it was determined the more common standard fence heights were 1.2m. Therefore, it was appropriate to revise fence height to be more consistent with current fencing types.	Submission 145 (part)
77	Amend 3.0 Maximum building height requirements for a dwelling or residential building from natural surface level to natural ground level.	Administrative	No
Clause 32.08 (GRZ) Schedule 1			
78	Amended front fence height from 1.0 metre to 1.2 metres.	In response to submission 145, front fence heights were reviewed and upon investigation it was determined the more common standard fence heights were 1.2m. Therefore, it was appropriate to revise fence height to be more consistent with current fencing types.	Submission 145 (part)
Clause 32.08 (GRZ) Schedule 2			
79	Amended front fence height from 1.0 metre to 1.2 metres.	In response to submission 145, front fence heights were reviewed and upon investigation it was determined the more common standard fence heights were 1.2m. Therefore, it was appropriate to revise fence height to be more	Submission 145 (part)

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		consistent with current fencing types.	
80	Amend 1.0 Neighbourhood Character Objectives, dot point 1 to replace low scale apartments with multi-level residential developments.	Administrative, clarification of terminology	No
Clause 32.08 (GRZ) Schedule 4			
81	Amend 1.0 Neighbourhood Character Objectives, dot point 1 to replace low scale apartments with multi-level residential developments.	Administrative, clarification of terminology	No
Clause 32.09 (NRZ) Schedule 2			
82	Amend Clause 2.0 - Permit requirement for the construction or extension of one dwelling on a lot to specify lot size for the permit trigger (less than 500m ²)	Administrative	
83	Amend 4.0 Requirements of Clause 54 and Clause 55 to remove landscaping requirements from 1 canopy tree to none specified	Administrative, this relates to the 'bush suburban' NRZ this area is characterised by vegetation on blocks. This provision was inappropriate for this area giving the existing vegetation.	No
Clause 32.09 (NRZ) Schedule 4			
84	Amend 2.0 permit requirements for the construction or extension of one dwelling on a lot to include reference to lots less than 500m ² .	Administrative error. The intention for this requirement was to be the same as applied under the General Residential Zone.	No
Clause 35.07 (FZ) Schedule 2			
85	Amend distance requirement for the minimum setback from a dwelling not in the same ownership from 100m to 50m.	Administrative. Due to the small lot sizes within the Farming Zone 2, it is unlikely that the 100m distance from a dwelling not in same ownership would be achieved. Therefore, the requirement needs to be varied.	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Clause 61.03			
86	Removed Development Plan Overlay map changes. Clause 61.03 is no longer required.	In response to the removal of the Rural Living Precincts. The Development Plan Overlay Introductions are no longer required.	Submission 50.
Housing Strategy			
87	<p>Update the Housing Strategy:</p> <ul style="list-style-type: none"> Page 24, 40 and 63 Substantial Change areas to align with Planning Scheme Amendment changes. At figure 1 to show the Yinnar South precinct as part Rural Living and part Farming Zone 2. Update the legend on page 21, figure 3 to reduce confusion in relation to the regarding Rural Living Areas. Update typographical errors on page 41, 'polic y' to 'policy', 'Suburban' to 'Suburban' On page 28 insert text regarding larger lots in the Limited Changes area. 	<p>In response to submission 50 around Hickox Street and inconsistencies in zone application and the Housing Strategy.</p> <p>Administrative error. Map should align with recommendations in the Rural Land Use Strategy and post exhibition changes.</p> <p>The settlement and hierarchy map on page 21, figure 3 identifies existing zone condition, not proposed zones. Therefore, an update to the legend to reduce confusion around the Yinnar South area is required.</p> <p>In response to submissions received, further clarification was required on larger lots (above 1500m2) which exist in the limited change areas. Policy direction needed to be included that would support greater than 2 dwellings/ detached dwellings</p>	<p>Submission 50.</p> <p>Submission 61, 61A, 158 and 50.</p>

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> On page 38 insert additional words regarding Strategic Development Sites. 	<p>due to the lot size. Criteria was developed based on the intent of the housing strategy, Council's resolution regarding 11 dwellings per ha, tools which could aid in assessment of applications and road tests of particular sites.</p> <p>In response to submissions received, further clarification was required about Strategic Development Sites on the Housing Framework Plan and Specialised Housing types. Clarification was provided on lots sizes and what types of development could be supported.</p>	Yes, 61 and 61A, 158, 50, 56.
Rural Land Use Strategy			
88	<p>Update the Rural Land Use Strategy:</p> <ul style="list-style-type: none"> On page 33 and 34 to amend legend on maps to include Rural Conservation Zone On page 56 include relevant policy context of Clause 12.03 and Clause 12.05. On page 57 to include reference to the Greater Glider as a species listed on under the Flora and Fauna Guarantee Act or EPBC List. On page 68 fix typographical error 'Five' to 'Five'. On page 68 insert a new section in the Rural Land Use Strategy to include Future Rural Living Investigation Areas in the strategy. 	<ul style="list-style-type: none"> Administrative fix up in response to submission 151 and 56. Administrative error In response to submission 148 to update the species list to include the Greater Glider Administrative error In response to submissions received, further Rural Living Investigation Areas have been added to review as 	Submissions 148, 151, 9, 31, 36, 41, 42, 43, 46, 56, 62, 63, 70, 71, 76, 77, 78, 85, 92, 123, 124, 134, 138

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> On page 76 include a strategy to prepare a Rural Land Use Strategy. Insert a new page of Farming Zone 2 Investigation areas, including precinct identification in response to submissions. 	<p>part of a Rural Living Strategy. This is a strategic change and site specific changes after submissions were received to the Amendment. Areas were reviewed based on the criteria outlined in the Rural Land Use Strategy. In response to Amendment VC140, Latrobe City Council needs to ensure that all areas are reviewed to find the most appropriate locations for Rural Living areas with no increased bushfire risk. Adding additional sites for investigation will ensure that all alternate locations are considered in the Rural Living Strategy</p> <ul style="list-style-type: none"> As above. In response to submissions received further land has been identified which might be considered for the Farming Zone 2 – mixed farming precinct. Further investigation is required of 	

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> Amend page 68 to change reference from Jeeralang FZ2 to Yinnar South FZ2 At figure 1 to show the Yinnar South precinct as part Rural Living and part Farming Zone 2. Update typographical errors on maps on Figure 1, pages 15,16, 21, 33, 34, 41, 49, 60, 65, 69 and 93 'Calignee' to 'Callignee', page 39 'Carter Hold Harvey' to 'Carter Holt Harvey', page 40 'Apline' to 'Alpine', and page 68 instead of 'two' it should be 'nine' to reflect map on page 69. 	<p>these areas to ensure that loss of productive agriculture land or special characteristics that exist that would make these precincts viable for the Farming Zone 2 (Mixed Farming).</p> <ul style="list-style-type: none"> Administrative error Administrative error. Map should align with recommendations in the Rural Land Use Strategy and post exhibition changes. Administrative 	
Industrial and Employment Strategy			
89	<p>Update the Industrial and Employment Strategy:</p> <ul style="list-style-type: none"> On page 64 to reference the EPA as a partner organisation. On page 65 – 67 (table of actions) to include the EPA as a partner organisation for relevant actions under each objective. At figure 1 to show the Yinnar South precinct as part Rural Living and part Farming Zone 2. Update typographical error at page 41 'Princess' to 'Princes' 	<p>In response to submission 144 updated relevant sections to include the EPA as a partner organisation.</p> <p>At figure 1 to show the Yinnar South precinct as part Rural Living and part Farming Zone 2.</p>	Submission 144

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Instruction Sheet			
90	Amended the instruction sheet in accordance with the post exhibition edits, including: <ul style="list-style-type: none"> • Changed amount of maps affected • Removal of Development Plan Overlay map changes • Removal of changes to Clause 61.03 		
Mapping Changes			
91	Amended maps 5, 6, 7, 8, 10, 67, 68, 92, 94, 100, 112, 113 to rezoning proposed Rural Living Zone land to Farming Zone 1 and 2.	In response to submission received by CFA, some landowners and changes to Amendment VC140 all proposed Rural Living Zone land has been removed from the Amendment. This is a strategic change affecting multiple sites. Latrobe City Council will need to undertake further work in relation to Rural Living Areas (including a Rural Living Study and Bushfire Assessments) before proposing any changes to Rural Living Areas.	Submissions 4, 14, 15, 16, 24 and 24A, 54, 55, 75, 82, 96, 113, 115, 120, 130, 132, 133
92	Amended maps 111, 112, 122 and 123 to rezoning proposed Farming 2 to Rural Living Zone 2 and 3 and Farming Zone 1.	In response to submissions received the areas in Yinnar South which have smaller Rural Living lots are to remain in the Rural Living Zone. It was considered appropriate to make this change as there is limited to no subdivision potential on the properties; further fragmentation of the land is unlikely to be achieved. There would be no increase in bushfire risk in making this change.	Submissions 6 and 6A, 8, 18, 29, 34, 35, 38 and 38A, 39, 42, 43, 44, 45 and 45A, 47, 68, 83, 87, 88, 91, 92, 97, 100, 103, 104, 105, 106, 107, 109, 110, 111, 112, 114, 116, 118, 121, 122, 126, 128, 129, 131, 143, 149

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		One submitter requested property at L 2 LP 215051 Middle Creek Road, Yinnar South to be rezoned from Farming Zone 2 to Farming Zone 1. This change is considered appropriate as it is on the edge of the Yinnar South precinct and is surrounded by Farming Zone 1 properties to the north, east and west.	
93	Amended map 67 to show 50 Tambo Road, Moe South as Rural Living Zone 2 not Rural Living Zone 1. Show property at Wirraway Street, Moe RES 1 PS 424876 as no change (Public Use Zone).	Administrative and the property at 50 Tambo Road, Moe South is already zoned Rural Living Zone Schedule 5 (5ha minimum) with the rationalisation of the Rural Living Zones it was proposed to be zoned to Rural Living Zone 1 (2ha minimum). Due to the changes to Amendment VC140, there is to be no increased bushfire risk. Further work is required before allowing the 2ha lot size minimum as it will increased subdivision potential from 3 lots to 8 (approximately). Therefore it is proposed to change the one to Rural Living Zone 2 (4ha minimum) which would retain the similar lot yield that it currently afforded.	Submission 22
94	Amended maps 94, 100 and 112 to rezone land in Hazelwood South (east of Churchill) from Rural Living Zone to Farming Zone 1.	Under Latrobe City Council's bushfire assessment for the Rural Living Precinct, this area could be zoned for	Submissions 23 and 23A,

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		Rural Living purposes. However in response to submissions received, the Hazelwood South (east of Churchill) was not supported by landowners. Therefore Council has decided not to proceed with this precinct at this point in time. The Development Plan Overlay proposed on the land is no longer proposed as a result.	
95	Amends map 115 to zone from Farming Zone to Farming Zone Schedule 2.	In response to submissions received. The land is a small parcel, surrounded by Rural Living Zone properties and within the Farming Zone Schedule 2 precinct. Therefore, it is deemed appropriate for this area to be zoned to Farming Zone Schedule 2.	Submission 25
96	Amends map 68 to zone from Farming Zone 1 to Farming Zone Schedule 2. Amend property at part Sayers Track, Hernes Oak from Public Conservation and Resource Zone to Farming Zone 1. Amend property at part 65 McDonalds Track, Hernes Oak from Farming Zone 2 to Farming Zone 1	In response to submission received, parcel was showing a split zone. Administrative error	Submission 57, 74
97	Amends map 12 to not rezone land at Anderson and Kaye Road CA 2017 to Public Conservation and Resource Zone, the land will remain in a Special Use Zone.	In response to submission received. The land is within private ownership.	Submission 74
98	Amends map 13 to not rezoned land at Clarkes Road, Yallourn North B Pt 4, L 1 TP 238583 to Farming Zone 1, the land will remain in a Public Use Zone Schedule 1.	Administrative error	No
99	Amend maps 23, 24, 28 and 29 to rezone properties at	Administrative error. These are large	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	Bowmans Road, Newborough, May Street and Hennessey Street, Moe from Neighbourhood Residential Zone Schedule 4 to General Residential Zone 3.	parcels of vacant land residential zone land which can be further developed. Therefore, the same zone application on growth area land should have been applied.	
100	Amend map 29 to show property at Ollerton Avenue, Newborough not to be rezoned to Neighbourhood Residential Zone 4 and to remain in a Mixed Use Zone. Amend map 29 to show part of property at 84 – 96 Narracan Drive, Newborough to be rezoned from General Residential Zone to Neighbourhood Residential Zone.	Administrative. Amendment C109 fixed anomalies associated with these properties. The change is required to ensure this change is not undone.	No
101	Amend map 30 to show property at Monash Road, Newborough CA 4Y not to be rezoned to Neighbourhood Residential Zone, the land should remain as Public Park and Recreation Zone.	Administrative	No
102	Amend map 34 at 10 Kenall Drive Moe from NRZ4 to FZ2 and 29 Cemetery Road, Moe from FZ2 to NRZ4 to fix split zone.	Administrative	No
103	Amend map 50 and 51 to show land at 19 Greenfield Drive, Marshalls Road and Park Lane Traralgon to show no change (the property will remain a Public Use Zone 1)	Administrative. Amendment C108 fixed anomalies associated with these properties. The change is required to ensure this change is not undone.	No
104	Amend map 51 to show the Gippsland Plain Rail Trail as not change, the property should remain in the Public Park and Recreation Zone.	Administrative	
105	Amend map 52 to show Update Reserve 1 PS 603057 and Reserve R2 PS 644123 (Ellavale Drive) to show no change. Amend road reserve to area next to reserves above to Neighbourhood Residential Zone, not Pubic Park and Recreation Zone.	Administrative and as part of Amendment C108, these reserves were zoned from Residential Zone to Public Park and Recreation Zone to reflect ownership and reserve status. The change is required to ensure this	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		change is not undone.	
106	Amend map 54, 58 Part L 53 LP 21094 (Catterick Cres) to show no change.	As part of Amendment C108, these reserves were zoned from Residential Zone to Public Park and Recreation Zone to reflect ownership and reserve status. The change is required to ensure this change is not undone.	No
107	Amend map 55 at 5 Shakespeare Street, 9 Thomas Street, and 147 Breed Street Traralgon to fix split zone anomaly. Show L 21 LP 21153, L 22 LP 21153 Ray Street, Traralgon as no change (Public Park and Recreation Zone).	Administrative	No
108	Amend Map 56 at 7 Atherley Close, 2 Atherley Close, 1 Atherley Close to fix split zone anomaly. Show precinct in Peterkin Campbell and John Street and RGZ1, not 2. Amend 92 Argyle Street to be Residential Growth Zone 2, not Neighbourhood Residential Zone 4.	Administrative	No
109	Amend map 57 to update land at 112 McNairn Road, Traralgon from Public Open Space to Neighbourhood Residential Zone as a result of changes from Planning Scheme Amendment C106, Part 1.	Planning Scheme Amendment C106 Part 1 rezoned land at 112 McNairn Road from Public Park and Recreation Zone to General Residential Zone as it was privately owned and a public zone cannot be on private land. It was determined in consultation with the landowner and DELWP that the surrounding General Residential Zone would apply. Therefore as the surrounding zone is changing to Neighbourhood	Submission 61 and 61A

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		residential zone, it is appropriate for 112 McNairn Road to be shown as this zone.	
110	Amend map 59 RES 1 PS 700172 (Hazelwood Road) as no change.	As part of Amendment C108, these reserves were zoned from Residential Zone to Public Park and Recreation Zone to reflect ownership and reserve status. Therefore, it is appropriate to amend the plan to reflect this change.	No
111	Amend map 60 Dimitri Drive, Traralgon L A PS 700172 from Neighbourhood Residential Zone to General Residential Zone 3. Show CA 94 Hickox Street Traralgon as no change.	Administrative, this is a large parcel of land with a current planning permit and should be treated the same as other growth areas. Administrative and as part of Amendment C108, these reserves were zoned from Residential Zone to Public Park and Recreation Zone to reflect ownership and reserve status. The change is required to ensure this change is not undone.	No
112	Amend map 63 to show the Gippsland Plains Rail Trail (next to Traralgon – Maffra Road, Traralgon) as no change.	Administrative	No
113	Amend map 70, 73 to Crinigan Road, Morwell L 1 PS 634891 from Farming Zone 1 to General Residential Zone 3	Administrative. Amendment C85 rezoned the land from Farming Zone to Residential Zone.	Submission 74
114	Amend Map 72, 73 to show land at 107-111 Crinigan Road, and Morwell part of Maryvale Road L 2 PS 407641 and L 5 LP 84126 as no change.	Administrative, Amendment C108, these reserves were zoned from Residential Zone to Public Park and	No

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		Recreation Zone to reflect ownership and reserve status. The change is required to ensure this change is not undone.	
115	Amend map 75 to show properties at Princes Drive, Morwell and Davey Street as Residential Growth Zone 3, not RGZ1.	Administrative	No
116	Amend map 76 2 – 10 Fleming Street, Traralgon to fixed split zone anomaly. Relabelled properties at Princes Drive and Davey Street from Residential Growth Zone 3, not RGZ1.	Administrative	No
117	Amend map 90, 106, 107 Creamery Road, Yinnar to Farming Zone 1	In response to submission 74	Submission 74
118	Amend map 100 'Warren Terrace Reserve' to show as no change	Administrative	No
119	Amend map 105, 116, 117, 119, 121 to show part of land on Pleasant Valley Road as no change.	Administrative	No
120	Amend map 113 to show property at 333 Glendonald Road, Hazelwood South not within a split zone	Administrative	No
121	Amend map 124 to show part of property at Perrys Road, Jeeralang as Farming Zone 1.	In response to submission 74	Submission 74
122	Amend map 130 to show CA 2005 and CA 2004, Grand Ridge Road, Grand Ridge as Farming Zone 1.	In response to submissions 74	Submission 74
123	All maps as part of Amendment C105	Template changes from DELWP have meant all maps have been updated to correspond with the new template.	No
124	Incorporate revisions introduced to the Latrobe Planning Scheme by Amendment 97 to the Latrobe Planning prior to lodgement of final documents for approval and inclusion.	Amendment C105 was prepared from ordinance prior to the approval of Amendment C97 to the Planning Scheme.	No.

21.01 MUNICIPAL PROFILE

19/10/2017
-C97
Proposed C105

21.01-1 Municipal profile

19/10/2017
-C97
Proposed C105

Latrobe City is part of the region traditionally owned by the Braiakaulung clan of the Gunaikurnai people. European settlement began in the Gippsland Plain in the 1840s and extended to most of the Strzelecki Ranges after 1900.

Latrobe City is now recognised as one of Victoria's four Major Regional Cities made up of four central towns: Churchill, Moe-Newborough, Morwell and Traralgon which combined form a networked city. Latrobe City is the population and regional service centre for Gippsland. The municipality extends over 1400 square kilometres and is centrally located in eastern Victoria, approximately 150 kilometres east of Melbourne.

~~Latrobe City Council ('Latrobe') is a large regional city extending over 1400 square kilometres which is centrally located in eastern Victoria, approximately 150 kilometres east of Melbourne.~~

~~Latrobe City is part of the region traditionally owned by the Braiakaulung clan of the Gunaikurnai people. European settlement began in the Gippsland Plain in the 1840s and extended to most of the Strzelecki Ranges after 1900.~~

Latrobe City is currently home to approximately ~~73,650~~74,021 (2018) residents. The population is forecast to grow by approximately 8,560 to house 82,460 people by 2030. The demographic profile is forecast to significantly change over the next 15 years, with 70% of all population growth forecast for Latrobe City is to occur in the population aged 70 and over. The working age (25-29 years), infants and pre-schooler population groups are anticipated to experience below-average growth. (Essential Economics, 2016).

~~The population of Latrobe in 2013 was estimated at 73,846 people. The population is predicted to steadily increase reaching approximately 95,000 people by 2036. The median age of the population is 39 years with 35% of residents in the 0–24 age group and only 12% aged over 65 years. Latrobe is made up of four central towns: Churchill, Moe-Newborough, Morwell and Traralgon which are supported by the smaller rural townships of Boolarra, Glengarry, Toongabbie, Tyers, Traralgon South, Yallourn North and Yinnar.~~

Latrobe City is experiencing a period of economic restructuring associated with the change in traditional employment sectors which support Victoria's power production including manufacturing and mining. Industry diversification and employment generation are therefore major priorities of Latrobe City and the Gippsland region, drawing on the extensive natural resource base, built infrastructure and local workforce.

~~Latrobe has traditionally been recognised as the centre of Victoria's electricity industry, which is derived from one of the largest brown coal reserves in the world.~~ Latrobe City is also at the centre of a large forestry industry, which services the largest pulp and paper mill in Australia. Other industries in the area include food processing, retail, engineering, health and post-secondary education. Latrobe City is one of Victoria's strongest regional economies with a Gross Regional Product (GRP) of approximately \$4.8 billion and a total estimated annual business turnover of \$10.73 billion. Latrobe's GRP represents 1.28% of Victoria's Gross State Product.

21.01-2 Regional profile

19/10/2017
C97

The *Gippsland Regional Growth Plan 2014* (GRGP) identifies the following challenges for growth in the region:

- Sustaining and expanding economic activity through a period of diversification and transition.
- Enhancing the resilience of the regions industries to economic restructuring and supporting business to reduce carbon emissions.
- Building on tourism opportunities in the region.
- Accommodating population growth, including managing growth with consideration of resources, environment and natural hazards.
- Responding to changing community profiles including the increasingly aged population.
- Planning and adapting settlements and infrastructure to respond to the impacts of climate change, including increased risk from natural hazards.
- Improving the efficiency, reliability and service levels of the regions transport network.
- Delivering services and communications infrastructure for community, commercial and industrial users.

21.01-3 Key planning issues

19/10/2017
C97
Proposed C105

The key planning issues that are identified in the State Planning Policy Framework of this planning scheme which Council believes it needs to address are:

- Regional Growth Plan.
- [Built Environment and Settlement.](#)
- [Urban Design, Heritage and Character.](#)
- Environmental and Landscape Values.
- Environmental Risks.
- Natural Resource Management.
- ~~Built Environment and Heritage.~~
- ~~Housing.~~
- Economic Development.
- Transport and Infrastructure.

21.01-4 Strategic vision

19/10/2017
C97
Proposed C105

[The 2017-2021 Council Plan reflects the clear understanding that Latrobe City's community is in significant economic and social transition. The Council Plan provides a concentrated focus on employment, economic growth, liveability, and a connected Latrobe City.](#)

[The Council Plan identifies 7 key objectives as follows:](#)

- [Support job creation and industry diversification to enable economic growth in Latrobe City.](#)
- [Encourage improved education & training outcomes in Latrobe City.](#)
- [Improve the liveability and connectedness of Latrobe City.](#)
- [Improve the amenity and accessibility of Council services.](#)
- [Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.](#)
- [Ensure Council operates openly, transparently and responsibly.](#)
- [Grow the civic pride of our municipality and solidify Latrobe City's image as a key regional city.](#)

~~The Council Vision is outlined in Latrobe 2026:~~

~~In 2026 the Latrobe Valley is a liveable and sustainable region with collaborative and inclusive community leadership.~~

~~Sustainability, Liveability and Leadership are the three core principles that encompass Council's commitment to achieving its vision, as outlined above. To aid in the attainment of this vision, the Council Plan 2013—2017 sets out five key themes to guide Council in its endeavours:~~

- ~~▪ Job creation and economic sustainability.~~
- ~~▪ Appropriate, affordable and sustainable facilities, services and recreation.~~
- ~~▪ Efficient, effective and accountable governance;~~
- ~~▪ Advocacy for and consultation with the community; and~~
- ~~▪ Planning for the future.~~

21.01-5 Strategic framework plan

19/10/2017

~~C97~~

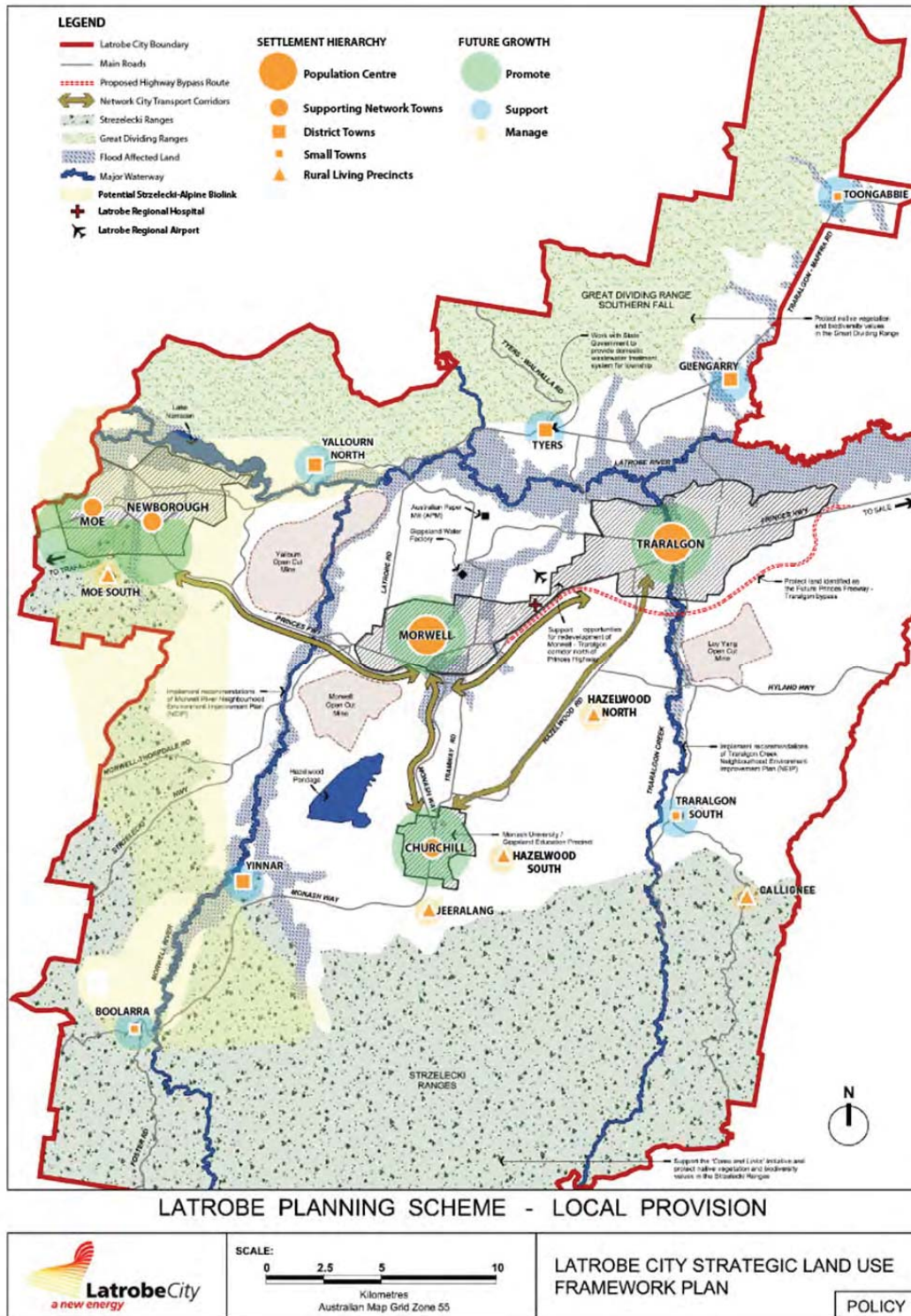
Proposed C105

Council has prepared a Strategic Framework Plan which identifies the major strategic directions for the municipality. ~~The Strategic Framework Plan represents the interdependencies between existing land use and development patterns, settlement hierarchy, extent of infrastructure, environmental assets and hazards. The framework plan advocates for future growth commensurate with access to services, infrastructure, transport, natural resource management and the acknowledgement of environmental risks and hazards.~~

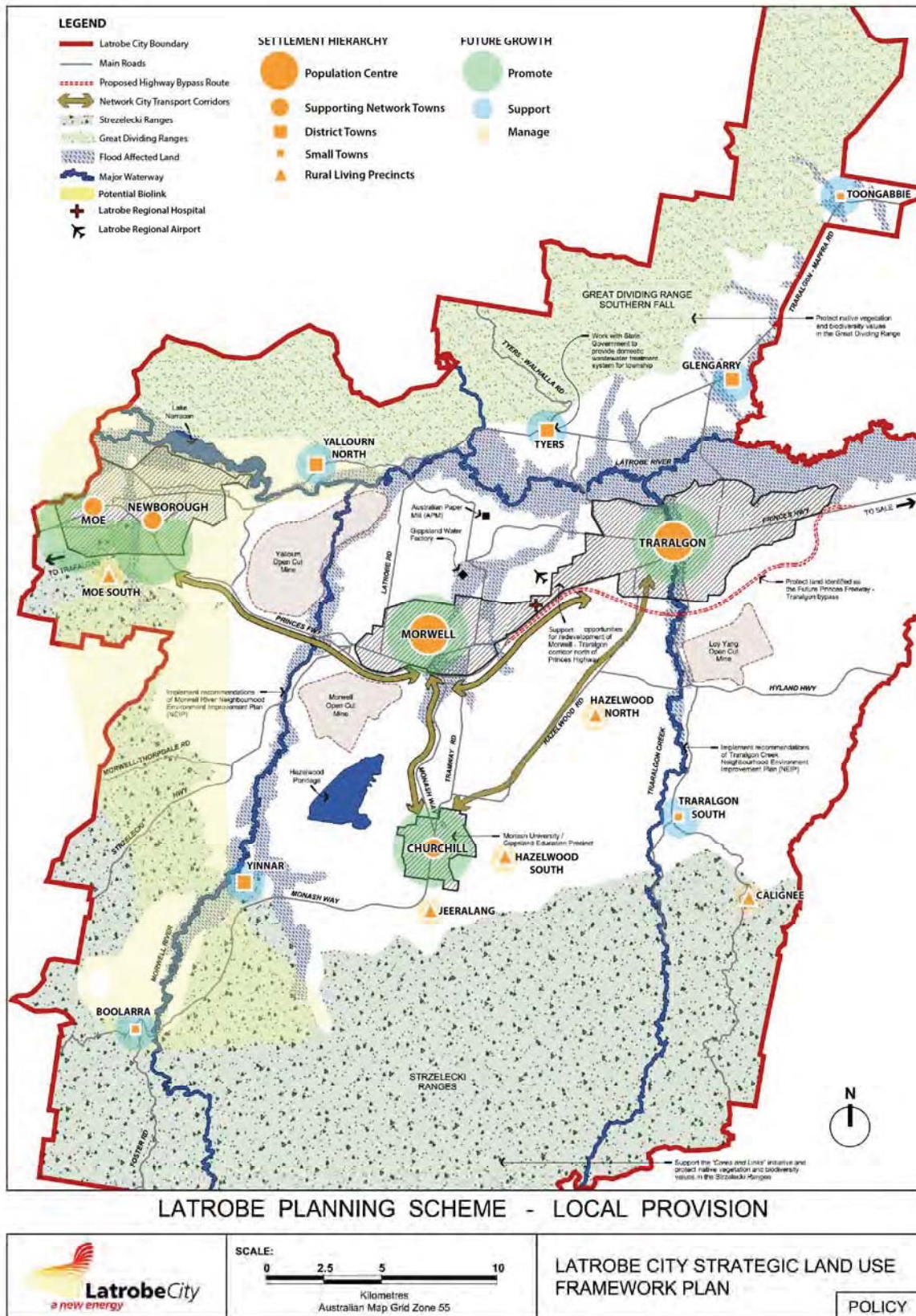
Key elements of the Strategic Framework Plan include:

- ~~▪ Settlement Hierarchy anticipating likely growth. Implementation of Town Structure Plans.~~
- Implementation of Town Structure Plans.
- Redevelopment of the Morwell – Traralgon Corridor as a key employment precinct.
- Promotion of ~~significant~~ Rural Living precincts as an attractive lifestyle choice areas.
- Implementation of the Latrobe Regional Airport Master Plan, Latrobe Regional Hospital Master Plan and Federation University Master Plan.
- Location of open cut coal mines in relation to established townships.
- Location of key infrastructure and transport links including key transport links including the proposed Traralgon–Sale Highway Bypass.
- Location of natural resources and key environmental features values including the potential Strzelecki – Alpine Biolink.

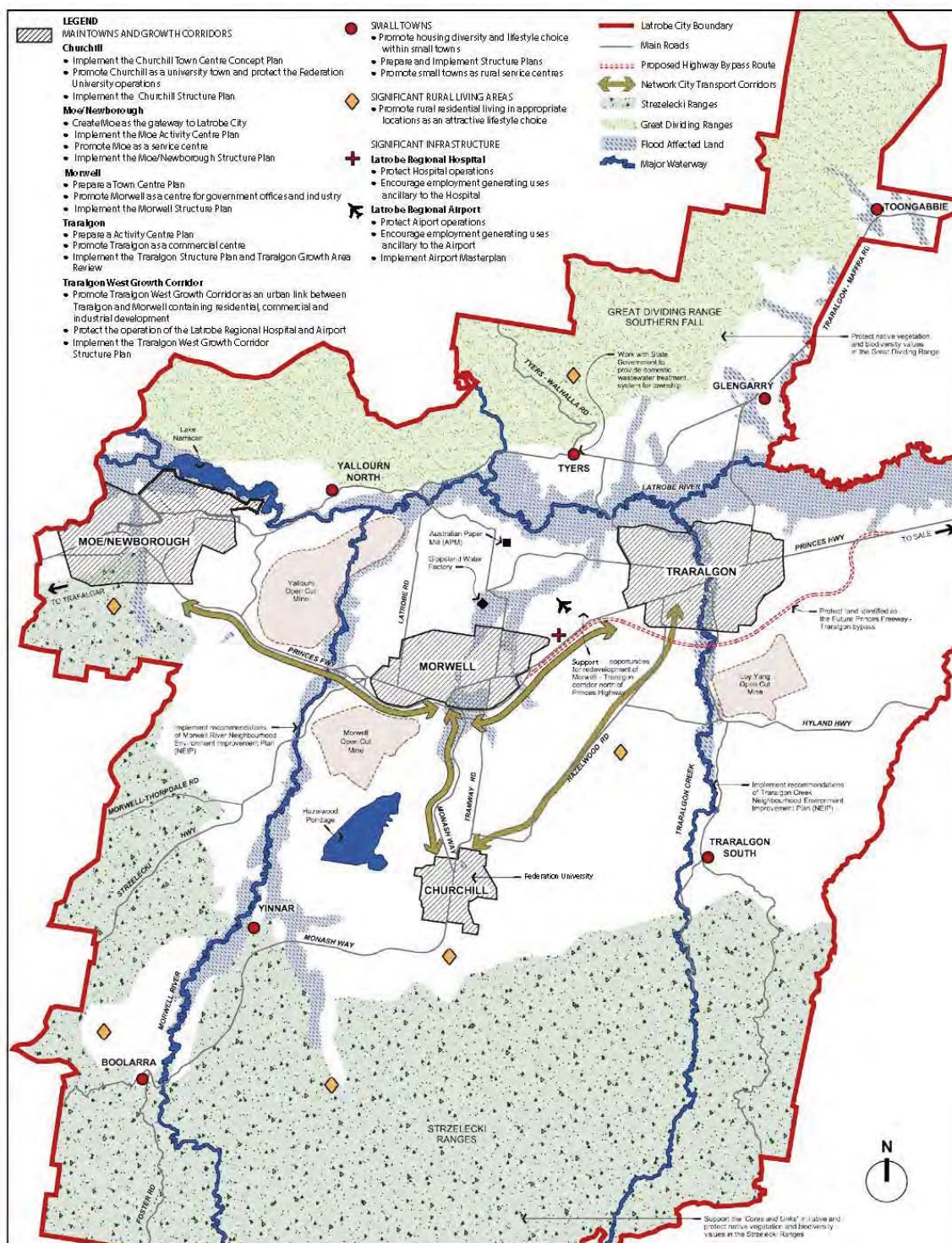
Latrobe City Strategic Land Use Framework Plan



LATROBE PLANNING SCHEME



LATROBE PLANNING SCHEME



LATROBE PLANNING SCHEME - LOCAL PROVISION

	<p>SCALE:</p> <p>0 2.5 5 10</p> <p>Kilometres</p> <p>Australian Map Grid Zone 55</p>	<p>LATROBE CITY STRATEGIC LAND USE FRAMEWORK PLAN</p> <p>POLICY</p>
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21.02 BUILT ENVIRONMENT AND SETTLEMENT

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Proposed
C105

This clause provides local content to support Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Area Growth Plans).

21.02-1 Settlement

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Proposed
C105

Latrobe City contains a variety of residential settings, ranging from compact urban areas, to conventional Australian suburbs and expansive rural acreages. The Strategic Framework Plan maintains that together Moe, Morwell, Traralgon and Churchill form a 'networked city', whereby each town and settlement provides services and facilities to meet the differing needs of the whole Latrobe City community.

Each town has developed its own role and function with Moe as a service centre; Morwell as a centre for government offices and industry; Traralgon as a commercial centre; and Churchill as a university town.

The Strategic Framework Plan continues to support the long established 'networked city' concept, however it identifies Morwell and Traralgon combined as the Primary Population Centre, which together will provide the focus for housing and commercial growth in the future.

Latrobe City's smaller towns and rural living settlements provide important diversity of housing and lifestyle choice. Some also function as service centres which provide commercial and community facilities and services for the townships and surrounding district.

Transport corridors form a key element of the Strategic Framework Plan. The Moe-Morwell, Traralgon-Churchill, Morwell-Churchill, and Morwell-Traralgon corridors facilitate the movement of people and goods within the municipality. The Princess Highway and Gippsland Rail line provide key connections to Melbourne and interstate.

The Morwell – Maryvale corridor is the focus for industrial and commercial investment and development. The Traralgon West Growth Corridor will provide for residential, commercial and industrial development. A strategic employment area is identified around the Latrobe Regional Airport and Latrobe Regional Hospital.

The rezoning of greenfield locations identified for future residential development is to be preserved for long term housing needs and related service needs as outlined by the Traralgon – Morwell Growth Framework Plan.

21.02-2 Objective 1

--/--/20--
Proposed
C105

To build upon the existing structure of towns and settlements to create an integrated network of urban areas.

Strategies

- 1.1 Consolidate development within existing township boundaries and surrounding activity centres.
- 1.2 Protect and strengthen the effectiveness of private and public transport connections between the towns, broader region and to Melbourne.
- 1.3 Ensure that current and forecast Latrobe Regional Airport operations are taken into account in planning for the use and development of land within the Traralgon West Growth Corridor.
- 1.4 Ensure that future land use and development is consistent with the Strategic Framework Plan, Local Area Structure Plans and Housing Framework Plans.

- 1.5 Preserve the significant environmental values and landscapes to maintain and enhance the liveability and sustainability of Latrobe City.
- 1.6 Ensure that future growth of towns is commensurate with access to services, infrastructure, transport and the protection of natural resources.
- 1.7 Maintain a clear separation between urban settlements facilitating the self-containment and individual identity of each town, with the exception of the Traralgon West Growth Corridor linking the urban areas of Morwell and Traralgon.

21.02-3 Objective 2

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Proposed
C105

Support land use and development which aligns with the settlement hierarchy in the Strategic Framework Plan.

Strategies

- 2.1 Promote growth in Traralgon-Morwell as the primary population centre, serving as the dominant residential, commercial and retail node.
- 2.2 Promote growth in Moe-Newborough and Churchill as supporting network towns, serving as secondary urban centres with a wide range of services, high level amenity with good access to public transport.
- 2.3 Support growth in Glengarry, Tyers, Yallourn North and Yinnar as district towns which serve as key retail and service centres for a moderate population base and hinterland, providing important alternative lifestyle opportunities within commuting distance of the larger centres.
- 2.4 Support growth in Boolarra, Toongabbie and Traralgon South as small towns providing a limited range of educational, retail and recreation services, for residents and the community in the surrounding rural areas.
- 2.5 Manage growth in rural living precincts including Flynn, Jeeralang, Hazelwood North, Hazelwood South, Callignee and Moe South, comprising clusters of housing on small rural lots, with limited services.

21.02-4 Objective 3

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Proposed
C105

To achieve cost effective and orderly management of urban growth.

Strategies

- 3.1 Ensure that subdivision and development aligns with the delivery of key infrastructure items and the delivery of economic and employment growth.
- 3.2 Consider the *Municipal Domestic Wastewater Management Plan 2006* and sewerage and water authorities infrastructure plans when assessing new subdivision and development in unsewered areas.
- 3.3 Implement Development Plans and Development Contribution Plans in identified growth areas and key infill/redevelopment sites.

21.02-5 Activity centres

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Proposed
C105

Latrobe City is the retail and regional service centre for Gippsland. Retail services provide the second highest level of employment in Latrobe City providing close to 4,000 jobs and contributing \$385 billion to the local economy annually. Additional retail floor space should be provided with a focus on increasing the vibrancy of main town centres.

Council supports the existing main town neighbourhood and small town retail centres. No

new centres should be supported unless demand can be demonstrated, as well as substantiating that existing centres would not be detrimentally affected.

Two new dedicated bulky goods centres at Princes Drive, Morwell and Princes Highway and Stammers Road, Traralgon, have been identified in order to decrease expenditure leakage to competing centres outside of Latrobe City. Future expansion and development of bulky goods centres should be directed to these locations.

The Traralgon Growth Areas Review establishes an activity centre hierarchy, as follows:

- **Principal Activity Centre:** The main focus for a wide range of higher density commercial, community and residential uses with access to public transport.
- **Neighbourhood Activity Centre:** Centres which provide a more localised cluster of services and facilities, including community uses, a supermarket, and local shops and personal services. These centres may also provide local employment opportunities but should not compete with the Principal Activity Centre.
- **Local Activity Centre:** Small centres containing individual shops which commonly provide local convenience food shopping, take away food, personal services and have access to public transport. Kindergartens, open space and other more localised community uses may also be provided in such centres.

There is need to review the *Latrobe City Retail Strategy Review 2007* in order to better define the retail hierarchies across the municipality.

21.02-6

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Proposed
C105

Objective 1

Support the development of a network of activity centres which satisfy a range of local and regional retail, entertainment, commercial, government and community service needs.

Strategies

- 1.1 Encourage a mix of retail, office, commercial, entertainment, leisure and community uses within Primary Activity Centres as identified by Structure Plans.
- 1.2 Provide for localised convenience retail, community and small business service needs within vibrant and attractive Neighbourhood and Local Activity Centres, including locations shown on endorsed Development Plans.
- 1.3 Increase access to retail, convenience goods and services by encouraging increased residential housing choice within and around Primary, Neighbourhood and Local Activity Centres.
- 1.4 Encourage strong pedestrian and public transport connectivity to and between all activity centres.
- 1.5 Encourage the distribution of new bulky goods retail in Princes Drive, Morwell and Princes Highway and Stammers Road, Traralgon East in accordance with the Morwell and Traralgon Structure Plans.
- 1.6 Discourage the establishment of new centres or 'out of centre' large format supermarkets and retail developments, unless demand can be demonstrated that existing centres would not be detrimentally affected.
- 1.7 Implement any Latrobe City adopted retail land use strategy or activity centre plan.

21.02-7

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Proposed
C105

Objective 2

To facilitate the growth of the Morwell, Moe, Traralgon and Churchill Town Centres.

Strategies

- 2.1 Implement any Latrobe City adopted activity centre plans.
- 2.2 Encourage a diverse range of land uses including accommodation, housing, office, retail, food and drink, transport, leisure, civic and community uses.
- 2.3 Encourage high quality, accessible and environmentally sustainable design.
- 2.4 Provide coordinated walking, cycling, pedestrian and vehicular movement.
- 2.5 Identify and encourage the development of integrated high quality public transport interchanges.
- 2.6. Encourage all retail outlets to provide active street frontages, including low level advertising signage to street frontages and minimising blank walls to street facades, to promote active and passive surveillance of the public realm.
- 2.7. Provide well located and accessible car parking areas.

21.02-8

Housing

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Proposed
C105

The population of Latrobe City is forecast to grow to 82,460 by 2030. Council has aspirations to grow the municipal population to 100, 000 by 2050.

Latrobe City's future population is expected to be dominated by a higher proportion of older people, compared with the State average. A significant shift to smaller households is also expected, with one and two person households expected to represent 76% of all new households over the next 15 years.

Structure Plans and Housing Framework Plans encourage a diverse range of housing with good access to activity centres and public transport whilst retaining the regional suburban character of established and growing neighbourhoods.

Given the land use constraints around the major towns and decreasing household size, urban renewal and housing intensification will play a key role across large and small settlements to diversify housing choice, accommodate growth and maximise access to infrastructure and services.

Housing Framework Plans provide direction regarding the extent and location of future growth and housing change, categorising residential land into four broad categories of change including Substantial Change, Incremental Change, Limited Change and Minimal Change.

The Latrobe City Housing Strategy directs that in most instances new medium to high density housing typologies are to be encouraged within 400 metres of the Principal Activity Centres of Moe, Morwell, Churchill, Traralgon.

Infill development in the form of townhouses and units is supported within 200 metres of existing or planned Neighbourhood Activity Centres and Local Activity Centres and the retail centres of District and Small Towns.

This approach supports other Latrobe City strategies relating to efficient use of infrastructure and enhancing the liveability of its towns, by supporting walkability and non-car based transport options and retaining Latrobe City's regional suburban character.

Council acknowledges that while land supply issues have been considered under the *Residential and Rural Residential Land Assessment 2009 and Latrobe Planning Studies Economic Analysis 2016*, ongoing analysis of housing development trends, land consumption and the changing population housing needs is necessary. There is also a need for linkages between the growth plans for the towns and infrastructure sequencing plans with relevant agencies and authorities.

21.02-9

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Proposed
C105

Objective 1

Support the objectives of the Latrobe City Council Structure Plans, Housing Strategy and Housing Framework Plans in the assessment of land use and development applications.

Strategies

- 1.1 Support change in the form, diversity and density of housing in accordance with the Housing Framework Plans.
- 1.2 Encourage the development of smaller housing types, particularly one and two bedroom dwellings, in appropriate locations to meet the needs of the community.
- 1.3 Encourage a diversity of housing across a variety of tenures, including Strategic Development Sites in order to provide, ~~including~~ affordable, social and supported housing types, in order to meet the changing housing needs of Latrobe City.
- 1.4 Encourage public realm works and programs to improve the appearance, function and safety of residential streets.
- 1.5 Support site amalgamation and consolidation to maximise opportunities for increased residential yield and integrated development in locations identified for Substantial and Incremental Change.

21.02-10

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Proposed
C105

Objective 2**Substantial Change Areas**

Encourage a substantial increase in housing density and diversity to maximise access to existing services, transport and infrastructure.

Strategies

- 2.1 Encourage multi-level residential development in the form of low scale apartments, townhouses, shop-tops and units.
- 2.2 Encourage smaller housing types, particularly one and two bedroom dwellings.
- 2.3 Encourage public realm improvements to improve and enhance the amenity, function and safety of streets.
- 2.4 Encourage site amalgamation and consolidation to maximise opportunities for increased residential yield and integration of development.
- 2.5 Discourage housing intensification in areas identified for 'Future Substantial Change' south of Shakespeare Street Traralgon, until existing industrial development located to the south (Area **8a** within the Traralgon Township Structure Plan) transitions to more compatible uses.

21.02-11

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Proposed
C105

Objective 3**Incremental Change Areas**

Encourage higher density housing in the form of townhouses, units and dual occupancies, appropriate to the surrounding context.

Strategies

- 3.1 Support new medium density development that provides a sensitive and appropriate interface with adjoining streetscapes, buildings and residential areas.

- 3.2 Facilitate the development of streetscape character that contains private gardens in front yards, space between buildings, views to local landmarks and natural shade.
- 3.3 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).

21.02-12 Objective 4

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Proposed
C105

Limited Change Areas

Encourage housing growth which reinforces the spacious regional suburban character of established and developing residential areas.

Strategies

- 4.1 Reinforce the spacious regional suburban character of existing and developing residential neighbourhoods by supporting the development of detached dwellings and dual occupancies only. If a lot is greater than 1500m² a greater density could be supported if that lot:
- o Is within 400m walking distance from a public transport network;
 - o Meets the objectives and requirements of the Zone, Housing Strategy and Urban Design Guidelines;
 - o Is consistent with the average lot size or density development of the area within a 150m radius-. Only lots within a residential zone should be considered and should exclude the subject site. ~~being in~~; and
 - o Not constrained by an overlay which affects the development potential of the lot (heritage, bushfire or flooding overlay);
- 4.2 Encourage the development of smaller and diverse housing types, including units and townhouses, within 200 metres of existing or planned Neighbourhood and Local Activity Centres and where good access to public transport is provided.
- 4.3 Discourage units or townhouses beyond 200 metres from an existing or planned Neighbourhood Activity Centre or Local Activity Centre, except on Strategic Development Sites.
- 4.4 Promote the development of streetscapes which support the regional suburban character of Latrobe City comprising built form which addresses public and common areas, wide streets with generous front setbacks and space between dwellings.

21.02-13 Objective 5

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Proposed
C105

Minimal Change Areas

Preserve and enhance the significant environmental, heritage or neighbourhood character attributes through minimal housing growth and change.

Strategies

- 5.1 Promote minimal change, in the form of detached houses and dual occupancies, in locations with special or distinct character attributes, such as heritage value,

identified neighbourhood character values, environmental or amenity value or infrastructure limitations.

- 5.2 Maintain the generous front and side setback character of identified locations and encourage the retention and provision of vegetated areas including canopy trees and large garden spaces.
- 5.3 Ensure building siting and massing responds to the topography of the area and that hard surfaces occupy a low proportion of the site area.

21.02-14

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Proposed
C105

Land Use ~~Buffers~~Constraints

The major urban areas of Moe, Morwell and Traralgon are constrained from further development by a number of man-made and natural geographic features including:

- Open cut mines at Yallourn, Hazelwood and Loy Yang.
- State Resource Overlay.
- Latrobe River and associated flood plains.
- Strzelecki Ranges to the south and the Great Dividing Range to the north.
- Industry and associated amenity buffers (~~such as around~~ including Australian Paper's Urban Amenity Buffer).
- Latrobe Regional Airport.
- Traralgon Freeway Bypass.
- Wastewater treatment plants.
- Bushfire.

Buffers to the coal resource are intended to protect urban settlements from the impact of the coal industry. The urban (coal) buffers identified are:

- Areas between urban development and existing or future coal resource development based on the known impacts of earth subsidence, noise, dust, fire hazard and visual intrusion. Buffer areas extend for a distance of 750 metres from any urban settlement boundary to the perimeter of a 250 metre wide coal operational area. The total separation area between an urban settlement boundary and the crest of any future open cut development should not be less than 1 kilometre in width.
- An area 1 kilometre wide has also been identified on the western end of the Australian Paper Mill site at Maryvale so as to protect the mill from coal operations in the Yallourn mine as well as providing for future expansion.
- An area to protect the Morwell - Traralgon, Morwell – Moe, and Morwell - Churchill transport corridors from the potential conflict between settlement and urban functions and the exploitation of the coal resource.

In the identified coal related buffer areas, the mutual protection of urban amenity and coal development areas are the primary considerations. In existing urban areas and land identified for urban purposes, urban land uses are the primary considerations.

Framework for the Future (1987) and *Land Over Coal Buffer Study (1988)* remain current coal planning policy. There is a need to update these policies and Council has a strong interest in any review that is likely to result in changes to the current coal policy regime.

21.02-15

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Proposed
C105

Objective 1

To minimise the land use conflict between the coal resource development and other development and use in the municipality.

Strategies

- 1.1 Discourage proposals for residential, rural living, commercial or non-coal related industrial land use and development within the buffer.
- 1.2 Discourage the subdivision of land to create allotments of less than one hectare.
- 1.3 Discourage the subdivision of land which would create average allotment densities of more than one allotment per 10 hectares.
- 1.4 Discourage the construction of a house on an allotment of less than one hectare created prior to 13 April 1988.
- 1.5 Discourage the construction of a house on land more than 200 metres from the nearest urban side of the urban buffer boundary unless the land is vacant; is not capable of having a house erected within 200 metres of the nearest urban side of the urban buffer boundary; and existed as a separate lot prior to 13 April 1988.
- 1.6 Ensure that rural living is at least 200 metres from the nearest urban side of the buffer area boundary.

21.02-16 Objective 2

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Proposed
C105

To ensure that adequate spatial separation is provided between existing and proposed urban and industrial uses and existing or proposed coal development so as to reduce the likely effects of earth subsidence, the emission of noise, dust, fire hazard and visual intrusion.

To ensure that environmental and geotechnical risks are managed and reduced by regulators and licensees, so as to prevent the need to expand the Environmental Significance Overlay Schedule 1 adjacent to and towards township boundaries.

Strategies

- 2.1 Provide separation between coal development (and associated areas) and residential or other sensitive areas to alleviate the adverse effects of one upon the other.
- 2.2 Encourage licensees to have regard to the Environmental Significance Overlay Schedule 1 when operating in accordance with the requirements applicable under the Mineral Resources (Sustainable Development) Act 1990.
- 2.3 Ensure the Environmental Significance Overlay Schedule 1 compliments the regulatory measures for geotechnical risk under the Mineral Resources (Sustainable Development) Act 1990.
- 2.4 Consider the Victorian Government's document Guidance Material for the Assessment of Geotechnical Risks in Open Pit Mines and Quarries regarding management of geotechnical risks in assessing future rezonings and the need for separation distances.

21.02-17 Objective 3

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Proposed
C105

To provide for uses and developments which are compatible to coal development and ancillary services within the buffer area.

Strategies

- 3.1 Encourage high amenity and low intensity uses of land such as farming and broad scale recreation uses within the buffer area.
- 3.2 Ensure that any use or development in a buffer area is undertaken in a manner which minimises the potential impacts from sources, including earth subsidence, noise, dust, fire hazard and visual intrusion associated with open cut mining.
- 3.3 Ensure that the management, use or development of land in all buffer areas minimises the potential fire risk to open cut mining.

21.02-18 Rural living

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Proposed
C105

Residential use of land in a rural setting is a popular and attractive lifestyle choice in Latrobe City and continues to attract residents. It is intentionally accommodated in the Low Density Residential Zone in urban areas and in the Rural Living Zone in rural areas.

There are a range of rural residential opportunities in Latrobe City, including locations adjoining the main townships of Moe, Morwell, Traralgon and Churchill. Isolated subdivisions are another form of rural living found in the municipality. Rural residential development needs to be managed to ensure it does not compromise agricultural productivity or impede the long term urban growth of settlements.

An emerging issue in the Farming Zone relates to resident amenity concerns with animal husbandry, forestry operations and other more intensive agricultural pursuits. While agricultural, tourism and rural enterprises are ~~allowed with a permit~~ permissible uses in areas zoned for Rural Living, it should retain its ability to accommodate rural residential land uses and small scale farming pursuits.

21.02-19 Objective 1

--/20--
Proposed
C105

To identify and support rural living and associated land use within appropriate locations.

Strategies

- 1.1 Encourage rural living where there will be minimal or no negative environmental impact or conflict with commercial agriculture.
- 1.2 Support rural living where it can be demonstrated that improved land management outcomes will result.
- 1.3 Discourage rural living where there is substantial risk to life and property.
- 1.4 Encourage facilities and services required by rural residents to locate in existing townships.
- 1.5 Discourage further rural living or low density residential development on the fringes of the major towns where land is designated as a long-term urban growth corridor.
- 1.6 Encourage animal keeping facilities or animal production uses in rural living areas only where the proposal is of low intensity, and is able to be undertaken in accordance with relevant codes of practice, environmental standards and guidelines ~~(including noise).~~ including for noise.
- 1.7 Discourage new rural living zone areas on existing timber haulage routes to avoid road safety and amenity issues.

21.02-20 Liveability

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Proposed
C105

Latrobe City offers families and individuals high quality health care, education, and housing affordability, as well as recreational, cultural and sporting facilities. Allied to this is a diverse range of employment opportunities. Community liveability includes a number of interrelated elements, including community safety, provision of health services, education services, mobility and accessibility and a 'sense of place'.

Community liveability is a concept that relates to the unique combinations of these community assets, the provision of services and the ways in which they make a positive contribution to the community's quality of life. Council has a strong commitment to building an inclusive, harmonious community that acknowledges diversity, engages and communicates with citizens and develops liveable neighbourhoods.

Latrobe City has a proud history of welcoming people from diverse backgrounds and cultures into the community. Their arrival has enriched our culture, strengthened our workforce industry, added a diverse range of businesses, and made Latrobe City a more exciting, interesting and vibrant place to live. More than 30 per cent of our community has a cultural heritage that reflects the fact that either they, or one or both of their parents, were born overseas.

The development of the *Cultural Diversity Action Plan 2014-2018* demonstrates Council's commitment to address the cultural and linguistic barriers facing many of its citizens.

Strategies have also been developed to improve the health and wellbeing and level of support for older people, young people, the Koorie community, people with a disability, people with mental illness and those who are economically disadvantaged. Some of these strategies include the *Latrobe City Municipal Public Health and Wellbeing Plan 2013-2017*, *Older Persons Strategy 2007-2021*, *Latrobe Play Space Strategy 2016* and the *Disability Action Plan 2013/2014*.

21.02-21 Objective 1

--/20--
Proposed
C105

To enhance the quality of residents' lives by encouraging positive interrelated elements including safety, health, education, quality of life, mobility and accessibility, and sense of place.

Strategies

- 1.1 Reduce the impact of gaming on community wellbeing.
- 1.2 Promote the development of public infrastructure to enhance Latrobe Valley's cultural liveability.
- 1.3 Promote and support an increase in the level of inclusion for older people, young people, the Koorie community, people from culturally and linguistically diverse backgrounds and people with a disability or mental illness.
- 1.4 Support the multi-agency approach to enhancing the health and wellbeing of residents in Latrobe City in accordance with the *Latrobe City Municipal Public Health and Wellbeing Plan 2013-2017*.

21.02-22 Public open space

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Proposed
C105

Latrobe City currently owns and manages a diverse range of public parks and reserves across the municipality. A well planned and connected network of open space contributes to the liveability of a municipality and provides opportunities for formal sport and passive recreation. Effective open space provision is therefore integral to the promotion of health and wellbeing outcomes for communities which is a key requirement of local government through the *Victorian Public Health and Wellbeing Act 2008*.

The *Latrobe City Public Open Space Strategy 2013* (the Strategy) identifies a need to improve the existing open space system so that it is more effective in meeting the needs of the Latrobe community. There is demand for new open space with an emphasis on completing missing open space links in key areas and ensuring local reserves are accessible in emerging urban growth areas. The Strategy also identifies that open space levies on subdivision contributions in accordance with the *Subdivision Act 1988* and Clause 532.01 of the planning scheme, provide an important source of revenue for funding new acquisition and capital improvement of open space.

21.02-23 Objective 1

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Proposed
C105

To improve the provision and quality of public open space.

Strategies

- 1.1 Encourage the development and maintenance of public open space in accordance with the Strategy, acknowledging the hierarchy of provision and variety in open space categories.
- 1.2 Support new subdivision levy contributions on a fair and equitable basis to provide funding towards the provision of adequate open space proportionate to the needs of any intensified use which will arise from new residential, commercial, industrial and mixed use subdivisions in accordance with the *Review of Proposed Public Open Space Contributions Rates 2016*.
- 1.3 Encourage diverse open space and recreational opportunities in accordance with the *Recreation and Leisure Strategy 2016*, *Latrobe City Public Open Space Strategy 2013* and the *Review of Proposed Public Open Space Contributions Rates 2016* and the *Latrobe City Play Space Strategy 2016*.
- 1.4 Encourage the development of linear reserves, habitat corridors and linkages between key open spaces, community destinations and employment precincts.
- 1.5 Extend open space corridors along major waterways where existing or future open space linkages can be achieved.
- 1.6 Ensure that sustainable approaches for landscaping and irrigating the open space network are employed.
- 1.7 Encourage the provision of a well-connected open space system that extends from urban to rural areas and has both north-south and east-west linkages.
- 1.8 Encourage the development of existing and future open space through the provision of public art, park furniture and infrastructure in accordance with the *Public and Urban Art Policy 2011* and the *Public Toilet Strategy 2010*.
- 1.9 Consider the Guidelines for Planning Permit Applications and Development Plans (which form part of the Strategy) to inform the location of open space in residential, commercial and industrial areas, design considerations and developer contributions (cash and/or land).
- 1.10 Encumbered land (e.g. land that is constrained for development purposes including easements for power/transmission lines, sewers, gas, waterways/drainage, retarding basins/wetlands, landfill and conservation and heritage areas) although removed from the proposed contributions rate, should be retained as a potential means by which further usable public open space can be provided, particularly in greenfield areas.

21.02-24 Objective 2

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Proposed
C105

To improve the accessibility of public open space.

Strategies

- 2.1 Encourage residential, commercial, industrial and mixed use subdivision proposals to be linked with existing and proposed pedestrian and bicycle paths and trails in accordance with the *Bicycle Plan 2007-2010* and the *Tracks, Trails and Paths Strategy 2016*.
- 2.2 Facilitate the expansion of cycling and pedestrian networks within all towns in accordance with the *Latrobe City Council Bicycle Plan 2017-2010* and the *Tracks, Trails and Paths Strategy 2016*.
- 2.3 Encourage the development of open space linkages and improve connectivity to open space areas and destination points, within precincts and to connecting precincts.

- 2.4 Promote the concepts of Universal Access in the design of open space areas to encourage use by residents and workers of all abilities, ages and interests, for both formal and informal open space activities.
- 2.5 Encourage and support community stewardship within public open spaces.
- 2.6 Improve existing linear open spaces by applying *Healthy Urban Design Good Practice Guideline 2008* principles.

21.02-25 Implementation

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Proposed
C105

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays in Clause 21.10.

21.03 ENVIRONMENTAL AND LANDSCAPE VALUES

19/10/2017-
C97
Proposed C105

This clause provides local content to support Clause 12 (Environmental and Landscape values) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Areas).

21.03-1 ~~Key issue~~ Sustainability

19/10/2017
C97
Proposed C105

Council recognises the interconnected nature of a strong economy, cleaner and greener environment and healthy and connected community.

The *Natural and Environment Sustainability Strategy 2014-2019* along with each of the Live Work Latrobe land use strategies, identifies the linkage between the natural environment and economic sustainability. The natural environment provides resources such as coal, timber and farmland that help drive the economy. The natural environment is also where the waste from economic activity is put accumulates by way of emissions to air, water and land. Council acknowledges the need for an planning policy approach which balances economic, social and environmental values.

Latrobe City enjoys one of Australia's most beautiful natural environments and its biodiversity, water and air quality must continue to remain of the highest quality. Latrobe City will strive to maintain and enhance its native vegetation, biodiversity, improve air and water quality, reduce and reuse waste, encourage energy-efficient technologies and educate the community and industry in better waste management and environmental protection.

Built form and urban infrastructure can contribute substantially to the demand for energy. Urban form impacts on the ability of buildings to be energy efficient, particularly through solar orientation and access. -Urban form also impacts on the need for people to use transport, including access to services, social connections, recreation opportunities, education and employment. Consolidated urban areas provide for shorter travel distances, walking and cycling, and support more effective public transport.

21.03-2 Objective 1

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Proposed
C105

To identify, maintain and enhance natural ecosystems and biodiversity values within rural and urban areas.

Strategies

- 1.1 Adopt the precautionary behaviour principle where there are possible or identified threats of serious or irreversible environmental damage.
- 1.2 Protect all environmental assets as a first priority, enhance as a second priority, and consider replacement as a last resort.

21.03-3 Objective 2

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Proposed
C105

To encourage environmentally sustainable land use and development.

Strategies

- 2.1 Promote low energy travel modes, such as walking and cycling, through the design of new subdivision and development.
- 2.2 Encourage higher density housing choice ies in appropriate locations near public transport and activity centres to help shorten travel distances and increase access to services.
- 2.3 Encourage dwellings, subdivision design and other buildings are urban development including that in the public realm to be energy and water efficient.

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- 2.4 Reduce the impact of urban water usage and storm water demands through mechanisms such as improved storm water capture, Water Sensitive Urban Design, appropriate urban landscaping and recycled water infrastructure.

21.03-4 Objective 3

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Proposed
C105

To protect and promote sustainable technologies that creates prosperity resulting from natural resource use and research.

Strategies

- 3.1 Improve the balance between reliance on existing natural resources and the need to promote the liveability of the Latrobe community as an attractive region to live and work.

21.03-25 Key issue—Significant environments and landscapes

19/10/2017
C97
Proposed C105

Council ~~attempts~~ aims to find a balance in advancing ~~the Latrobe~~ City's built environment and liveability while planning for and protecting its natural environment.

Latrobe City contains a rich diversity of plants, birds and other wildlife and extends over parts of three natural bioregions.

To the north, Latrobe City contains the rugged and heavily forested foothills of the Great Dividing Range, part of the Highlands – Southern Fall bioregion that extends across the whole southern fall of the Great Dividing Range. Running through the centre of Latrobe City is the broad plains of the Latrobe Valley - part of the Gippsland Plains bioregion that extends from Melbourne to the Gippsland Lakes. To the south, Latrobe City contains the northern slopes of the Strzelecki Ranges, ~~part of the Strzelecki Ranges~~ bioregion, which extends towards Warragul in the west and Yarram in the east.

The rural landscapes of Latrobe City are diverse ranging from traditional broadacre farming landscapes to rural residential settlements to pristine natural environments.

21.03-6 Objective 1

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Proposed
C105

To protect indigenous flora and fauna species and their habitat across the municipality.

Strategies

- 1.1 Encourage the protection of remnant indigenous vegetation, ~~on private land~~.
- 1.2 Enhance the condition and quantity of indigenous vegetation and biolink connections.
- 1.3 Encourage the protection of indigenous fauna species and their habitat on land with an emphasis on protecting threatened species.
- 1.4 Maintain the natural asset value of Council reserves and road reserves.

21.03-7 Objective 2

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Proposed
C105

To increase the extent and quality of indigenous vegetation and biodiversity across the municipality.

Strategies

- 2.1 Encourage the development of wildlife corridors and links across the municipality.

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21.03-8 Objective 3-/-/20-
Proposed
C105

To protect and enhance the visual, natural and cultural heritage values of rural landscapes.

Strategies

- 3.1 Ensure that development protects and enhances the key landscape features of Latrobe City.

21.03-39 Biodiversity-/-/20-
Proposed
C105

There is a positive interrelationship between the preservation of biodiversity values, farm productivity, amenity, liveability and tourism.

-Latrobe City's bioregions support a wide range of ecosystems. These contain varied plant communities, individual species and vegetation classes, a number of which are significant and protected under State and Federal legislation, such as the Strzelecki Koala.

The current level of native vegetation in Latrobe Valley is 22% of 1750 levels, i.e. pre-European contact. This is relatively high coverage in comparison to other regional cities. However, coverage is not consistent across the rural areas.

The 'Cores & Links' agreement identifies core biodiversity sub-catchments and linking corridors across the Strzelecki Ranges, including the significant biodiversity of the College Creek catchment and important habitat of Strzelecki Koala which is nationally significant due to its unique genetic type.

The Rural Land Use Strategy 2017 identifies further opportunities to strengthen a passage of remnant vegetation clusters extending between the Strzelecki ranges bioregion in the south to the Southern Fall bioregion of Australian Alps.

21.03-10 Objective 1-/-/20-
Proposed
C105

Support the retention and enhancement of habitat and biodiversity values.

Strategies

- 1.1 Support and facilitate the creation of a bio link from the Strzelecki Ranges bioregion to the Southern Fall bioregion through research, the subsequent use of planning tools, and landowner- and community support.
- 1.2 Protect roadside vegetation, especially in the Strzelecki Ranges from Boolarra to Gormandale, that provides actual or potential linkages between public and private native vegetation remnants from destructive or disturbance processes.
- 1.3 Achieve a reversal within the municipality of the long-term decline in the extent and quality of native vegetation and biodiversity, leading to a net gain.
- 1.4 Improve the retention of native vegetation in the landscape on roadsides, waterways and public and private land to facilitate healthy habitats to improve biodiversity.
- 1.5 Strengthen biodiversity conservation in both rural and urban landscapes and across all land tenures.
- 1.6 Encourage rural landholders to pursue a target of 30 % of native vegetation coverage across their properties and the landscape as a critical threshold for biodiversity conservation, particularly within the Strzelecki – Alpine bio-link.
- 1.7 Engage and inform local communities as to the benefits of supporting biodiversity values and the health of the natural environment.

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- 1.1.1.8 Ensure that the enhancement of biodiversity outcomes, including the establishment of a potential biodiversity corridor, considers bushfire risk and does not pose an unacceptable increase in risk to existing residents and infrastructure.

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21.03- 11, Development around Pipelines

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Proposed
C105

The Morwell – Dandenong, Tyers – Morwell, Longford – Dandenong, Rosedale – Tyers, Maryvale and Flynn – Loy Yang B pipelines are high pressure gas transmission pipelines licensed under the Pipelines Act 2005. Changes to land use and development in the vicinity of the pipelines must be carefully considered to ensure risks to human life and the functional operation of the pipelines are not impacted.

21.03-12 Objective 1

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Proposed
C105

To ensure future land use and development appropriately responds to existing high pressure gas pipelines.

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Strategies

1.1 Consider risks associated with land use and subdivision within the measurement length of high pressure gas transmission pipelines.

1.2 Encourage risk sensitive development to be located outside of the pipeline measurement length where practicable.

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21.03-4, 134 Implementation

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Proposed C105

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21.04

19/10/2017

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Proposed C105

ENVIRONMENTAL RISKS

This clause provides local content to support Clause 13 (Environmental Risks **and** **Amenity**) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Areas).

21.04-1

19/10/2017

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Proposed C105

Key issue – Greenhouse and Climate Change

As the Australian economy seeks to decarbonise, brown coal based power generation will not provide the opportunities in the future that it has in the past. However, a carbon constrained world presents new opportunities for Latrobe City to diversify its economy, by attracting new industries as well as capitalising on its strengths, expanding existing businesses, services and skills in the region.

Council has developed a range of policies and actions through *Positioning Latrobe City for a Low Carbon Emission Future 2010* to ensure that it is prepared for a low carbon future. The key impacts of a changing climate for Latrobe include:

- Changes in rainfall patterns that pose challenges for water supply and agriculture.
- More common intense rainfall events which increase the risk of severe flooding.
- Higher temperatures which increase the likelihood of large and intense fires.
- Increased number of hot days and heatwaves which place substantial pressure on health services and infrastructure.
- **A likely increase in the frequency and severity of days of elevated fire danger**
- Biodiversity changes.

Responding to climate change requires strategies for both adaptation and mitigation across public and private land, recognising anticipated impacts on natural resources, assets and built infrastructure.

21.04-2~~19/10/2017~~

Proposed C105

Objective 1

To reduce the effects of climate change.

Strategies

- 1.1 Evaluate use and development proposals, having regard to climate change implications.
- 1.2 Evaluate proposals with a view to limiting their potential greenhouse effect.
- 1.3 Encourage natural resource and land management practices that support climate change resilience and adaptability.

21.04-3~~19/10/2017~~

Proposed C105

Objective 42

To promote the use of water sensitive urban design (WSUD), including stormwater re-use.

Strategies

- 2.1 Promote greater use of water harvesting and water reuse within residential areas.
- ~~2.1~~ 2.2 Require all commercial, industrial and residential developments incorporate WSUD techniques, particularly into their landscaped areas.

21.04-4~~19/10/2017~~

Proposed C105

Objective 23

To reduce pollution from local domestic, transport and industry sources.

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	<p>Strategies</p> <p><u>2.13.1</u> Support the development and implementation of new technology designed to reduce greenhouse gas emissions.</p> <p><u>2.23.2</u> Encourage the reduction of pollution from Council activities, as well as local and domestic, transport and business sources.</p>	<p>Formatted: Head B, Indent: Left: 0 cm, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers</p> <p>Formatted: Left</p> <p>Formatted: Left, Indent: Left: 2 cm, Hanging: 1.5 cm</p> <p>Formatted: Left</p>
<p>21.04-5</p> <p>19/10/2017 Proposed C105</p>	<p>Objective 34</p> <p>To promote energy efficient building design to reduce the effects of climate change.</p>	<p>Formatted: Indent: Left: 0 cm</p> <p>Formatted: Normal, Space Before: 12 pt, After: 12 pt</p> <p>Formatted: Font: 10 pt, Bold</p> <p>Formatted: Not Highlight</p>
	<p>Strategies</p> <p><u>3.14.1</u> Encourage new residential buildings to be environmentally sustainable by encouraging the application of best practice design and energy ratings.</p> <p><u>3.24.2</u> Encourage all new commercial and industrial buildings to incorporate energy efficient design measures.</p>	<p>Formatted: Normal, Indent: Left: 0 cm, First line: 0 cm, Space Before: 12 pt, After: 12 pt</p> <p>Formatted: Font: (Default) Times New Roman, 10 pt</p> <p>Formatted: Font: Times New Roman, 10 pt, Not Highlight</p> <p>Formatted: Font: (Default) Times New Roman, 10 pt</p>
<p>21.04-6</p> <p>19/10/2017 Proposed C105</p>	<p>Objective 5</p> <p><u>To promote new and alternative clean energy industry and investment within Latrobe City, leveraging the existing energy infrastructure and workforce expertise.</u></p>	<p>Formatted: Head B, Indent: Left: 0 cm, First line: 0 cm</p> <p>Formatted: Font: 12 pt</p> <p>Formatted: Font: Times New Roman, 10 pt, Not Highlight</p>
	<p>Strategies</p> <p><u>5.1</u> <u>Support the establishment of new and alternative energy industries, particularly in locations with good access to existing energy distribution infrastructure.</u></p> <p><u>5.2</u> <u>Support the balanced use of brown coal as an energy source and for other alternative uses, supporting researchers and government in the realisation of alternative, low emission coal resource investments.</u></p>	<p>Formatted: Font: Times New Roman, 10 pt, Not Highlight</p> <p>Formatted: Font: Times New Roman, 10 pt, Not Highlight</p> <p>Formatted: List Paragraph, Indent: Left: 2 cm, Hanging: 1.5 cm, Space Before: 0.6 line, After: 0.8 line, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 2.63 cm + Indent at: 3.27 cm</p>
<p>21.04-27</p> <p>19/10/2017 Proposed C105</p>	<p>Key issue – Floodplains</p> <p>Flooding is a natural hazard that can severely disrupt communities and may cause extensive damage, stock loss and, in extreme cases, loss of life. Careful planning and management of floodplains has been effective in reducing damage and costs associated with flood events.</p>	<p>Formatted: Font: Times New Roman, 10 pt</p> <p>Formatted: Font: Times New Roman, 10 pt</p> <p>Formatted: Normal, Space Before: 12 pt, After: 12 pt, Tab stops: 2 cm,</p>
<p>21.04-8</p> <p>19/10/2017 Proposed C105</p>	<p>Objective 1</p> <p>To minimise the potential for loss of life, risk to health and damage to property, as a result of flooding.</p> <p>Strategies</p> <p>1.1 Discourage urban or rural residential development on areas subject to regular flooding.</p> <p>1.2 Ensure the floodway is maintained and that the free passage and temporary storage of flood waters is not compromised.</p>	<p>Formatted: Font: (Default) Arial, 10 pt, Bold</p> <p>Formatted: Font: (Default) Arial, 10 pt, Bold</p> <p>Formatted: Left</p> <p>Formatted: Indent: Left: 0 cm</p> <p>Formatted: Indent: Left: 2 cm, Hanging: 1.5 cm, Space Before: 3 pt, After: 4 pt</p> <p>Formatted: Indent: Left: 3.5 cm, Space Before: 3 pt, After: 4 pt</p>

- 1.3 Discourage subdivision, other than realignment or consolidation, in a floodway.
- 1.4 Discourage ~~houses~~ dwellings, other than replacement ~~houses~~ dwellings, in a floodway.
- 1.5 Require ~~houses~~dwellings to be located above the 1:100 year flood level.
- 1.6 Require building envelopes for ~~houses~~dwellings provide an adequate effluent disposal area which is free from flooding.
- 1.7 Discourage uses such as sewerage treatment and pumping works, intensive animal industries and sanitary landfill depots on flood prone land.
- 1.8 Ensure that the natural function of the floodplain to convey and store flood waters is preserved.
- 1.9 Ensure zones and overlays are updated when new reliable flood information is available.

21.04-9 Objective 2

~~19/10/2017~~
~~C97~~
Proposed C105

To sustainably manage floodplains.

Strategies

- 2.1 Discourage any urban expansion within floodplains that reduces flood storage, obstructs flood flows or increases the risk to life, health and safety.
- 2.2 Discourage raised earthworks that reduce natural flood storage, obstruct and/or redistribute flood flows, and increase flow velocities and levels.
- 2.3 Discourage developments in residential areas that encroach on 1:100 year floodplains or existing waterways.

21.04-310 ~~Key issue~~ Waste Management

19/10/2017
C97
Proposed C105

Latrobe City Council recognises waste management as a fundamental element of caring for the natural environment and has adopted a *Latrobe City Council Waste Management Strategy 2010-2017* to provide sustainable solutions to the collection, disposal and resource recovery of waste.

Council recognises that disposing of urban solid waste by means of landfill is not a sustainable waste management strategy. Across the world, governments have introduced legislation which limits the amount of waste that can be directed to landfill. This factor, coupled with the development of community waste education initiatives, leads to an increase in reuse and recycling and a move from disposal to a focus on materials recovery.

21.04-11 Objective 1

~~19/10/2017~~
~~C97~~
Proposed C105

To encourage waste minimisation and enhance resource recovery.

Strategies

- 1.1 Develop waste management facilities, techniques and technologies to advocate waste avoidance or minimisation, enhance resource recovery and achieve 'final storage quality'.
- 1.2 Adopt a regional approach to waste management.

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- 1.3 Locate new waste management facilities in locations that do not detrimentally affect the amenity of the area.

21.04-412 ~~Key issue~~ – Bushfire

19/10/2017
C97
Proposed C105

Extensive areas of the municipality are prone to bushfires. Council has adopted the *Municipal Fire Management Plan 2013-2016*, which has the primary objective of the protection of life and property. Large areas of grassland, scrub and forest have been identified on the Bushfire Management Overlay. A high level of hazard has also been identified in areas of rural residential development in the vicinity of the foothills of the Strzelecki Ranges.

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Like many local government areas in Victoria, large areas of the municipality are prone to bushfire. The highest risk areas, where bushfire behaviour may be extreme, including the possibility of crown fire, extreme ember attack and significant radiant heat, are subject to the Bushfire Management Overlay. High hazard areas include rural residential areas in the vicinity of the foothills of the Strzelecki Ranges and southern fall of the Alpine Ranges, where development could be exposed to long bushfire runs through high fuel hazard forest vegetation.

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Grassland fires, and fires in bushland reserves and plantations, also pose a risk to development across the municipality

Bushfire risk can be managed through the planning and building system by ensuring statutory compliance in BMO areas, compliance with the building regulations in Bushfire Prone Areas (BPA) outside of the BMO, and, for strategic planning and larger or more vulnerable developments; requiring consideration of bushfire risk as at Clause 13.02 Bushfire’

Latrobe City Fire Management Plan 2017 – 2020 (FMP) outlines the planned and coordinated implementation of measures designed to minimise the occurrence and mitigate the effect of fire in Latrobe across all agencies. The FMP will play an increasingly important role in land use planning, particularly where consideration of continued land management is necessary.

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It is important that all development and use of land have regard to fire safety measures. Planning can assist to decrease the level of risk to life and property and biodiversity and to facilitate the efforts of emergency service in the event of fire.

21.04-13 Objective 1

~~19/10/2017~~
~~C97~~
Proposed C105

To minimise the risk to life, property and the environment from bushfire.

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Strategies

- 1.1 ~~Facilitate~~ ~~Ensure that~~ ~~Ensure~~ the design, siting and layout of subdivision increases protection from fire.

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- 1.2 ~~Require~~ ~~Ensure~~ that use and development includes adequate fire protection measures.

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- 1.3 Ensure the application of, and compliance with, the BMO, in highest risk parts of the municipality.

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- 1.4 Outside of the BMO, in BPA parts of the municipality:

- Ensure new development and uses are appropriately located and designed in response to the bushfire hazard.
- Ensure that larger or more vulnerable developments and uses as identified at Clause 13.02, incorporate measures to acceptably mitigate any identified bushfire risk, including as appropriate:

- Assessment of the landscape risk;
- For subdivisions of more than 10 lots, a lot layout that responds to the risk and incorporates a perimeter road and two ways in and out of the development where possible;
- A construction standard no higher than BAL-29 unless there are significant siting constraints, with commensurate vegetation management for defensible space;
- A reliable water supply for property protection and fire fighting;
- Adequate access for emergency management vehicles; and
- Development of a Bushfire Emergency Management Plan (BEMP) as appropriate, including triggers for closure or restricted operation on days of elevated fire danger.

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- 1.2- 1.5 Ensure alignment of, and consistent between, planning policy and practices, and the Latrobe City Municipal Fire Management Plan.

21.04-514 **Key issue—Mine Areas fire**

19/10/2017
C97
Proposed C105

Council has concerns surrounding the general effective remediation of brown coal mines in the City. Council supports planning for the short, medium and long term remediation of the existing mines and planning for the use of brown coal in the future in order for it to best manage the urban growth of the municipality. Overall, Council acknowledges:

- There is a risk of timber plantation fires around mines. Vegetating the coal buffer areas was a recommendation of the Land Conservation Council reports of the 1970's, however in light of the 2014 Hazelwood mine fire, there is a potential problem with plantations in close proximity to a fire source. This is particularly significant for towns that are near large timber plantations and raises town safety and amenity issues that became apparent with the 2014 Hazelwood mine fire.
- Many infrastructure assets are in areas that are at danger from mine and timber plantation fires.
- Timber plantations within buffer areas, plantation buffer distances from coal mines and separation distances between towns and mines all need to be assessed and considered.
- The need for effective remediation of brown coal mines to a useable and stable landform.

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21.04-15 **Objective 1**

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Proposed C105

To minimise the risk to life, property and the environment ~~from fire~~ within and around mine sites.

Strategies

- 1.1 Encourage design, siting and layout of open cut mines that take into account the need for protection from fire risk.
- 1.2- Encourage adequate buffers from open cut mines to timber plantations.

21.04-616 **Implementation**

19/10/2017
C97

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10.

21.05 NATURAL RESOURCE MANAGEMENT

19/10/2017
C97
Proposed
C105

This clause provides local content to support Clause 14 (Natural Resource Management) of the State Planning Policy Framework.

Specific references to individual towns are also included in Clause 21.09 (Local Areas).

21.05-1 ~~Key Issue~~ Agriculture

19/10/2017
C97
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Agriculture is important to the economic, social, cultural and physical development of the municipality. ~~The generally reliable rainfall has long supported various agricultural endeavours including dairy farming. The area also benefits from ample natural timber resources. There is a considerable area of rural land within the municipality which has multiple roles in managing and sustaining that land.~~ Latrobe City's naturally high rainfall continues to support various agricultural endeavours including dairy farming, broadacre farming and forestry. In addition, rural areas support attractive lifestyle and tourism opportunities in key locations, niche rural industry and small scale farming focusing on the production of high quality products for specific markets.

The agricultural industry in Latrobe is worth approximately \$57 million a year and is based primarily on dairy farming (45% of the value of Latrobe's agricultural production) and livestock (a further 36% of the value). ~~While the protection of rural land for agriculture is not as significant an issue as the protection of coal and plantation resources, there remains a need to improve industry efficiency, protect the agricultural land resource base and encourage new sustainable enterprises amid ongoing structural changes in rural industries.~~ The Assessment of Agricultural Quality of Land in Gippsland 1984, the Latrobe City Rural Land Use Strategy 2017 and the Rural Framework Plan provide guidance on the location of productive agricultural land in Latrobe City. Moreover, due to its naturally high rainfall, Latrobe is well placed to supply food production given dry conditions in other parts of the state.

~~Pressure for rural residential development in rural areas is acknowledged as a legitimate land use, however high value rural land and natural resources need to be protected. Land use conflict has arisen with the different expectations of persons seeking a rural residential lifestyle and farmers in terms of noise, domestic animals, hours of operation and right-to-farm issues. The threat of bushfire is another constraint and is often not a comfortable mix with a rural residential outcome.~~

Latrobe City is well positioned to capture growing interest and investment in intensive agriculture across the value chain, including primary production, processing, manufacturing and distribution.

Land over coal and associated buffer areas can provide unique opportunities for agriculture where the future utilisation of coal is not compromised.

Amid efforts to diversify the local economy and promote opportunities for new and emergent agriculture enterprises, retaining rural areas in larger lots and avoiding the establishment of sensitive land uses is also a key opportunity and priority to retaining versatility for current and future agriculture investment.

21.05-2 Objective 1

19/10/2017
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To protect productive agricultural land from fragmentation and the establishment of non-agricultural use and development.

Strategies

1.1 Implement any adopted the recommendations of the Latrobe City Rural Land Use Strategy.

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LATROBE PLANNING SCHEME

- 1.2 ~~Encourage productive agricultural land to be used primarily for farming and horticultural purposes except where the land supports significant vegetation of local provenance.~~ Support productive agricultural land use whilst ensuring the retention of significant vegetation of Local, State or National importance to biodiversity.
- 1.3 ~~Limit subdivision, use or development of land that is incompatible with the use of the land for a sustainable resource.~~ Avoid subdivision or development of dwellings on land in the Farming Zone Schedule 1 - Commercial Agriculture, where the proposal does not support agriculture use.
- 1.4 ~~Encourage land uses that complement and enhance the viability of agricultural activity.~~ Support niche and small scale farming, hobby farms, tourism and associated dwellings on land in the Farming Zone Schedule 2 - Mixed Farming, where existing land use and development patterns are compatible or improved land management or biodiversity outcomes can be demonstrated.
- 1.5 ~~Promote the establishment of intensive agriculture and horticulture in suitable areas which could include in identified locations, as per the Rural Framework Plan,~~ subject to coal resource and buffer area policies.
- 1.6 ~~Avoid non-agricultural uses from locating or developing in a manner that will inhibit the expansion or operation of future farming, forestry or other primary production uses.~~
- 1.7 ~~Support land uses that complement and enhance the viability of agricultural activity, including value adding to agricultural activity either by on-farm processes, agricultural product processing or farm gate sales or related tourism.~~

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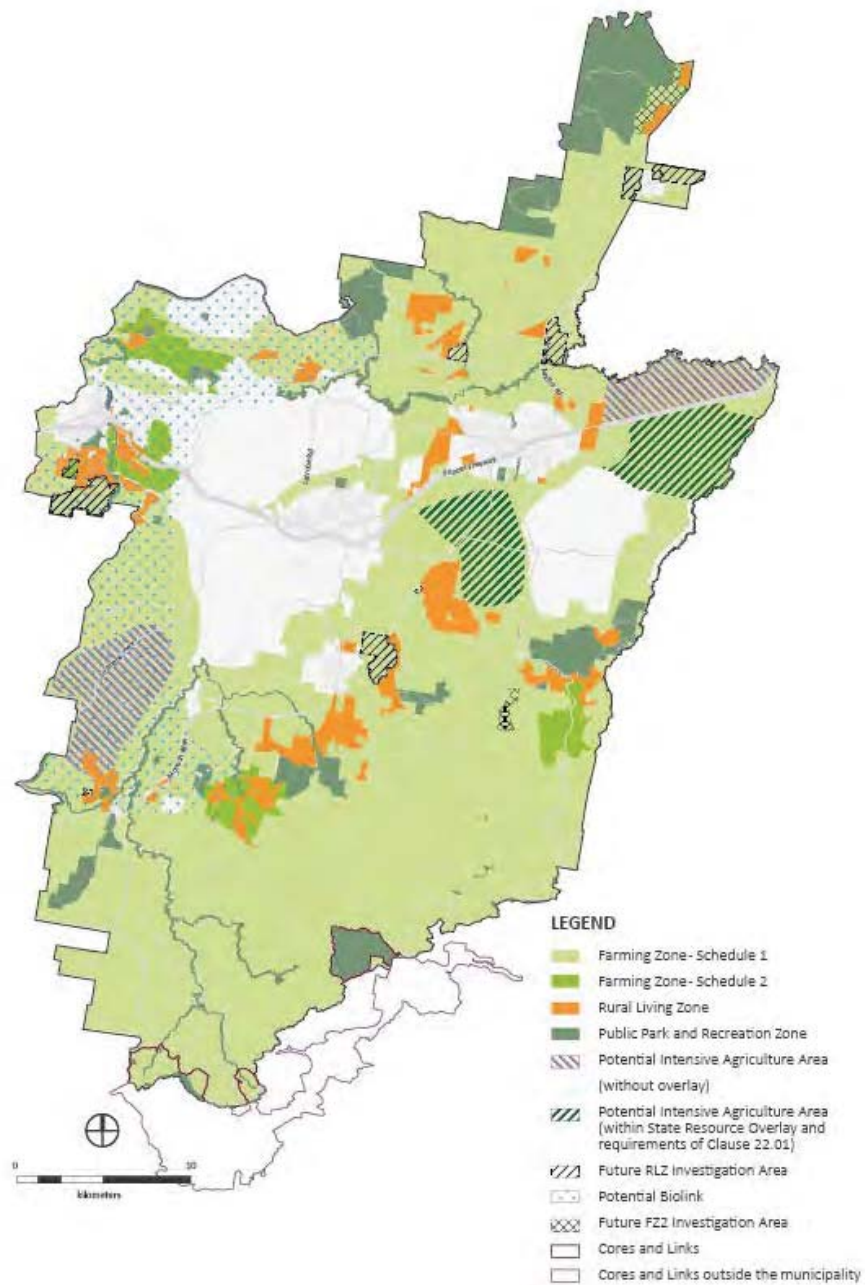
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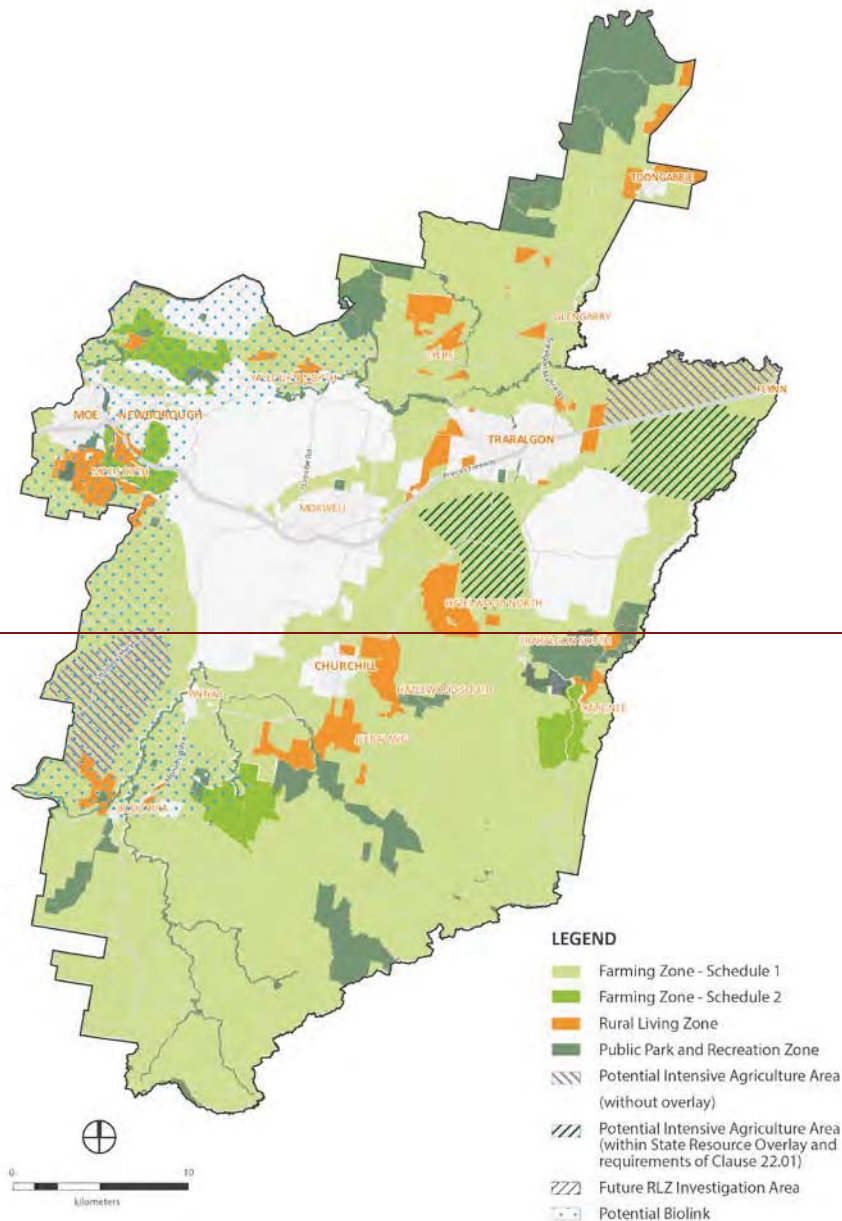
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Rural Framework Plan

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21.05-23 **Key issue—Water**

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Water is among Latrobe’s most valuable resources; water quality, security and management are key opportunities. Latrobe City has a more secure water supply and larger capacity sustainable waste water system than any other Victorian region. -The area supports a number of proclaimed potable water catchments that provides for useable drinking water.

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The Gippsland Region Sustainable Water Strategy 2011 has found that the Gippsland Region is one of the few areas in Victoria where the available water resources have not been fully allocated. In addition, it is anticipated that while climate change will lead to reduced rainfall in the region, relative to other districts, Gippsland will retain superior rainfall. This available water could be used to support additional development and agricultural activity in the region with Gippsland increasingly becoming the food bowl of Victoria.

21.05-4

~~21.05-4~~
Proposed
C105

Objective 1

To protect and improve water quality and river health.

Strategies

- 1.1 Provide urban development buffers to waterways to maintain water quality.
- 1.2 Encourage Water Sensitive Urban Design principles in all developments.
- 1.3 Maintain community wetlands and infrastructure (such as gross pollutant traps) in urban areas.
- 1.4 Protect potable water supply catchments to enable the provision of useable drinking water.

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21.05-5

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Objective 2

To reduce corporate and community water use.

Strategies

- 2.1 Promote water re-use and water conservation in new developments to maximise the amount of water available for river health and human use.
- 2.2 Promote the use of recycled water for industrial, agricultural and domestic land use and development.

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21.05-6

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Proposed
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Objective 3

To protect waterways, aquatic areas, floodplains, wetlands, swamps and catchments.

Strategies

- 3.1 Protect, enhance and reinstate environmental values of the waterway.
- 3.2 Encourage connectivity of waterways to open space and other natural environment and landscape features.

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21.05-7

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Objective 4

To protect riparian land, vegetation communities, waterway valleys and escarpments.

Strategies

- 4.1 Protect and enhance waterway corridors through use of good urban design, appropriate built form, water sensitive urban design, appropriate plantings and land management.

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21.05-3 Key issue – Sustainable technologies

~~The Latrobe Valley brown coal electricity generators supply around 90% of Victoria's electricity. The low cost electricity generated has contributed to Victoria's economic prosperity. However, the high moisture content of brown coal has meant that greenhouse~~

gas emissions produced are high compared to other forms of electricity generation and also make the coal unsuitable for bulk exports. Research is being undertaken to examine alternative uses for brown coal generation and to develop clean coal technologies, such as coal drying processes, carbon capture and storage, bio-sequestration and algae based technology.

Situated on the fringe of Latrobe Valley, the Gippsland Basin is one of Australia's most prolific and mature petroleum provinces. With approximately two thirds of the basin located offshore from the Gippsland coastline it is a major source of natural gas with some 24 oil and gas fields currently in operation. Emerging Victorian and Australian Government carbon and energy policies will provide opportunities to harness local resources to achieve long term sustainable technologies.

Objective 1

To protect and promote sustainable technologies that create prosperity resulting from natural resource use and research.

Strategies

- 1.1 — Improve the balance between reliance on existing natural resources and the need to promote the liveability of the Latrobe community as an attractive region to live and work.

21.05-384 Coal Resources

19/10/2017
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The City's rich brown coal reserves, forestry and agriculture all represent a major contribution to Victoria's economy. Latrobe City is an urban and rural area, built on one of the largest brown coal reserves in the world, and traditionally recognised as the centre of Victoria's electricity industry. The electricity generated in the Latrobe Valley from brown coal resources has contributed significantly to the state's economic prosperity. Latrobe City currently supplies over 90% of Victoria's electricity generation requirements; around 11% of the population is directly employed within the sector, with an additional eight percent of jobs indirectly supported within the local economy. The electricity generation sector accounts for 21% of the areas Gross Regional Product.

The coal resource in the Latrobe Valley remains an asset of national and state importance and is a significant component in the economy of the municipality. The following key issues are relevant to the development of the coal resource:

Latrobe City boasts one of the largest brown coal reserves in the world, and is traditionally recognised as the centre of Victoria's electricity industry. The electricity generated in the Latrobe Valley from brown coal resources has contributed significantly to the State's economic prosperity. Latrobe City brown coal electricity generators currently supply over 90 per cent of Victoria's electricity generation requirements with approximately around 11 per cent of Latrobe's the population is directly employed within the sector, with an additional eight per cent of jobs indirectly supported within the local economy. The electricity generation sector accounts for 21 per cent of the area's Gross Regional Product.

The coal resource in the Latrobe Valley remains an asset of national and State importance and is a significant component of the economy of the municipality. However, the high moisture content of brown coal has meant that greenhouse gas emissions produced are higher compared to other forms of electricity generation and also makes the coal unsuitable for bulk exports. Research is being undertaken to examine alternative uses for brown coal generation and to develop clean coal technologies, such as coal drying processes, carbon capture and storage, bio-sequestration and algae based technology.

The need to lower carbon emissions is recognised by the Victorian Government through a range of initiatives, including the establishment of the Victorian Renewable Energy Target which aims to increase renewable energy generation to 25 per cent by 2020 and 40 per cent by 2025. The modernization of locally based energy generation commensurate with change occurring across the energy industry is of critical importance to Latrobe City and the Gippsland Region.

The following key issues are relevant to the development of the coal resource:

- The significance of the Gippsland Coalfields Policy Area in providing, directly or indirectly, the major proportion of Victoria's energy supplies, in the form of brown coal.
- The presence of established communities, including the four major urban settlements, of Latrobe City, as a networked urban system.
- The significance of fire as a major hazard to people, plant and equipment employed in the winning and utilisation of brown coal and of the major consequences of interruption of the electricity supply system.
- The importance of established agricultural activity.
- The water resource, both surface and underground, to the quality of the regional water catchment.
- The profound effect of major industries on the physical and social environment of the municipality.
- The need for co-operation between all levels of government, the private sector and the community and the importance of the adequate recognition of all sectors in decision making for the region.

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The Gippsland Coalfields provide, directly or indirectly, the major proportion of Victoria's energy supplies in the form of brown coal. There are two separate issues with the development of the Gippsland Coalfields being: the resource itself, and the buffer area from the resource. The categories shown in the Gippsland Coalfield's Policy Area and associated Maps indicate timeframe and location of when the coal resource may be utilised. This includes:

- Category A coalfields - development possible within 10-30 years.
- Category B coalfields - development possible within 30-60 years.
- Category C coalfields - other coal areas – development more than 60 years off.

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In the coal resource area, the extraction and use of coal is the primary consideration.

There would be benefit in reviewing the classifications in response to changing circumstances occurring across the energy and mining sectors.

21.05-9 Objective 1

21.05-9
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To facilitate orderly coal development so that the coal resource is utilised in a way which is integrated with state and local strategic planning.

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Strategies

- 1.1 Ensure that coal excavations, overburden dumps and other associated developments are planned, managed and progressively rehabilitated to the highest practicable future use.
- 1.2 Ensure that coal resource development and use takes into account the interests of the existing and future Victorian community, the needs and views of the local community and local Council, equity in the provision and distribution of employment, housing and community services and the likely social and environmental impacts of development.
- 1.3 Ensure that mining licence and associated works approvals take into account adopted local town structure plans and established urban coal buffers.
- 1.4 Encourage when practicable and cost effective, the use of quarry and other materials recovered from coal development.
- 1.5 Ensure that transport corridors are protected and maintained.

21.05-10 Objective 2

~~21.05-10~~
Proposed
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To designate land for future coal resource development or for buffer areas on the future use of land.

Strategies

- 2.1 Ensure that planning for coal resource development and use takes into account areas and features of recognised value for nature conservation, recreation, tourism, and landscape quality.
- 2.2 Ensure that the catchments of the river systems and underground waters are planned and managed to ensure adequate water supply and quality for development, management and use of water resources, complementing and integrating with coal resource planning in the local and regional catchment.

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21.05-11 Objective 3

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To ensure that new development is not undertaken in such a way as to compromise the effective and efficient use of existing or future infrastructure or resources such as coal resources, timber production and high quality agricultural land.

Strategies

- 3.1 Ensure that development and use of coal resources ameliorates adverse effects and promotes the positive benefits of developments.
- 3.2 Ensure that timber production is planned in a manner which will complement the orderly development of the coal resource.
- 3.3 Ensure that timber production takes into account the need for effective fire protection for the coal resource.
- 3.4 Encourage land uses in the coal resource area prior to coal development, which are productive and minimise the social and financial cost of coal development.
- 3.5 ~~Encourage extensive animal husbandry.~~ Support extensive animal husbandry, interim intensive agriculture including broiler farms and cattle feedlots and other rural land uses in areas of potential coal production, including broiler farms and cattle feedlots.
- 3.6 Discourage 'incompatible uses' such as residential, rural living, commercial or non-coal or energy related industrial land use and development in areas of potential coal production.

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21.05-12 Objective 4

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To ensure that the use and development of land overlying the coal resources recognises the need to conserve and utilise the coal resource in the context of overall resources, having regard to social, environmental, physical and economic considerations in order to ensure a high quality of life for residents.

Strategies

- 4.1 Encourage existing uses on land identified as required for coal exploitation to continue until such time as the land is required for brown coal winning or processing.
- 4.2 Consider alternative uses on a temporary basis if it can be demonstrated that they would not adversely affect the future development of the coal.

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21.05-13 Objective 5

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To maximise the protection of the coal resource to ensure resource security in the future.

Strategies

- 5.1 Ensure that environmental quality and protection against pollution are primary considerations in coal resource planning.

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21.05-14 Objective 6

~~21.05-14~~
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To ensure that the use, development and management of land in the coal resource areas mutually protect urban amenity and coal resource development, as well as the continued social and economic productive use of land.

Strategies

- 6.1 Encourage uses of land which maintain and enhance land use capability, productivity and quality of the landscape and minimise fire and soil erosion hazards.
- 6.2 In making decisions, ensure that if strategies relating to land use conflict with one another then:
- In the coal resource area, the extraction and use of coal should be the primary consideration. At every stage of development of that coal due account should be taken of the other principal resources of the coal resource area. Land uses which do not impede that objective may be considered in that policy area.
 - In the identified coal related buffer areas, the mutual protection of urban amenity and coal development areas are to be primary considerations.
 - In existing urban areas and land identified for urban purposes, urban land uses should be the primary considerations.
 - In ~~high quality~~ agricultural areas, the use of land for rural activities is to be the primary consideration. However, coal development remains the primary consideration in relation to those identified coal areas or for land required for facilities for or associated with the use of that coal.
 - Timber production has a lesser priority than the extraction of coal and agricultural land use activity unless a proper economic assessment shows it to be viable.
 - Within zoned urban areas and areas identified for future urban use, low density residential and rural living use and development has a lower priority than timber production, the extraction of coal, high quality agricultural activity and urban land uses.

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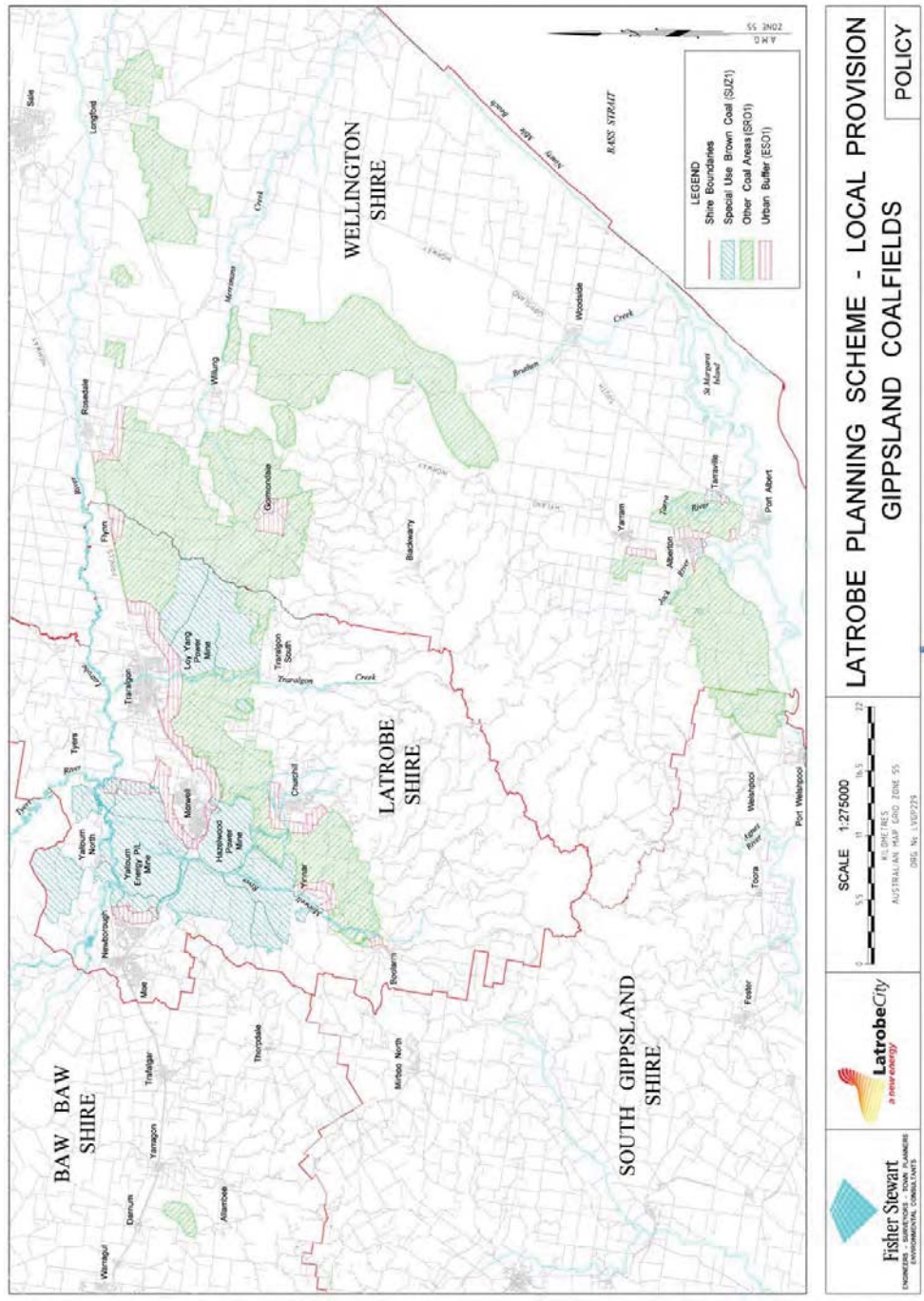
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21.05-415 Timber

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Latrobe City supports a productive timber and commercial forestry industry providing softwood, value-added hardwood, and paper products sold to domestic and export markets. Australian Paper is one of the largest paper manufacturing facilities in the southern hemisphere and leads the manufacture of high performance packaging supplies and office paper. Forestry projects are eligible under proposed schemes to generate carbon credits for sale to domestic and international markets. Council is seeking to be a national leader in the timber industry, with the preparation of the *Wood Encouragement Policy 2014*. The Policy seeks to support the retention and expansion of the timber industry.

It is acknowledged that well managed plantation forestry makes a significant contribution to biodiversity within Latrobe City, in particular the Strzelecki Koala. It is also acknowledged that there is some infrastructure and rural amenity issues associated with timber production and these will need to be carefully managed. In particular, a challenge for Council is balancing the needs of timber operators accessing their coups with the needs of residents and minimising the impact of logging trucks near their properties.

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21.05-16 Objective 1

21.05-16
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To encourage environmentally sustainable timber production.

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Strategies

- 1.1 Support and encourage timber processing and value-adding industries to expand and retain the timber industry in Latrobe City.
- 1.2 Encourage expansion of plantation forestry opportunities in appropriate locations, including within the proposed Strzelecki-Alpine Biolink.
- 1.2 Plan for road and rail haulage in conjunction with the forestry industry.

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21.05-17 Stone resources

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Latrobe City contains significant stone resources including basalt, gravels, sands and limestone. There are significant resources in the extractive industry, including mineral sands north of Morwell and Traralgon, that need to be protected. State Policy sets out objectives for the identification and protection of stone resources through the concept of 'Extractive Industry Interest Areas'. These areas are identified on the *Latrobe Supply Area – Extractive Industry Interest Area 1999 map* and consideration will be given to the protection of stone resources within these areas when considering applications for use and development.

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21.05-18 Objective 1

21.05-18
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To protect significant stone resources and ensure an adequate supply of stone in future years.

Strategies

- 1.1 Ensure the protection, development and use of stone resources.
- 1.2 Ensure that the long term protection of stone resources is in accordance with the recommendations of the *Latrobe Supply Area Extractive Industry Interest Areas Strategy 1999*.
- 1.3 Protect existing extractive industry sites by separating incompatible land uses.

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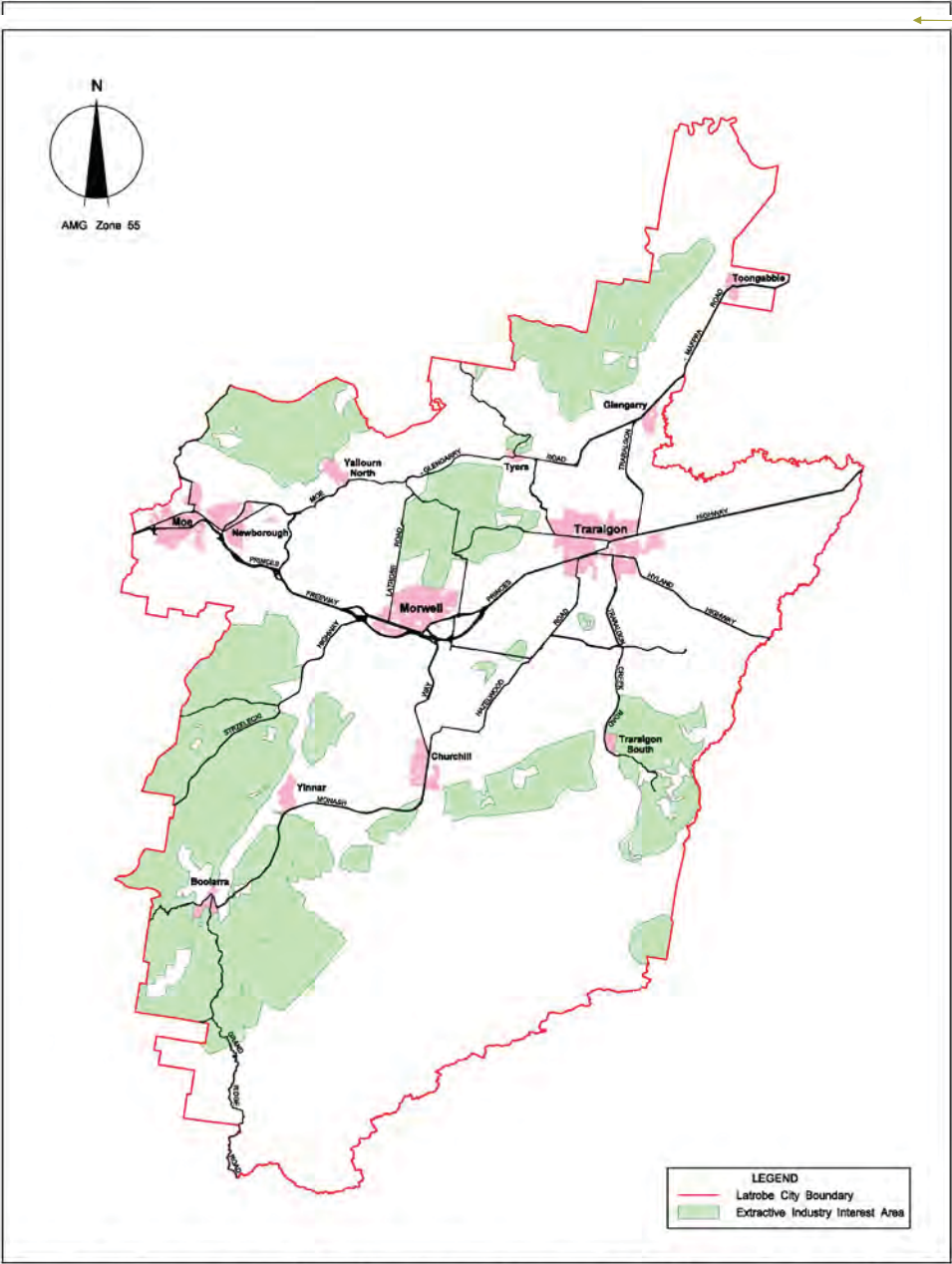
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LATROBE PLANNING SCHEME



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STRATEGIC STATEMENT - CLAUSE 21.05

PAGE 13 OF 15

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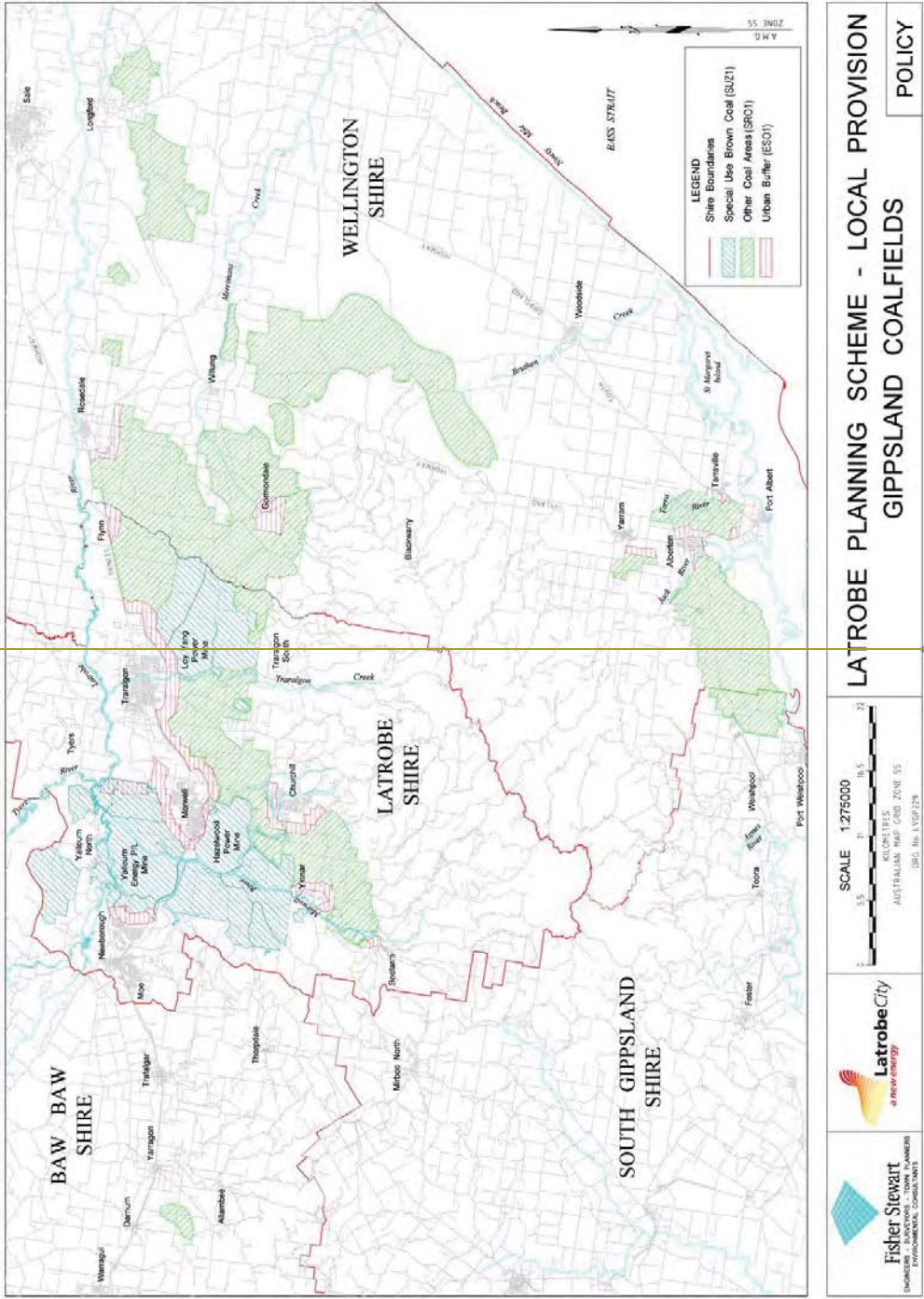
LATROBE PLANNING SCHEME

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10.

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Gippsland Coalfields

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21.06 URBAN DESIGN, HERITAGE AND CHARACTER

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This clause provides local content to support Clause 15 (Built Environment and Heritage). Specific reference to individual towns is included in Clause 21.09 (Local Areas).

21.06-1 Urban Design and Neighbourhood Character

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Good quality private and public development and landscaping contribute to the function, safety and liveability of urban environments and improved health outcomes for the community. Consideration of good urban design outcomes is particularly important for main road approaches to urban centres.

The Latrobe City *Healthy Urban Design Good Practice Guideline – Meeting Healthy by Design Objectives* (the Guideline) provides guidance in designing and developing healthy and safe communities.

The *Latrobe City Urban Design Guidelines* (as amended) are relevant in considering development applications and their impact on the appearance of industrial, commercial and residential areas.

The *Latrobe City Council Housing Strategy* (2017) describes neighbourhood character as the interplay of the public and private realms within a streetscape, neighbourhood or township that make a place distinctive from another.

Neighbourhood character is however valued differently across local communities and for many, character is not always about the built or natural environment, it is about other attributes such as the people who live in the area, proximity to shops, transport options or availability of parks.

Regional centres have a number of unique characteristics when compared with typical suburban or metropolitan development. These differences are often interwoven with economic, social and geographical influences that shape the form of housing development. Several key distinctions between regional development and metropolitan development include:

- Layout and spaciousness
- Sporadic and irregular development patterns
- The size and spacing of dwellings
- Landscape and geographic connect
- Community values, perceptions and expectations

Housing in Latrobe City has many of these elements and although there are some areas which have a more defined character than others, each of the four main townships shares many similarities. Common character elements include simple building forms comprising dwellings usually constructed with brick or weatherboard, incorporating aluminium frame windows and shallow pitched roofs in a garden setting.

It is acknowledged that there is a recognisable difference between the character of older established areas and the newer suburbs in the main towns.

Special character areas have been identified as follows:

- Garden Suburban, being spacious residential areas in a garden setting with a mixture of older buildings located along linear street patterns, with pockets of established vegetation.
- Lifestyle Suburban, being dwellings on large lots in spacious landscaped settings, located on curvilinear and court street patterns with a strong rural character.
- Bush Suburban, being residential areas of large, informal lots visually dominated by landscaping. Built form is often hidden behind canopy trees and a well-established garden setting.

Other urban character types can be defined and would be the subject of further research.

21.06-2 Objective 1

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Support development in a form which strengthens civic pride and presentation as Gippsland's major regional city.

Strategies

- 1.1 Support high standard urban design outcomes.
- 1.2 Improve the visual appearance of key transport routes and town entrances
- 1.3 Support the upgrade of degraded areas (including industrial land); in particular at town entrances and primary transport routes.
- 1.4 Facilitate new development of varying scales, density and activity in accordance with the Housing Framework Plans whilst preserving and the amenity of existing neighbourhoods and locations with specific character or heritage value.
- 1.5 Ensure applications for residential, commercial and industrial land use and development appropriately consider and respond to the Latrobe City Urban Design Guidelines.

21.06-3 Objective 2

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Reinforce the regional suburban character of Latrobe City's established and new neighbourhoods whilst responding to changing housing needs.

Strategies

- 2.1 Facilitate and support the development of diverse and smaller housing types in preferred locations in accordance with the Housing Framework Plans, while retaining streetscape character and recognised heritage values.
- 2.2 Facilitate the development of streetscapes of regional suburban character in Latrobe City, comprising built form that addresses public areas, wide streets, provision of generous front setbacks and space between dwellings.
- 2.3 Support development that is practical, flexible and which meets the needs of people of different ages and abilities without the need for major adaptation post construction.

21.06-4 Objective 3

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To provide for walkable neighbourhoods, ensuring public transport, shops, public open space and mixed-use activity and neighbourhood centres are close to all dwellings.

Strategies

- 3.1 Consider the *Healthy Urban Design Good Practice Guideline* when assessing new subdivision and development.
- 3.2 Ensure new dwellings have good access to pedestrian and cycle paths.
- 3.3 Ensure open space areas, pedestrian and cycle paths incorporate shade, toilet facilities, drinking taps, cycle racks, seating, lighting and directional signage where possible.
- 3.4 Encourage community centres to be located within a 400-800 metre walk from all dwellings.
- 3.5 Encourage built form that supports and enhances passive surveillance.

21.06-5 Objective 4

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To improve the visual quality of development through improved design, siting and landscaping.

Strategies

- 4.1 Ensure that urban design and landscaping improves the visual amenity of gateways, transport routes, streets and places.
- 4.2 Ensure that multi-unit housing is well landscaped, with tree and shrub selection creating a positive visual image.
- 4.3 In residential areas, ensure there is adequate scope for canopy tree planting in private properties and within street reservations.
- 4.4 Provide adequate reserve widths or tree reserves in new subdivisions and established areas to enhance road safety, protect power lines and contribute to neighbourhood character.

21.06-6 Heritage

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Latrobe City has a rich and diverse cultural heritage that is evidence of how the landscape has been changed by indigenous and non-indigenous people. Gippsland was occupied by the Gunaikurnai people for many thousands of years prior to European settlement. The first non-indigenous people to visit Gippsland were explorers, and pastoralists followed, which led to the development of agricultural industries such as grazing and dairying and the loss of native forest cover over much of the land.

The greatest change to the cultural landscape came in the twentieth century with the exploitation of the vast brown coal reserves.

The diverse history of the area is reflected in the heritage places that have been identified by the *Latrobe City Heritage Study 2010*, which incorporates the findings of two previous studies; *Traralgon Heritage Study 1992* and the *Latrobe Heritage Study 1991*. The heritage places include archaeological sites, township precincts, buildings, memorials, gardens, factories and trees.

21.06-7 Objective 1

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C--

To ensure that the heritage of Latrobe City is identified, protected and conserved.

Strategies

- 1.1 Ensure that all heritage places and precincts of local or state significance receive appropriate statutory protection.
- 1.2 Nominate heritage places, precincts and archaeological sites of potential state significance for inclusion on the Victorian Heritage Register.
- 1.3 Provide assistance and support to owners and custodians of heritage places in the conservation and management of these places.

21.06-8 Objective 2

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C--

To identify, recognise and protect places of heritage, cultural and social significance.

Strategies

- 2.1 Discourage demolition of heritage assets, unless net community benefit can be demonstrated.
- 2.2 Ensure that additions, alterations and replacement buildings are sympathetic to the heritage area and surrounds.
- 2.3 Ensure that the management of heritage places will reveal rather than diminish the significance of the place.
- 2.4 Ensure that the use and development of heritage places and adjoining land is compatible with and does not adversely affect the significance of the place.

21.06-9 Township Identity

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A design response assessment is an important consideration in most new developments in their neighbourhood or local place. There is a need for urban design guidelines to assist Council and the community with making decisions on the basis of 'character and identity' to address issues including:

- Identifying and protecting areas within the municipality with significant neighbourhood character values.
- Considering neighbourhood character issues in the assessment of infill housing development proposals within existing residential areas.
- Balancing the tension in policy between promoting growth and consolidation with the desire to respect residential amenity and neighbourhood character.
- Ensuring that the scale and design of development and its impacts on existing amenity are addressed.
- Minimising the loss of backyard areas and established vegetation through subdivision and development.

21.06-10 Objective 1

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C--

To protect and enhance the unique landscape qualities and features that contribute to places in the urban and rural character of the municipality, and which give the different localities in the City their own identity.

Strategies

- 1.1 Ensure that new development maintains and enhances the character of the surrounding area.
- 1.2 Improve the amenity of neighbouring areas and seek to enhance the built form design.
- 1.3 Encourage the retention of intact, older buildings and features that contribute to the character of the area.
- 1.4 Integrate buildings and landscape settings with open space and the environs.

21.06-11 Implementation

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C--

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays in Clause 21.10.

21.0710/08/2017
Proposed
C105**ECONOMIC DEVELOPMENT**

This clause provides local content to support Clause 17 (Economic Development) of the State Planning Policy Framework.

Specific references to individual towns are also included in Clause 21.09 (Local Area Growth Plans).

21.07-119/10/2017
Proposed
C105**Economic growth**

Latrobe City is uniquely placed in the Victorian economy. With 90% of the State's power generation occurring in the region, brown coal electricity generation accounts for around 20% of Latrobe City's Gross Regional Product (GRP). It is anticipated that approximately 20% of all jobs are directly or indirectly tied to the electricity sector. This means that mining and power generation underpins the broader manufacturing, maintenance and fabrication industries in the Latrobe Valley. Diversification of employment opportunities is therefore considered a key priority for Latrobe City.

Latrobe City is recognised as one of Victoria's four major regional centres, along with Ballarat, Bendigo and Geelong. With a GRP of approximately \$4 billion and annual business turnover estimated at \$10.3 billion.

Population growth, technology advances, the ageing workforce, globalisation and a future low carbon economy present both challenges and opportunities. Latrobe's history of industrial enterprise, successful adaptation and innovation means it is well positioned to embrace change and harness new opportunities to further diversify and strengthen the economy.

A key competitive strength, that is recognised nationally, is the quality of the manufacturing and engineering expertise that exists locally. Latrobe City is also home to State significant Industrial 2 Zone land, located to the south and north east of Morwell.

From these strengths come many opportunities, including a focus on support for education, training, brand development and industry development and attraction. Growing new markets for low emission energy resources and food production are also considered opportunities. Council will take a lead role in enabling the community to prosper from these changes, in particular the transition to a low carbon future.

The Latrobe City *Economic Sustainability Strategy 2016-2020* and the *Industrial and Employment Strategy 2017* has an emphasis on job creation, industry diversification and the ability to offer opportunities to prospective investors. Latrobe City has several areas of significant commercial importance which are as follows:

- Gippsland Logistics Precinct in Morwell.
- Latrobe Regional Airport in the Morwell – Traralgon corridor.
- Morwell - Traralgon Corridor, including Latrobe Regional Airport and Hospital.
- Morwell - Maryvale Industry Corridor.
- State energy infrastructure including distribution networks and mine areas.

21.07-2--/20--
Proposed
C105**Objective 1**

To facilitate a vibrant and dynamic economic environment that will grow and diversify employment opportunities.

Strategies

- 1.1 Provide a balanced approach to economic development taking into account economic, social and environmental values.

LATROBE PLANNING SCHEME

- 1.2 Facilitate private and public sector investment and help create an attractive investment climate.
- 1.3 Promote the growth of service sector jobs targeting regional health services, tertiary education, retail, entertainment and government administration.
- 1.4 Encourage high quality road, rail and air freight capabilities with connecting regional and national supply chains.
- 1.5 Support efforts to ensure the provision of essential infrastructure is not prohibitive to development.
- 1.6 Provide adequate land for industrial and commercial growth.
- 1.7 Ensure industrial and commercial development is of the highest quality particularly at the interface with residential land and at key township gateway locations.

21.07-3 Objective 2

~1/20~
Proposed
C105

Support the establishment of new and alternative energy related jobs growth and investments within Latrobe City, leveraging the advantages of existing energy infrastructure and distribution networks.

Strategies

- 2.1 Promote new and alternative clean energy industry and investment within Latrobe City, leveraging the existing energy infrastructure and workforce expertise.
- 2.2 Encourage investment and development of new and alternative energy industries, particularly in locations with good access to existing energy distribution infrastructure.
- 2.3 Continue to advocate for the utilisation of alternative, low emission energy from coal resources.

21.07-4 Industry

19/10/2017
Proposed
C105

Latrobe Valley has one of the world's largest reserves of brown coal. Brown coal electricity generators in Latrobe currently supply approximately 90% of Victoria's electricity. Council supports the sustainable use of brown coal as an energy source. Council is working with generators, clean coal researchers and government agencies to develop clean coal pilot plants and research facilities in Latrobe City.

Latrobe City has a large manufacturing base, established from the electricity generation sector. The Australia Paper Mill, located in Maryvale north of Morwell, is another important heavy industry underpinning local employment strengths in engineering.

The industrial sector in Latrobe City is divided into three main areas:

- ~~The first is the~~ heavy industry precincts which are currently sustained by the coal and timber resources. The main location of this industrial complex is in the north and south of Morwell within Industrial 1 and 2 Zones and the Special Use - Brown Coal zoned areas in association with the power stations and mines.
- ~~The second is the~~ emerging industries, including those establishing in Churchill taking advantage of proximity to Federation University or east of Morwell with advantages such as the outfall sewer and other key infrastructure.
- ~~The third sector is the~~ servicing industry providing for local and regional community needs.

The strategic direction is to support the development and use of new industry in identified locations as guided by the Industrial Framework Plan and the Industrial and Employment Strategy (as amended).

Large industrial parcels identified on the Industrial Framework Plan will accommodate new large, high amenity, low density manufacturing industry. The employment investigation area within the Traralgon West Growth Corridor will leverage off the Latrobe Regional Airport and Hospital and accommodate industry clusters linked to health, aeronautics or agriculture research and development.

The Morwell – Maryvale Industry Growth Corridor will be the focus of new large format industries including heavy industry, food and fibre processing.

The strategic direction for Churchill is to support the development of industry which benefits from locating near existing or future institutions.

Council has prepared a Master Plan and Project Plan for the development of a Gippsland Logistics Precinct (GLP) on land three kilometres east of Morwell with direct access to the national freight network. Preparations are currently underway for a large-scale logistics and distribution precinct that will adjoin the terminal site. The development of the GLP will establish a centre for the efficient and cost effective movement of freight to and from the Gippsland region.

The Latrobe Valley, with its fertile soils also supports a vibrant agricultural industry. One of Australia's largest food and beverage producers has established a state of the art dairy processing plant in Morwell. Opportunities for the production of biomass and algae for electricity and fuel production are expected to provide further markets for agricultural products.

21.07-5

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Proposed
C105

Objective 1

To maximise the potential for new industry, especially those that may benefit from the coal and electricity industry, to establish within Latrobe City.

Strategies

- 1.1 Support the development of existing and new industries and infrastructure, guided by the *Industrial and Employment Strategy 2017*.
- 1.2 Ensure the sufficient supply and adequate choice of industrial land to accommodate the varying needs of the different types of industry.
- 1.3 Maximise the potential of the high amenity location to the north of Princes Drive and east of Alexanders Road in Morwell to attract large, low density, high amenity industries.
- 1.4 Implement masterplans for the employment investigation area, Latrobe Regional Airport and Latrobe Regional Hospital within the Traralgon West Growth Corridor that accommodates industry clusters linked to health, aeronautics or agricultural research and development
- 1.5 Retain the potential of the Morwell South Industrial Area and land within the Special Use - Brown Coal Area to function as important locations which are suited to major heavy industry.
- 1.6 Encourage the establishment of large format and heavy industry uses on Industrial 2 Zone land, ~~having regard to the State Resource Overlay where present.~~

21.07-6

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Proposed
C105

Objective 2

To promote increased rail use as a model for economic viability and sustainability.

Strategies

- 2.1 Develop the Gippsland Logistics Precinct in Morwell in a manner that maximises freight being handled by rail.

- 2.2 Facilitate a range of logistics activities on the Gippsland Intermodal Freight Terminal precinct in Morwell.

21.07-7

Objective 3

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Proposed
C105

To ensure that industrial areas are planned and designed to minimise any potential detriment or loss of amenity to surrounding areas.

Strategies

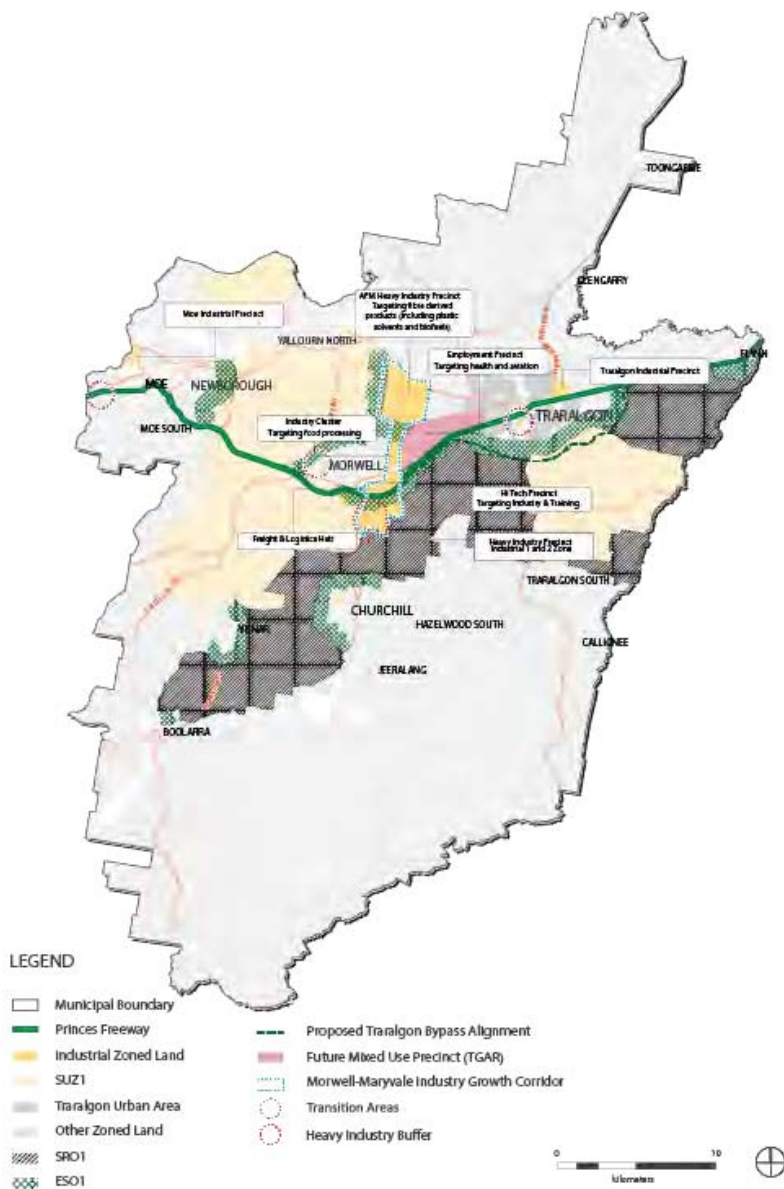
- 3.1 Ensure industrial development makes a positive contribution to its local streetscape through the application of the Industrial Design Guidelines.
- 3.2 Encourage industry to locate in preferred locations as guided by the Industrial Framework Plan and supported by the *Industrial and Employment Strategy* (as amended).
- 3.3 Encourage Water Sensitive Urban Design principles in the design and layout of industrial areas.
- 3.4 Support the long term future residential development consistent with the *Traralgon Inner South Precinct Master Plan (2010)* as amended.
- 3.5 Support investigation and improvements to heavy vehicle access to industrial zoned land located to the north of the Moe Township.
- 3.6 *Provide buffers between industrial and existing and potential sensitive use areas where residential amenity is impacted.*

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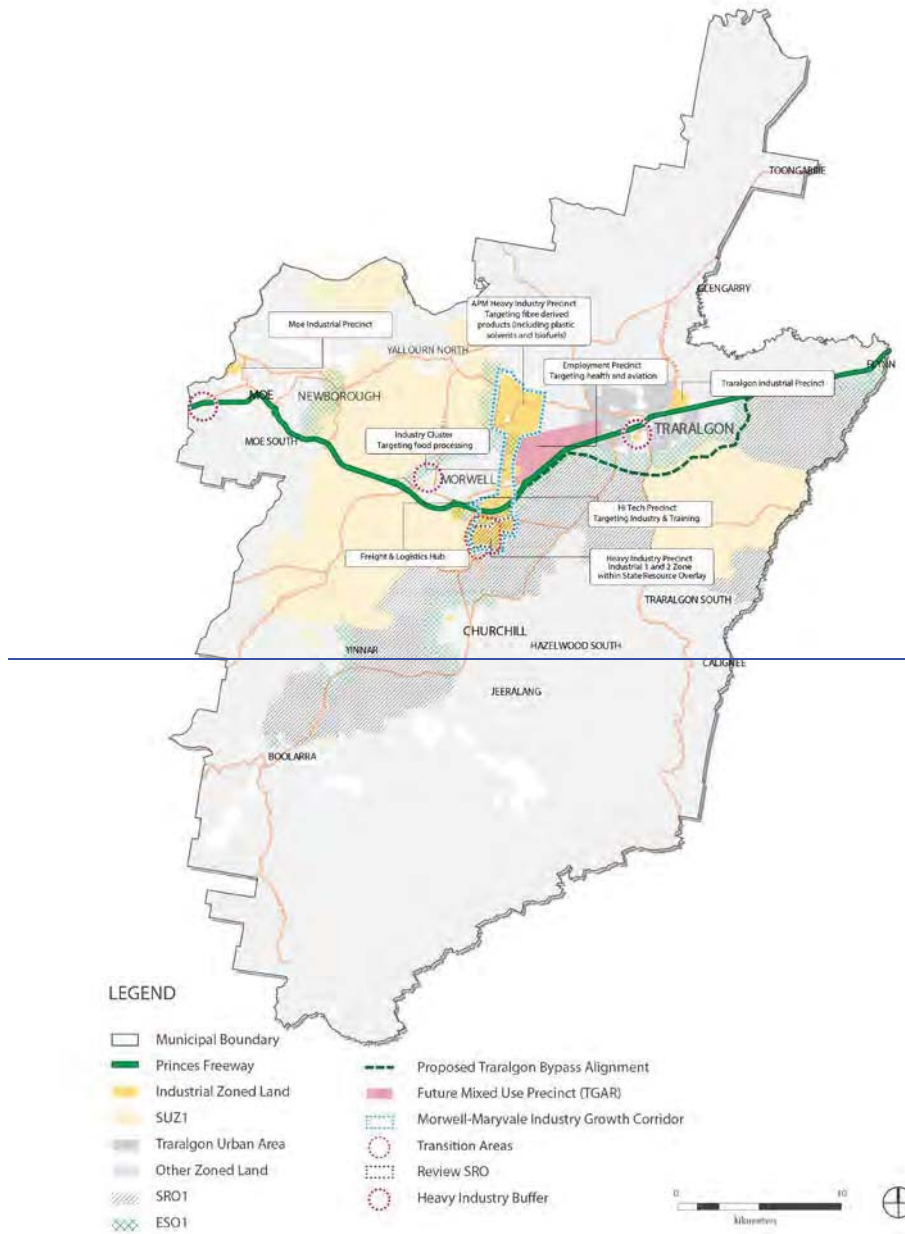
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Industrial Framework Plan



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LATROBE PLANNING SCHEME



21.07-8

Latrobe Regional Airport

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Proposed
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Council acknowledges that the Latrobe Regional Airport (LRA) is and has been a major economic generator for the City over many years and it is a large employer in the area.

LRA is home to the only passenger commercial aircraft manufactured in Australia that successfully exports to global markets. The development and expansion of the LRA has created further opportunities for aviation-related businesses to establish on allotments with taxiway access to the main runway. The expansion provides opportunities for aerospace and aviation related industries to expand or establish their operations at the airport.

LRA is integral to the regions transport network and provides a range of employment and recreation opportunities. Well-equipped and of a high standard, it ranks as one of the best regional airports in Australia. The airports supply of serviced industrial land has been expanded to facilitate enhanced aeronautical development.

The development and review of the LRA Master Plans, provides an opportunity to identify appropriate land use buffers and controls to better protect the Airport.

21.07-9 Objective 1

19/10/2017
Proposed
C105

To promote and protect the operations of Latrobe Regional Airport.

Strategies

- 1.1 Support the implementation of any adopted Latrobe Regional Airport Master Plan.
- 1.2 Support the application of appropriate land use controls and buffers around the airport.
- 1.3 Implement the Morwell - Traralgon Corridor Structure Plan to help identify appropriate uses surrounding the airport.

21.07-10 Health

19/10/2017
Proposed
C105

Latrobe City is a centre for health services to the broader Gippsland region. Contributing significantly to the local and regional economy, Latrobe City offers comprehensive and high quality health facilities. The region has an extensive range of specialist services including pathology, aged care, palliative care, community health, cancer support, immunisation, disability services, home care, physiotherapy, parenting, paediatric, child and adolescent services. Maryvale Private Hospital, Latrobe Regional Hospital (LRH) and Latrobe Community Health Service offer health and medical services and programs. LRH also houses the Gippsland Cancer Care Centre, making it possible for residents to receive comprehensive radiotherapy, oncology and chemotherapy treatments locally.

LRH is rapidly growing and is a major asset for the region. It is connected with Monash University (for medical purposes) and with Federation University (for nursing). New wards and theatres are being built and planned ~~for, and the~~ cancer care centre and allied health facilities have been extended together with the mental health wing and maternity ~~extensions~~ facilities. The hospital is one of the largest employers in Gippsland.

Based on the last census (2016), the fastest growing cohort (except for Traralgon) in Latrobe is the retiring 'baby boomer' generation of 60 years and over. This growth has implications for housing (smaller dwellings), connectivity within and between estates (walking and cycling on flat paths), provision of suitable public facilities and for long term health requirements.

The City is well served by health facilities and this, in itself, is and will be a further attractor to the aging community. Such demands will have a flow-on effect and will increase employment opportunities in the health care sector, meaning that this will be one of the fastest growing employment sectors in Latrobe. The health care and services sector now employs a significant percentage of the workforce and this figure is growing. As the population ages, this will become more apparent, meaning Council needs to start planning for the aged care and retirement sector as these will become increasingly important.

21.07-11 Objective 1

19/10/2017
Proposed
C105

To promote and protect the operations of Latrobe Regional Hospital.

Strategies

- 1.1 Support the implementation of the Latrobe Regional Hospital Master Plan.
- 1.2 Implement the Morwell - Traralgon Corridor Structure Plan to help identify appropriate uses surrounding the Latrobe Regional Hospital.

21.07-12 Education

19/10/2017
Proposed
C105

Latrobe Valley boasts a number of highly regarded public and private primary and secondary schools along with a fully serviced campus of Federation University at Churchill. Together with Federation Training, Apprenticeships Group Australia, and the Gippsland Education Precinct, a vast range of educational options are available in the region.

21.07-13 Objective 1

19/10/2017
Proposed
C105

To promote and protect the operations of Federation University.

Strategies

- 1.1 Support implementation of a Federation University Master Plan at the Churchill campus.

21.07-14 Information technology

19/10/2017
Proposed
C105

Latrobe is a regional leader in information communication technology. Combining traditional with new technologies, the industry has developed a highly skilled workforce. The industry and has the capacity to service expanding local industry and business providing innovative IT solutions to commercial and industrial businesses throughout Australia and internationally. The shared business services sector in Latrobe continues to grow with increasing numbers of private and government call centres operating across the region.

21.07-15 Objective 1

19/10/2017
Proposed
C105

To encourage the growth of information technology in Latrobe.

Strategies

- 1.1 Support the development of information communications technology hubs and precincts in Latrobe.
- 1.2 Advocate for improved internet capability to support local and regional business to access new markets.

21.07-16 Tourism

19/10/2017
Proposed
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Tourism is estimated to inject about \$93 million per year into the local economy. The sector is made up of small businesses, with a few medium sized businesses operating in the accommodation and conference sector. Latrobe hosts many widely recognised events including national and international sporting events. Latrobe City has identified events, business tourism and conferencing as market opportunities that would enhance the trade of existing retail, food and entertainment businesses.

The significant natural assets and biodiversity of the Gippsland region present tourism opportunities from which the Latrobe economy, utilising a hub and spoke model, can

benefit from these regional strengths. Council will continue to work with Destination Gippsland and Tourism Victoria to progress regional tourism initiatives, as described in the Strategic Business Development section of this strategy.

21.07-17 Objective 1

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To encourage environmentally sustainable tourism opportunities and establish a point-of-difference in tourism product.

Strategies

- 1.1 Strengthen the attraction of Latrobe City as a conference and major events destination.
- 1.2 Ensure the use and development of land for tourism does not conflict with primary production activities such as agriculture, extractive industry and forestry.
- 1.3 Consider the application of the Rural Activity Zone in appropriate locations to facilitate rural tourism.
- 1.4 Encourage commercial tourist development to locate within the urban areas and support opportunities for small-scale and low impact rural tourism, accommodation and related activities in rural areas.

21.07-18 Implementation

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C105

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10.

21.08

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TRANSPORT AND INFRASTRUCTURE

This clause provides local content to support Clause 18 (Transport) and Clause 19 (Infrastructure) of the State Planning Policy Framework.

Specific references to individual towns are also included in Clause 21.09 (Local Area [Growth Plans](#)).

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21.08-1

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~~Key issue~~—Integrated transport networks

Latrobe City is the hub of road networks and highways for greater Gippsland. Roadwork improvements like the Pakenham Bypass further shorten road travel times to Melbourne. Residents ~~are ideally located for the provision of improved~~ now enjoy a renaissance of rail transport in Gippsland and the benefits associated with major rail infrastructure upgrades to support the Regional Fast Rail service between Latrobe Valley and Melbourne.

It is important for public transport to expand in growth areas and to be integrated with other modes of travel. [This is expected to become increasingly important with an ageing population reliant on public transport options.](#) Equally important is well designed infrastructure that supports and encourages alternative transport options [including walking and bicycle transport options.](#)

In order to achieve the vision for a connected and inclusive built environment it is important that accessibility of community services and facilities are preserved and enhanced as communities evolve. Council must consider key urban needs such as housing, commercial and industrial uses, railway and road infrastructure, water, sewerage and power supply, and open space and recreational areas.

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21.08-2 Objective 1

~~19/10/2017~~
Proposed
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To increase and maximise public transport opportunities between [large and small](#) towns and within corridors to support the networked city.

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Strategies

- 1.1 Provide for an integrated, safe and efficient transport network.
- 1.2 Ensure new development provides for safe and efficient ~~vehicular~~ access [and promotes public transport connections.](#)

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21.08-3 Objective 2

~~19/10/2017~~
Proposed
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To provide safe vehicular, walking and cycling routes to connect people to destinations.

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Strategies

- 2.1 Implement ~~any the~~ adopted *Latrobe City Bicycle Plan 2007-2010 and Tracks, Trails and Paths Strategy (2016).* ~~cycling/bike strategy.~~
- 2.2 Ensure that walking and cycling infrastructure is incorporated into the design and development of all new neighbourhoods.
- 2.3 Ensure new residential estates include a bicycle network linking with the principal bike routes.
- 2.4 Ensure connectivity [of through](#) local streets and open spaces to link with employment, retailing, education, transport and community facilities.
- 2.5 Facilitate a functional, safe and efficient rural roads system that supports the maintenance of the rural character as well as meeting the demands of both [rural industry rural](#) and [urban rural](#) residents.

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- 2.6 Provide for the safe storage of bicycles at all public destinations such as town centres and railway stations.

21.08-24 ~~Key issue~~—Community infrastructure

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Population growth ~~will~~ ~~can challenge the social fabric, where as such the sense of community will need to be a high priority to ensure the safety and wellbeing of people.~~ ~~There will be~~ ~~see~~ additional demand for frontline health care, hospital and emergency services and social and emergency housing solutions. Council ~~also~~ has a role in planning, developing and providing physical and social infrastructure to build diverse, inclusive, well designed and accessible local communities.

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21.08-5 Objective 1

19/10/2017
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Proposed
C105

To promote physical activity and walkability in all towns by ensuring all dwellings are within close walking distance of a community centre.

Strategies

- 1.1 ~~Encourage residential developments to plan for maximum connectivity of open space networks, local services and facilities to avoid predictive route movements and encourage residents to walk within and around the greater neighbourhood.~~ Encourage residential developments to plan for maximum connectivity of open space networks, local services and facilities.
- 1.2 Encourage new housing developments and subdivisions to include community spaces or buildings that are provided within a walkable distance (approximately 400-800 metres) where appropriate.
- 1.3 Promote active lifestyles and avoid social isolation by locating, designing new dwellings to be close to user-friendly pedestrian and cycle paths which provide that incorporate shade, toilet facilities, drinking taps, cycle racks, seating and directional signage where possible.

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21.08-6 Objective 2

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Proposed
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To ensure responsible development of ~~community new physical, social~~ infrastructure to meet the needs of the ~~residents.~~ ~~community during rapid growth.~~

Strategies

- 2.1 Support ~~convenient access across the municipality to a greater~~ a range of health, educational, social and recreational facilities and services for Latrobe City and broader region.
- 2.2 Support hubs of integrated community services.
- 2.3 Support an expansion of the range of educational facilities and services in response to growth and the needs of the community throughout all stages of their life.
- 2.4 Develop and maintain community facilities that are multifunctional and accessible to the community in terms of cost, location, administration and design.
- 2.5 Support appropriate recreation and community facilities that are compatible with the needs, character and socio-economic profile of the local area.

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21.08-37 ~~Key issue~~—Development infrastructure

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Latrobe ~~City's~~ built environment is constantly changing, with new developments and redevelopments affecting the physical environment and public realm. To maintain and enrich the built environment, it is important to achieve positive outcomes in areas including the design of private developments and public spaces, parks and gardens, infrastructure provision and the maintenance of civil infrastructure. Efficient roads, freight and public transport systems, sewerage and water, electricity networks, natural gas infrastructure, and telecommunications facilities are vital to enable businesses to operate effectively and to attract new investment.

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A coordinated strategic approach to the cost, maintenance and provision of new key shared infrastructure (particularly in identified urban growth fronts) is required. ~~Further development of overall drainage strategies for many of the main towns are a good example of this - a~~ opportunity for ~~integrated strategic infrastructure planning for the municipality.~~

~~In that context,~~ The introduction of Precinct Structure Plans and Development Contributions Plans to ensure services and infrastructure are funded and provided in a coordinated way is a critical issue, particularly especially in the growth areas of the main towns.

The efficient delivery of infrastructure is a fundamental element in providing affordable and diverse housing, generating economic growth and ultimately in managing the municipality in a sustainable manner.

21.08-8 Objective 1

~~21.08-8~~
Proposed
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To maximise the use of existing infrastructure.

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Strategies

- 1.1 Develop flexibility in facilities to cater for changing demands of the community.
- 1.2 ~~Facilitate~~Encourage the integration of roads, bike paths, footpaths and public transport options.
- 1.3 Promote and support the infrastructure and development of small town communities.
- 1.4 Ensure all proposed developments enhance the liveability and sustainability of the community.
- 1.5 Ensure Masterplans for the Latrobe Regional Airport, Latrobe Regional Hospital and the open space corridor within the Traralgon West Growth Corridor maximise the use of existing infrastructure.

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21.08-9 Objective 2

~~21.08-9~~
Proposed
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To provide clear and consistent guidelines in regional Victoria for developers regarding engineering standards for precinct structure plans, development plans, residential subdivision and development.

Strategies

- 2.1 ~~Require~~Encourage a consistent standard of the design and construction of infrastructure across the ~~Municipality~~municipality.
- 2.2 ~~Facilitate~~Encourage an integrated and streamlined approach to the planning and engineering assessment of new subdivision and development.
- 2.3 ~~Require~~Encourage new subdivision and development to be responsive to township character.

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- 2.4 ~~Support~~Encourage a diversity of streetscape outcomes and successful street tree planting.

21.08-10 Objective 3

~~19/10/2017~~
Proposed
C105

To ensure that urban infrastructure provided at the local level is determined on a transparent and equitable basis.

Strategies

- 3.1 Implement adopted development plans and development contribution plans.
- 3.2 Ensure that development contributions are assessed and required for large urban development growth fronts and key redevelopment sites.
- 3.3 Ensure that development contributions are specified in Development Contributions Plans.

21.08-11 Objective 4

~~19/10/2017~~
Proposed
C105

To ensure adequate ~~physical~~ infrastructure is provided for future development needs.

Strategies

- 4.1 ~~Prepare a~~Encourage broad scale infrastructure needs analysis across the main towns to help determine the type, location and cost of key shared infrastructure.
- 4.2 ~~Require~~Ensure that all forms of urban development are connected to appropriate infrastructure including reticulated water, sewerage, telecommunications, ~~power~~and power and stormwater facilities.
- 4.3 Consider the *Municipal Domestic Wastewater Management Plan 2006* and sewerage and water authorities infrastructure plans when assessing new subdivision and development in unsewered areas.
- 4.4 Ensure walking and cycling infrastructure is incorporated into the design and development of new residential neighbourhoods, employment precincts and with end-of-trip facilities.
- 4.5 Ensure services meet known and anticipated demands for physical, financial and population growth.

21.08-412 Implementation

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LOCAL AREA GROWTH PLANS

This clause focuses the implementation of growth area plans and the objectives and strategies set out earlier in the Latrobe Planning Scheme. Each section relates to a particular precinct, settlement or town, and should be read in conjunction with the rest of the Municipal Strategic Statement. The vision for development in each of these local areas is that it creates environments that are supportive of the health and wellbeing of Latrobe's communities.

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Network City Towns and Growth Corridors

Structure Plans for the Main Towns of Churchill, Moe, Morwell Traralgon and the Traralgon West Growth Corridor have been prepared to direct future growth and assist each area to develop its own unique character through consolidating development within their Activity Centres, incremental urban infill and logically staged urban expansion.

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The Structure Plans for all four Main Towns and the Traralgon West Growth Corridor provide for sustainable housing growth, the expansion of industrial precincts in Moe, Morwell and the Morwell-Maryvale Industry Growth Corridor, and the renewal of underutilised industrial sites for residential use in Moe, Morwell and Traralgon.

The priorities in all the main urban settlements is to promote opportunities for infill development, concentrating diversity and density of housing types around activity centres to maximise access to infrastructure, community facilities and services.

The Traralgon - Morwell Growth Framework Plan has been developed to provide an overarching strategy for the long term growth of these two Main Towns. The Growth Framework Plan shows how the Traralgon West Growth Corridor's gradual development over the next 20 years will link Morwell and Traralgon together to form a continuous urban area.

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The Traralgon West Growth Corridor will provide for residential, commercial and industrial development as well as a strategic employment area focused around the Latrobe Regional Airport and Hospital. The corridor will accommodate industry clusters where health, aeronautics, food processing, logistics or agriculture research and development could emerge.

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Objective 1

To facilitate development in accordance with the Strategic Framework Plan, specific Main Town Structure Plans, Housing Framework Plans, the Traralgon West Growth Corridor Structure Plan and the Traralgon-Morwell Growth Framework Plan.

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Strategies

1.1 Encourage consolidation of urban settlement within township boundaries designated in the Structure Plans, the Traralgon-Morwell Growth Framework Plan and Housing Framework Plans, the urban zoned boundaries in accordance with the adopted Structure Plans.

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1.2 Encourage a logical expansion of urban settlements in accordance with staging guidance included in the Strategic Framework Plan, Structure Plans and the Traralgon-Morwell Growth Framework Plan.

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1.3 Discourage urban growth outside the Township Boundaries designated in the Structure Plans and the Traralgon-Morwell Growth Framework Plan.

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1.3 Encourage increased density and diversity of housing types within close proximity to activity centres in the Housing Framework Plans.

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- 1.3 Encourage new large format and heavy industry development within the Morwell- Maryvale Industry Growth corridor.
 - 1.4 Contain new residential subdivision within residential areas shown on the Structure Plans and the Traralgon Morwell Growth Framework Plan.
 - 1.5 Maintain and Enhance town and gateway entrances as shown on Structure Plans.
 - 1.6 Discourage the fragmentation of land in the Farming Zone, high quality agricultural land adjoining township boundaries to allow for future long term urban growth opportunities.
 - 1.7 Encourage the dissemination of any relevant geotechnical land form testing and monitoring data related to coal resources and urban areas.
 - 1.8 Ensure local area growth planning identifies bushfire risk and considers where development should be located and how any risk can be mitigated.
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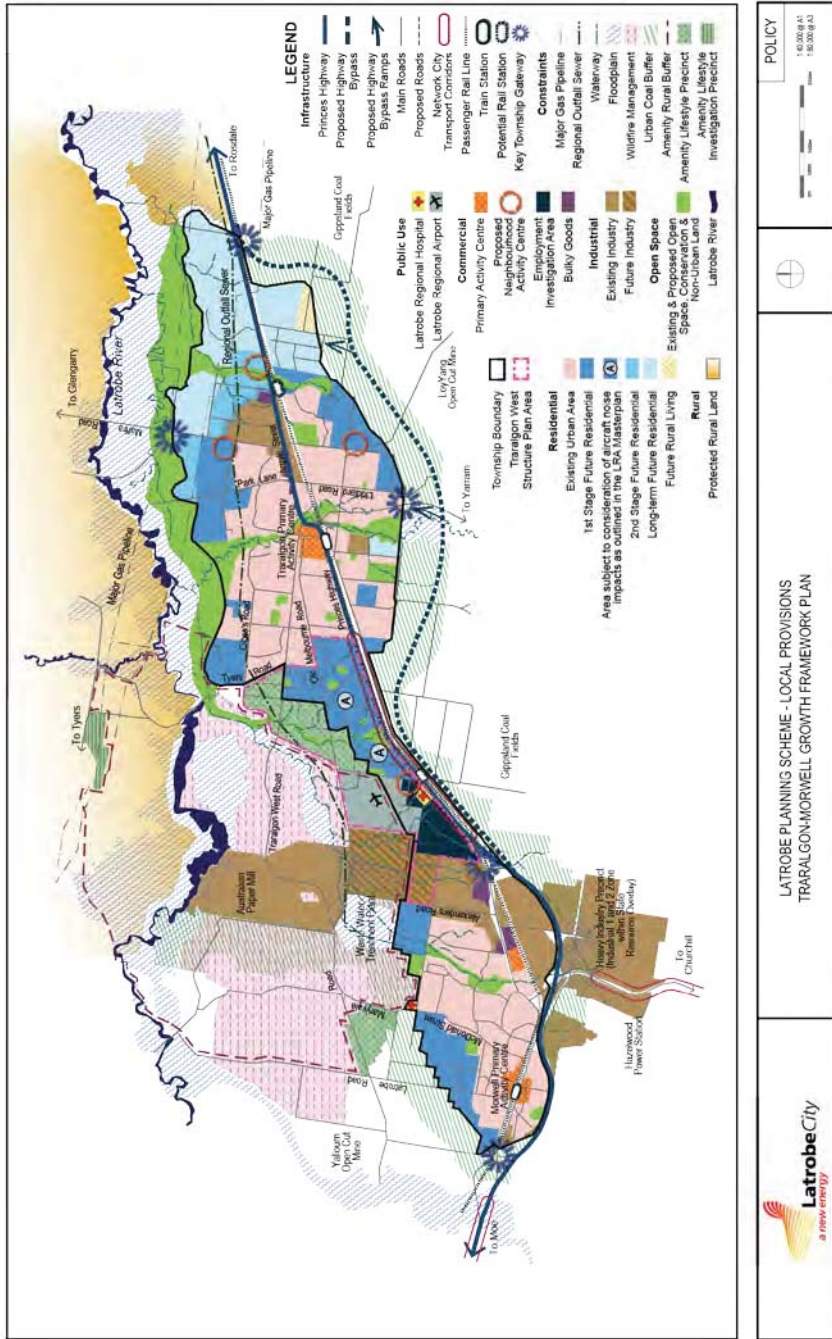
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Traralgon-Morwell Growth Framework Plan

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Churchill

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Churchill is approximately 160 kilometres from Melbourne and has a population of 4,700 people. Churchill was originally designated as one of the major growth towns for the

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region in the 1960^s that was planned to accommodate in excess of 30,000 people. The overall growth within Latrobe City is placing increased pressure on existing centres, particularly Traralgon; increasingly Churchill offers the potential to provide an alternative residential address in a well serviced township. -Churchill is identified as a supporting network town on the Strategic Framework Plan and continues to operate as a local service centre, although its industry, retail and commercial activity is smaller in comparison to the other major towns in the municipality, with many people travelling to the other centres for goods and services.

Significant infrastructure has been invested in the town in anticipation of planned growth. It is now estimated that Churchill has a sufficient long term supply of residential land. Major water and hydraulic infrastructure services exist, in addition to two State primary schools, a State secondary school and a non-government school. The town contains significant education providers servicing the wider region, anchored by the Gippsland campus of Federation University and the Gippsland Education Centre.

Churchill is part of Gippsland's regional city under the *Gippsland Regional Growth Plan* where urban and population growth and regional infrastructure and service investment is encouraged.

Vision

- ~~Recognise~~ Acknowledge Churchill's role as part of Gippsland's regional city that achieves greater integration across the four centres of Churchill, Moe-Newborough, Morwell and Traralgon to support them functioning as a single urban system.
- Support Churchill's role as a University town.
- Support Churchill's contribution to the diversity of residential land and housing supply.

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Local area implementation

- Facilitate development in accordance with the Churchill Town Structure Plan (CTSP) and Churchill Housing Framework Plan (CHFP).

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Residential

- Encourage medium density residential development in CTSP Area 4.
- Encourage mixed use residential developments along the proposed east-west connection (activity spine) between Churchill Town Centre and Federation University.
- Encourage residential development of CTSP Areas 5, 6, 8 and 11.
- Encourage development of CTSP Area 10 for residential or research/education purposes.
- ~~Where available, retain large farming lots along the eastern Township Boundary (CTSP Area 7) to enable future residential growth with sufficient lot density that can further the township objective to increase the intensity of land development around the inner core of the township.~~
- Review the future township boundary around CTSP Area 7 when rezoning CTSP Area 7 for future residential development.
- Encourage residential development, including medium density development in accordance with locations identified in the CHFP.

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Commercial

LATROBE PLANNING SCHEME

- Encourage the development of new retail and office developments within the Churchill Town Centre and new retail and office developments and residential mixed use along the east-west link (activity spine) between the Churchill Town Centre and Federation University.
- Implement the *Churchill Town Centre Concept Plan*, the recommendations of the *Churchill Town Centre Plan* and the *Churchill East West Link Master Plan* including encouraging the consolidation of existing and future commercial uses; and a strengthened east-west link between the existing Churchill commercial precinct and the Federation University Gippsland Campus.
- Encourage all new retail or commercial development in the Churchill Town Centre to be consolidated within the existing centre.

Industrial

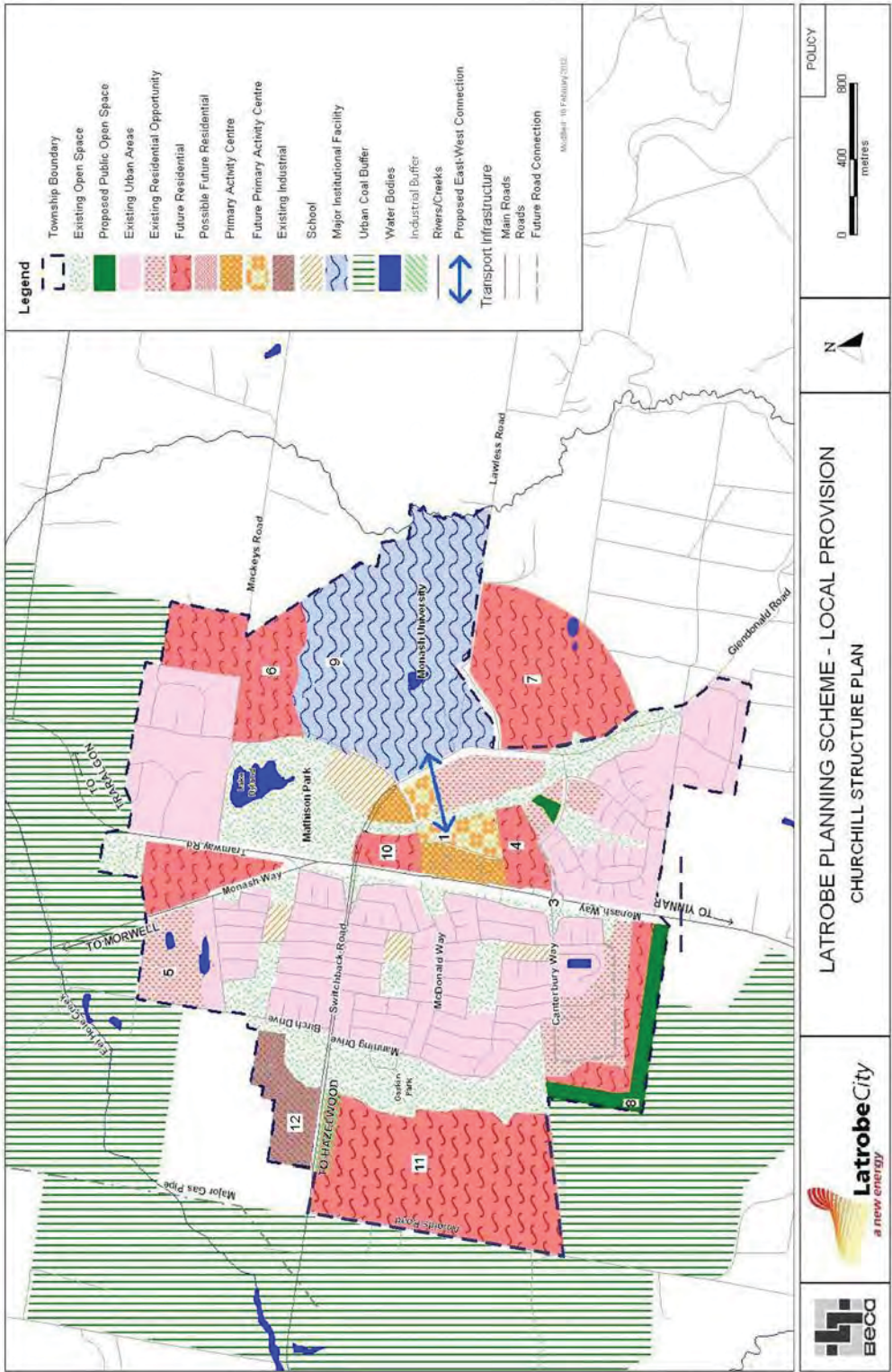
- Encourage new industry to locate within the underutilised industrial precinct in the north-west of Churchill.
- Protect industry in CTSP Area 12 from the encroachment of sensitive uses that may result in conflicts and impact on industry operations.

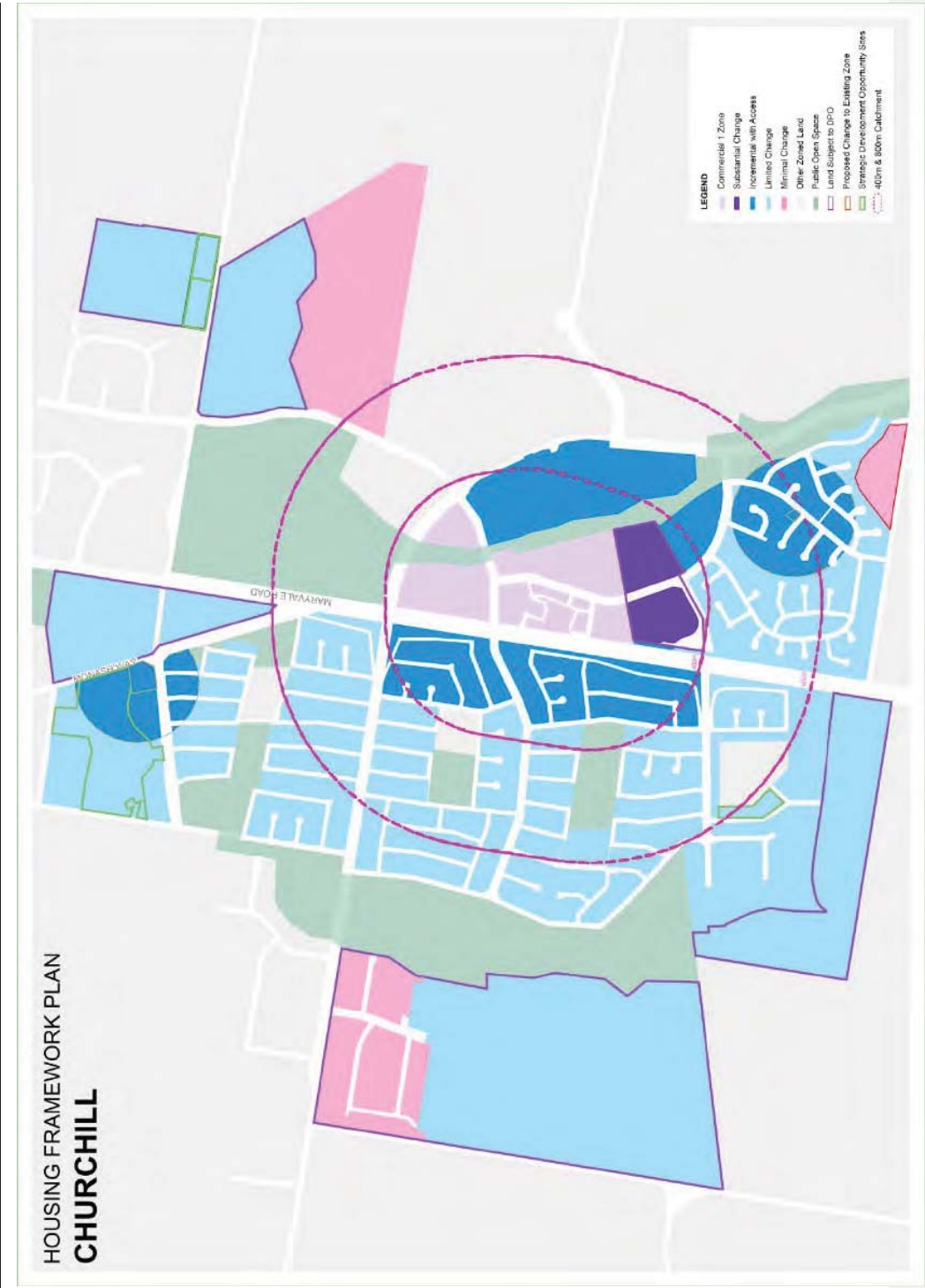
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Churchill Town Structure Plan

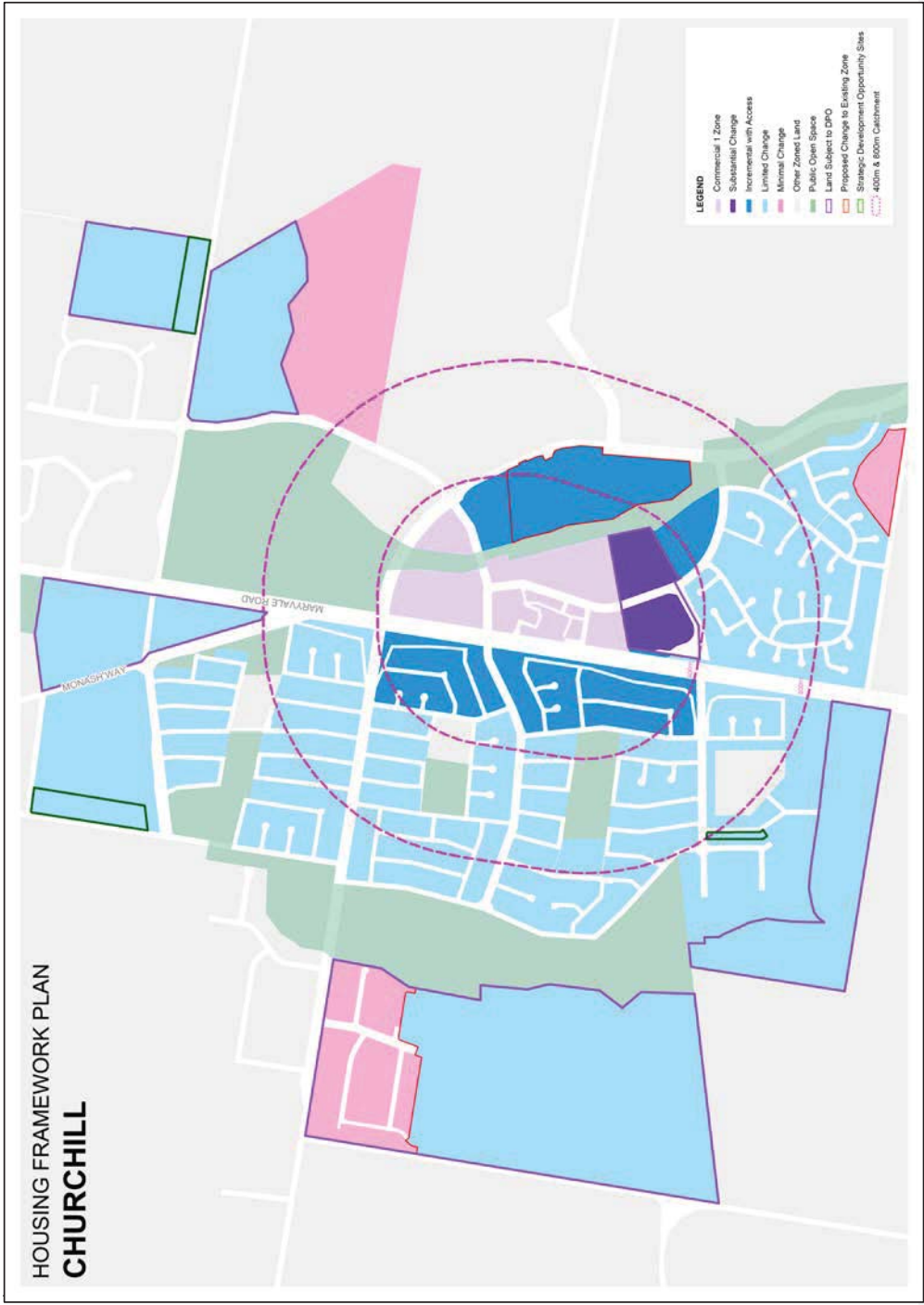
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Churchill Housing Framework Plan

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Churchill Town Centre Concept Plan

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Moe-Newborough

The Moe and Newborough urban areas are joined, are adjacent to one another and this creates a single urban settlement of 16,400 people that is serviced by the Moe Activity Centre. It Moe-Newborough is situated on a key tourist route to the Great Dividing Ranges and the historic town of Walhalla. Moe-Newborough is only 130 kilometres from Melbourne and has the potential to act as a peri-urban settlement. It Moe-Newborough is the first of the four major towns within the Latrobe Valley from Melbourne and consequently is identified as the 'Gateway to Latrobe'. The Strategic Framework Plan identifies Moe-Newborough combined as supporting network towns.

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The Master Plan for the Moe Rail Precinct Revitalisation Project seeks to redevelop the Rail precinct into a community hub for activity, which incorporates the principles of transit-oriented development that are encouraged under the *Moe Activity Centre Plan*.

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Moe-Newborough is part of Gippsland's regional city under the *Gippsland Regional Growth Plan* where urban and population growth and regional infrastructure and service investment are encouraged.

Vision

- Recognise Moe-Newborough's role in as part of Gippsland's regional city integrating that achieves greater integration across the four centres of Churchill, Moe-Newborough, Morwell and Traralgon to support them functioning as a single urban system.
- Support the function of Moe-Newborough as one of the region's key service centres.
- Support Moe-Newborough as an attractive peri-urban lifestyle option close to Melbourne.

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Local area implementation

- Facilitate development in accordance with the Moe-Newborough Town Structure Plan (MNTSP) and Moe-Newborough Housing Framework Plan (MNHFP).

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Residential

- Encourage residential development along Narracan Drive (MNTSP Area 7).
- Encourage residential development to the east of Narracan Creek (MNTSP Area 10) which is to be sensitive to the Narracan Creek environment.
- Future land uses and zoning in MNTSP Area 3 should be investigated subsequent to a detailed assessment of industrial land requirements for Moe-Newborough as part of an industrial strategy.
- Encourage higher density and diversity of housing within the Transit City precinct and around activity centres (MNTSP Area 11) and neighbourhood clusters in Moe and Moe and Newborough Newborough as shown by the Housing Framework Plan.
- Encourage residential development in MNTSP Areas 5, 8 and 13 in accordance with the relevant Development Plan Overlay.
- Encourage residential development in MNTSP Area 14 in accordance with the Lake Narracan Precinct Structure Plan, March 2015.
- Review the future township boundary around MNTSP Area 12 upon detailed consideration when rezoning Area 12 for future residential development.

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Commercial

- Establish Neighbourhood and Local Activity Centres in key locations as outlined in the Moe Structure Plan ~~and the~~ and the Lake Narracan Precinct Structure Plan, March 2015. Only encourage basic goods, services, community services and facilities in these centres.
- Encourage new retail, office and residential mixed use developments within Moe Primary Activity Centre (MNTSP Area 11).
- Restrict the development of new retail, and office use outside of the Primary Activity Centre, other than the redevelopment of the former Moe Hospital site.
- Implement the following aspects of the Moe Activity Centre Plan:
 - The Moe Station Precinct Revitalisation.
 - The Moe Integrated Bus Interchange.
 - The Moore Street upgrade as the primary shopping centre in the town.
 - The Clifton Street car park inclusive of facilitating new development which fronts it.
 - The Hasthorpe Place Precinct inclusive of high amenity pedestrian access.
 - Improve pedestrian, cycle movements, and visual landscape character at and around the Roundabout Overpass.
 - Implement the Clifton Street Precinct Urban Design Guidelines.

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Industrial

- ~~Investigate future land uses and zoning in MNTSP Area 3 for transition to uses compatible with their site, surrounds, town entrance position and local amenity.~~
- ~~Review the existing industrial MNTSP Area 3, with a view to confirming the role and viability of these areas as service industrial development or conversion to residential development.~~
- Provide a sensitive interface as part of any future industrial development adjoining vegetation (MNTSP Area 2) that ensures the environmental values of the vegetation are ~~is~~ maintained.
- Protect industry in MNTSP Area 1 from residential encroachment, that may result in interface conflicts and impact on industry operations.
- Investigate flooding impact upon land designated as having industrial opportunities.

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Rural

- Retain large farming lots along the eastern and north-western sides of the town boundary.
- Encourage Baw Baw Shire Council to retain land adjacent to the township of Moe as farming to enable future westerly township boundary extensions.

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Infrastructure

- Expand the network of on and off road cycling paths across Moe.
- Encourage an alternative 'landmark use', such as a convention centre, at MNTSP Area 6 which complements the Botanical Gardens.
- Maintain and enhance the township gateways, with a particular emphasis on the western entrance to Moe (MNTSP Area 4).

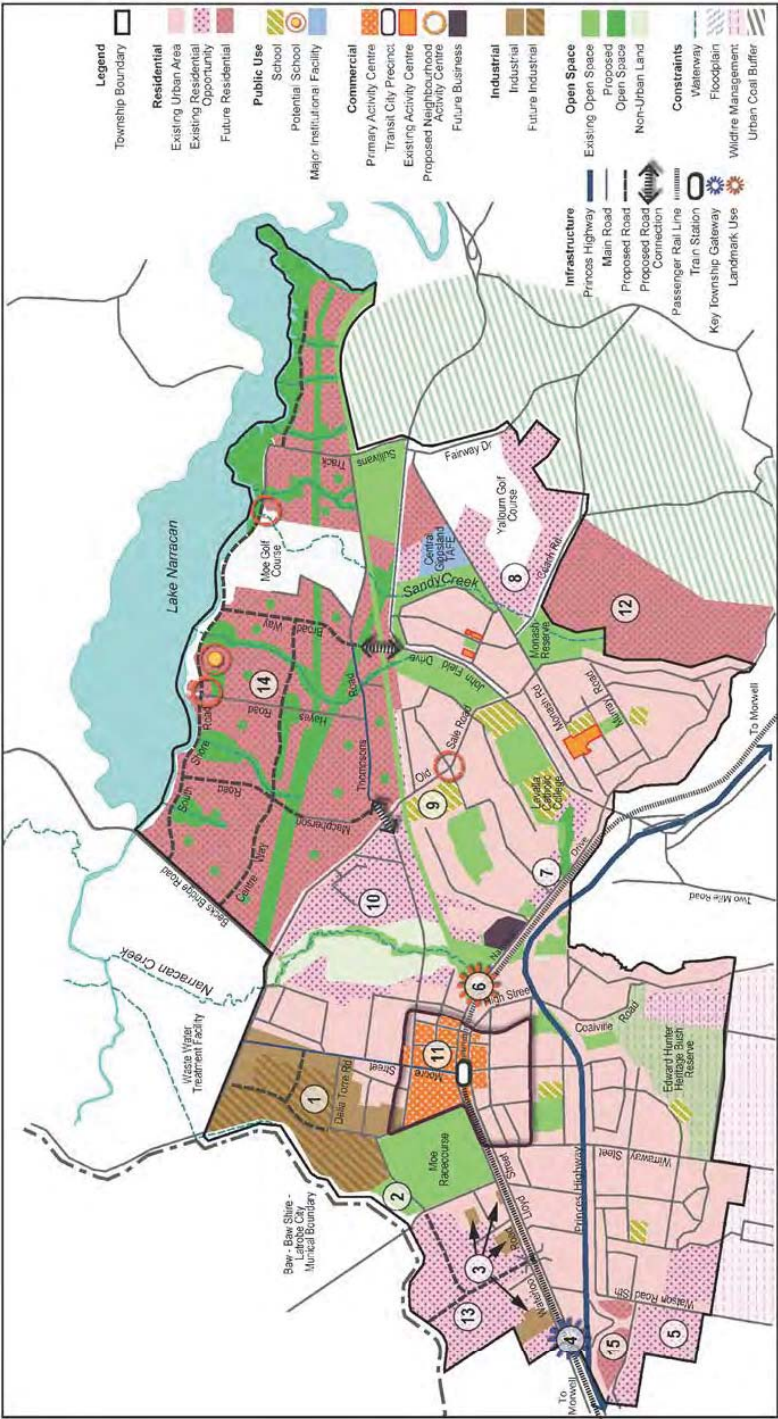
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LATROBE PLANNING SCHEME

- Provide for public open space connections from Narracan Drive through MNTSP Area 7 and connecting to John Field Reserve.
- Ensure the delivery of planned infrastructure for major roads, intersections, bicycle paths, sports facilities through implementation of the *Lake Narracan Development Contributions Plan, March 2015*.

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Moe - Newborough Town Structure Plan





LATROBE PLANNING SCHEME - LOCAL PROVISIONS
MOE - NEWBOROUGH STRUCTURE PLAN

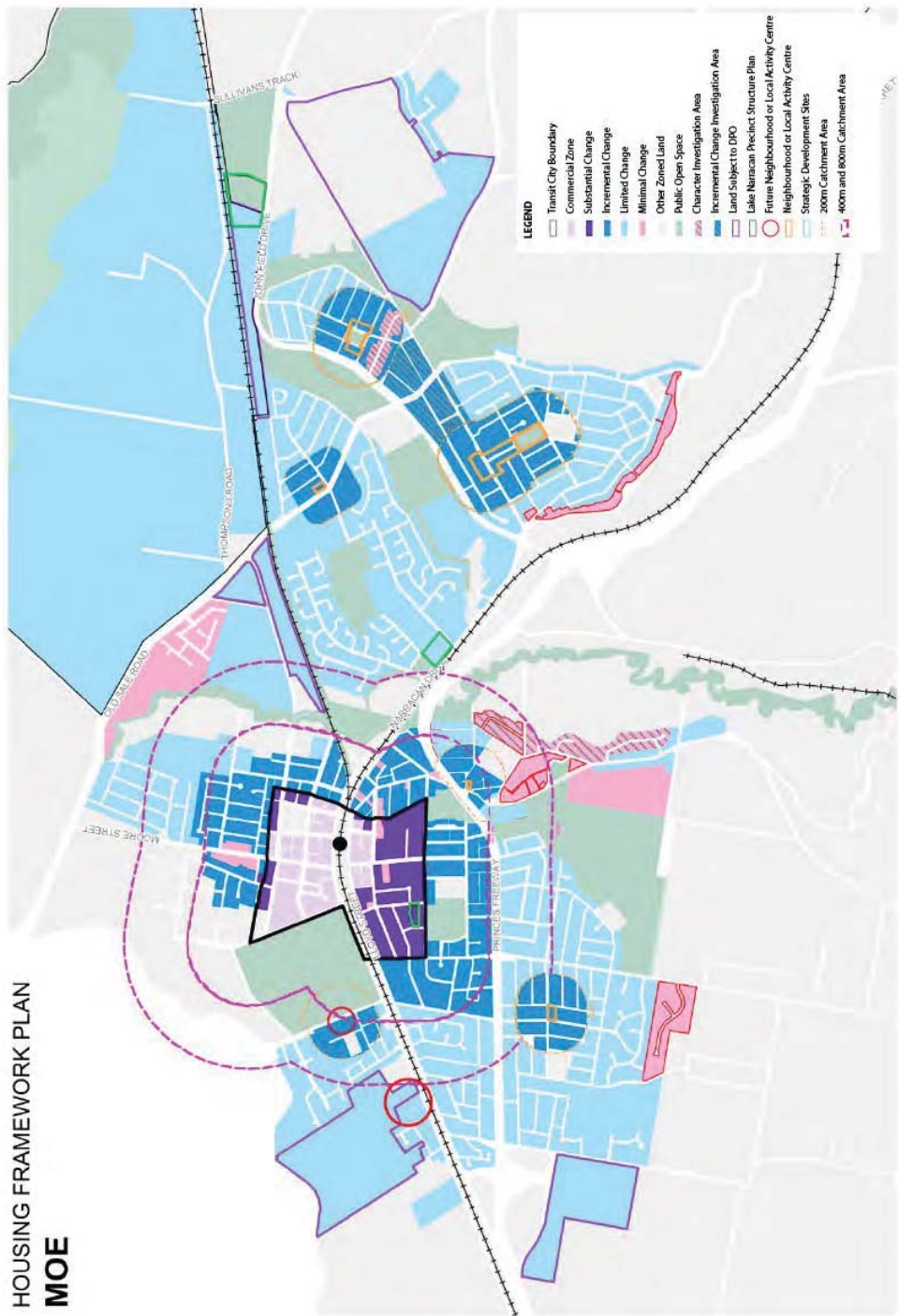
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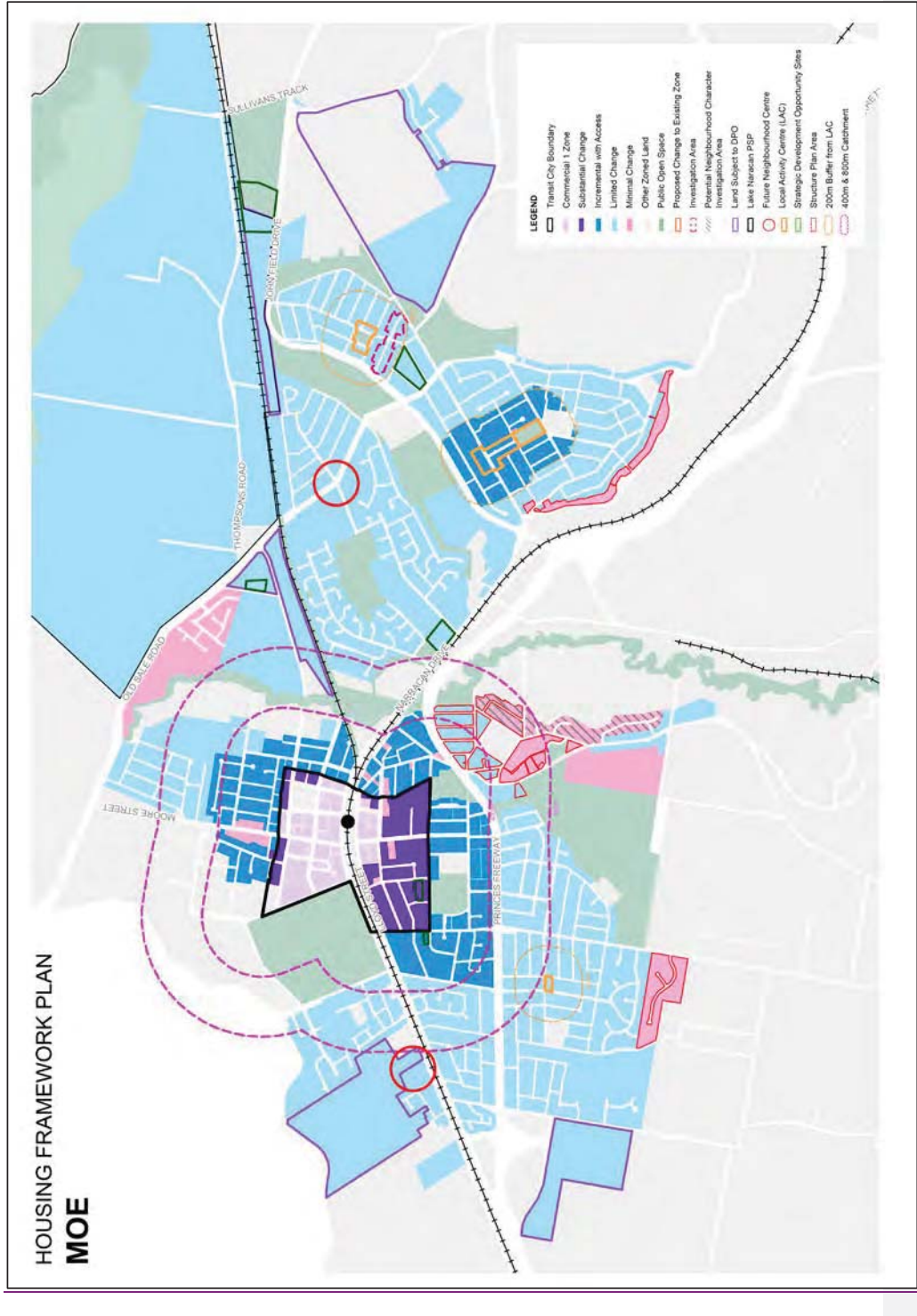


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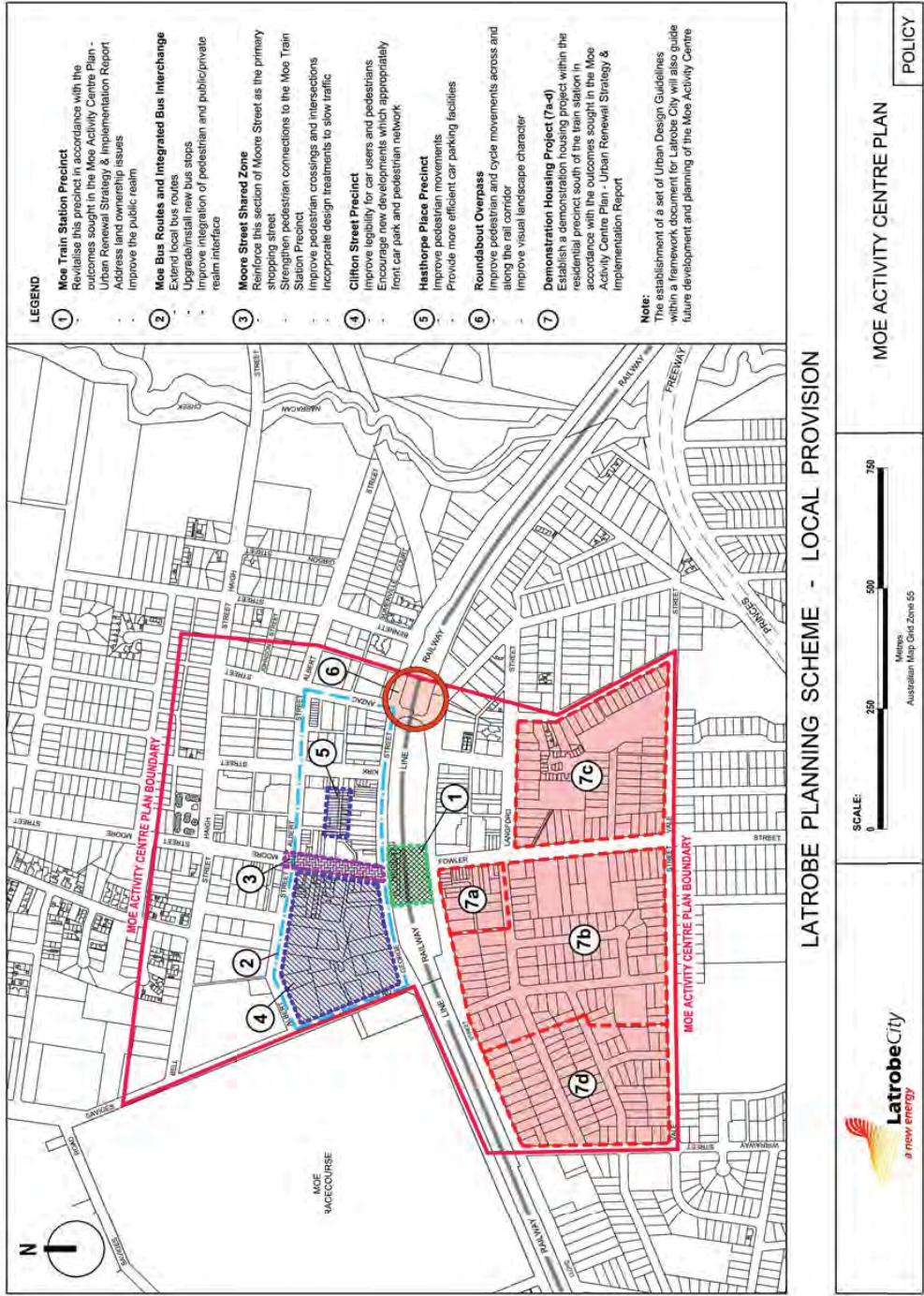
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Moe-Newborough Housing Framework Plan





Moe Activity Centre Plan



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Morwell

Morwell is the central town to Latrobe City and has a population of 13,700. To the north of Morwell ~~is~~are the Latrobe River and the foothills of the Great Dividing Range, to the south ~~are~~is the Strzelecki Ranges and Churchill. To the east of Morwell is Traralgon and to the west ~~is~~are Moe and Melbourne. The Princes Freeway and Gippsland Railway connect Morwell to Traralgon, Moe and Melbourne. Relative to Melbourne, Morwell is the second of the four main towns within Latrobe City and is approximately 150 kilometres from Melbourne.

Morwell, combined with Traralgon, is identified as the primary population centre by the Strategic Framework Plan. It accommodates transport services (experiencing significant rail patronage in a regional context), government services, manufacturing, power and other industrial activities.

Morwell has two retail centres, the traditional town centre and Mid Valley shopping centre to the eastern its south-eastern fringe. Major industry is located in and around Morwell, with significant opportunity to locate large format heavy industries to the south of the Princess Highway. Industrial Zoned land to the east of the township and as such also has access ~~access~~ to infrastructure and services which support the establishment of a function of higher level research, manufacturing, food processing and specialist ~~specialist~~ service industry and transport/distribution capabilities.

Morwell is part of Gippsland's regional city under the *Gippsland Regional Growth Plan* where urban and population growth and regional infrastructure and service investment are encouraged.

Vision

- Support the function of Morwell as one of the region's key commercial and government office centres.
- Support the function of the Morwell- Maryvale Industry Growth Corridor as the centre for large format and heavy industries, manufacturing and logistics.

Local area implementation

- Facilitate development in accordance with the Morwell Town Structure Plan (MTSP) and Morwell Housing Framework Plan (MHFP).

Residential

- Facilitate the orderly planning of Area 1 generally bounded by Maryvale Road, Latrobe Road, Crinigan Road and Holmes Road for residential development.
- Encourage the development of MTSP Area 1 in accordance with the Morwell North-West Development Plan.
- Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan.
- ~~Where appropriate, mitigate flooding and encourage residential development within MTSP Areas 4 and 7.~~
- ~~Future land uses and zoning in MTSP Area 8 should be investigated subsequent to a detailed assessment of industrial land requirements for Morwell as part of an industrial strategy.~~
- Encourage higher density housing within the Transit City Precinct and ~~de~~ Neighbourhood Activity Centres.
- Discourage rezoning that would result in further subdivision of Farming Zone and Special Use Zone land within the Amenity Rural Buffer and the Amenity

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LATROBE PLANNING SCHEME

Lifestyle Precinct (MTSP Area 11), due to the close proximity to the Australian Paper Mill.

- ~~Discourage increased housing densities south of Commercial Road (Area 13), should until the completion of rehabilitation works to northern batter of the Hazelwood mine area.~~

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Commercial

- ~~Discourage further development and/or replacement of existing businesses within MTSP Area 2.~~
- Encourage Neighbourhood and Local Activity Centres in key locations as outlined in the Morwell Structure Plan and only encourage basic goods, services, community services and facilities in these centres.
- Encourage new retail, office and residential mixed use developments within Morwell Primary Activity Centre (MTSP Area 3) and Mid-Valley (MTSP Area 5)
- Discourage new retail, office development outside of the Morwell Primary Activity Centre (MTSP Area 3), Mid-Valley (MTSP Area 5) and Princes Drive, Morwell (MTSP Area 10).
- Encourage Restricted Retailing to locate within Mid-Valley (MTSP Area 5) and Princes Drive, Morwell (MTSP Area 10).

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Industrial

- ~~Investigate future land uses and zoning in MTSP Area 2 and 8 for transition to uses compatible with the site, -surrounds, town entrance position and local amenity expectations.~~
- ~~Review the existing industrial area (MTSP Areas 8), to confirm the role and viability for industrial development or conversion to residential development.~~
- Provide a buffer along the western edge of the industrial precinct in MTSP Area 6.
- ~~Encourage the establishment of new large format industries including heavy industry, food and fibre processing within the Morwell – Maryvale Industry Growth Corridor (Area 6, 9 & 12).~~
- ~~Encourage uses along the eastern boundary and Industrial 1 3-uses in Area 6 and the provision of open space and vegetation to screen industry from proposed and potential future residential areas along the western boundaries of the industrial precinct and for open space and vegetation to screen industry from proposed and potential future residential areas.~~
- ~~Discourage land use and development that may jeopardise the long term expansion of industrial land to the north of Area 6.~~
- Protect industry in MTSP Area 6, and 9 and 12 from residential encroachment that may result in interface conflicts and impact on industry operations.
- Investigate flooding impact upon land designated as having existing industrial opportunities in MTSP Areas 6 and 9.
- Where appropriate, encourage the development of new industry within MTSP Area 6 and 9 that is sensitive to existing creeks.

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Infrastructure

- Investigate rail connections to the proposed Gippsland Intermodal Freight Terminal south of Mid-Valley.

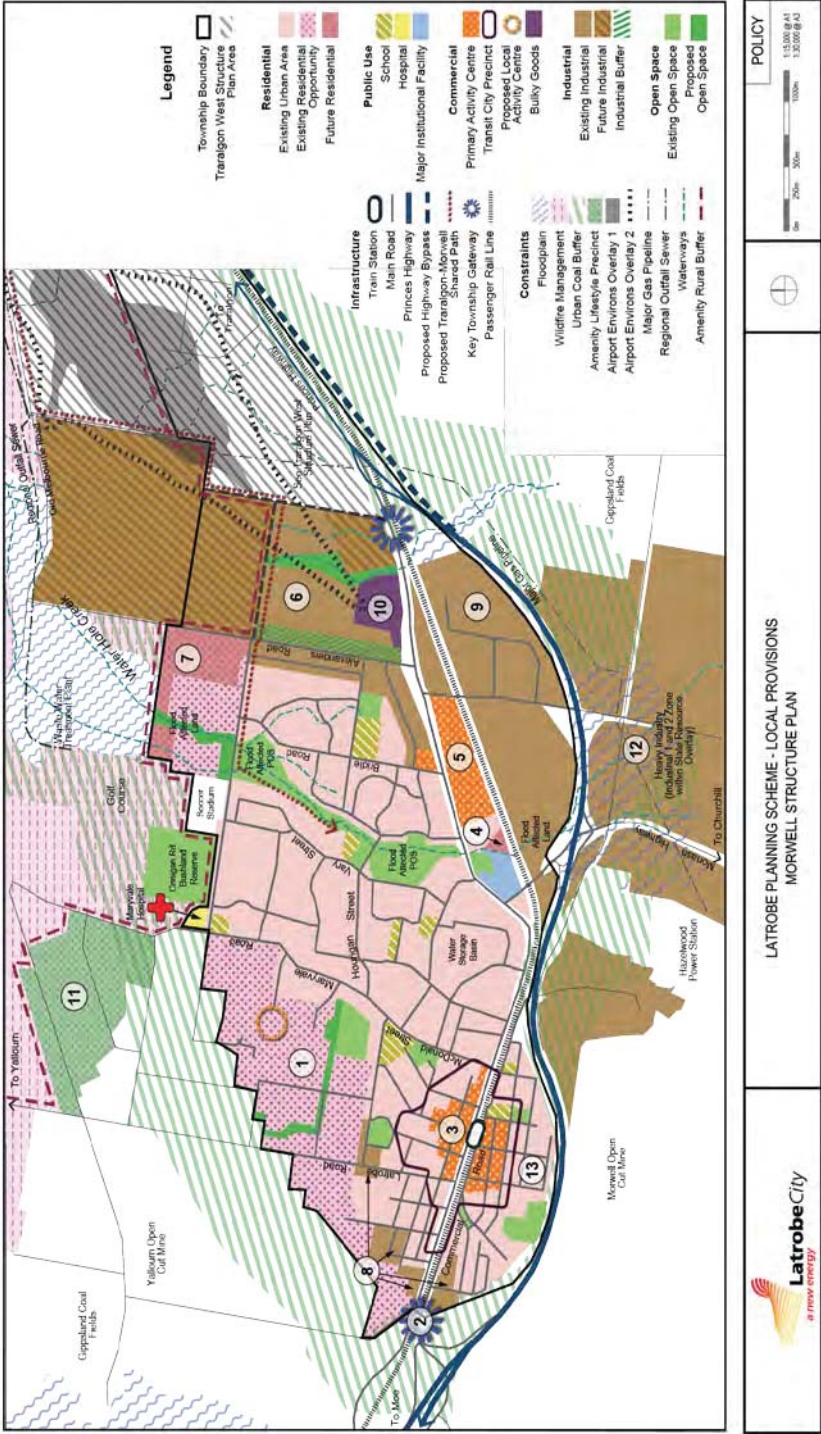
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LATROBE PLANNING SCHEME

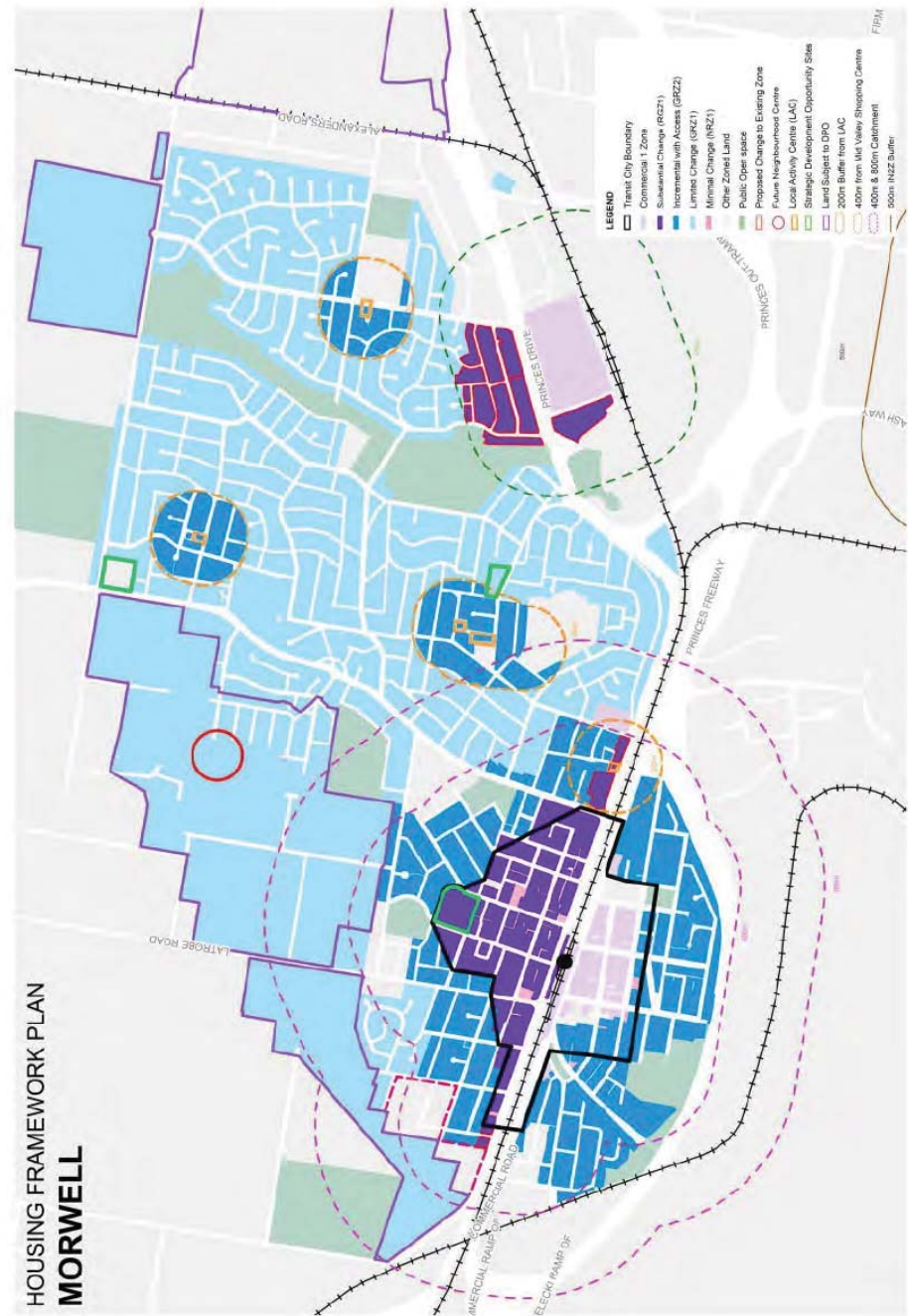
- Expand the network of on and off road cycling paths across Morwell.
- Maintain and enhance the township gateways, with a particular emphasis on the western entrance to Morwell (MTSP Area 2).
- Implement the *Car Parking Framework Review Traralgon & Morwell 2014*.

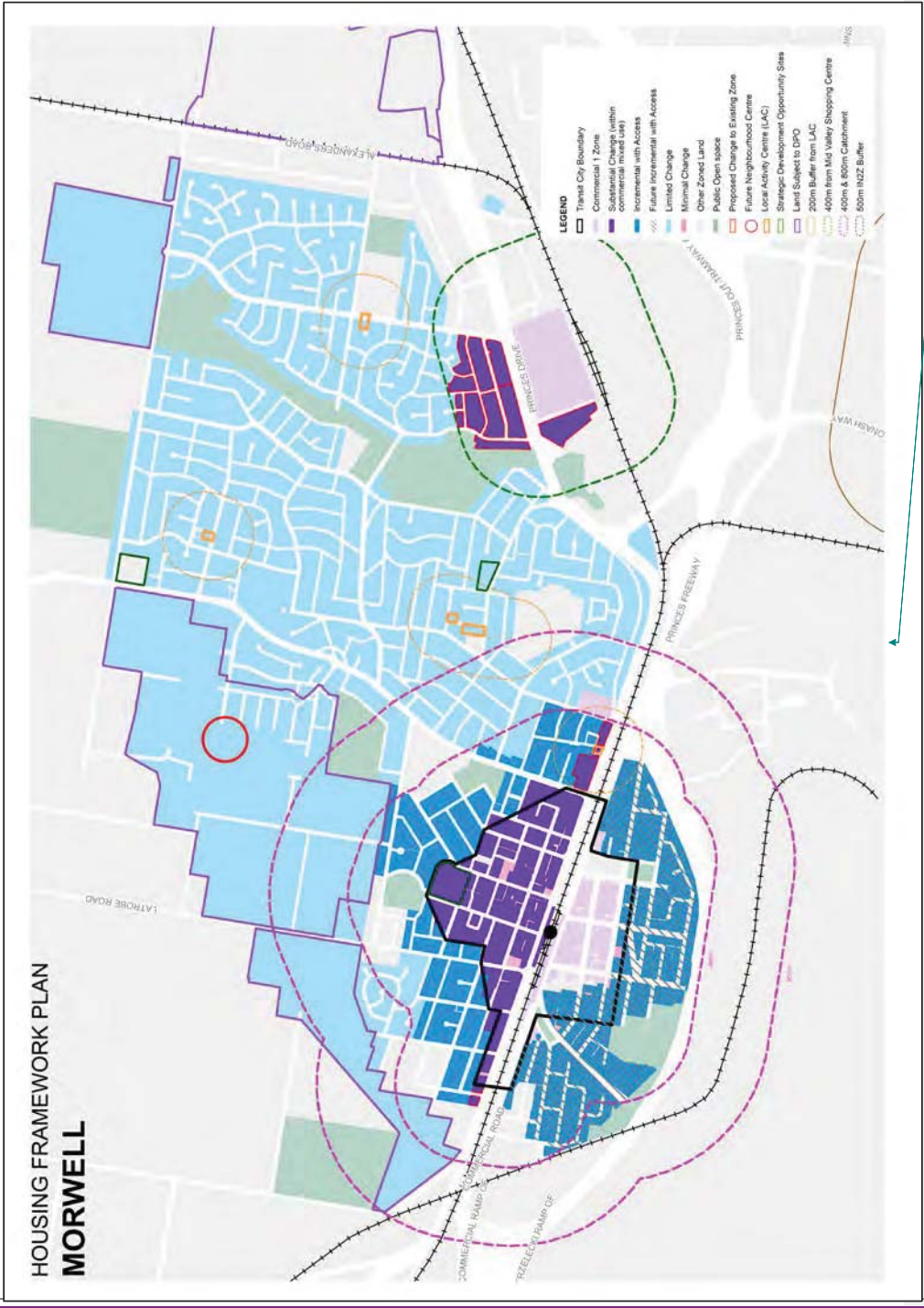
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Morwell Town Structure Plan



Morwell Housing Framework Plan





21.09-56**Traralgon**

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Traralgon is the largest of the four main towns in Latrobe City and has a population of approximately 26,700. To the north of Traralgon are the Latrobe River and the foothills of the Great Dividing Range; to the south is the Strzelecki Ranges. The Princes Freeway and Gippsland Railway connect Traralgon to Morwell, Moe and Melbourne. Relative to Melbourne, Traralgon is the last of the four main towns within Latrobe City and is approximately 160 kilometres from Melbourne.

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~~The Strategic Framework Plan identifies Traralgon, combined with Morwell, as the Primary Population Centre in Latrobe City.~~ Over recent years, Traralgon has experienced higher population and urban growth compared to ~~than the~~ other Latrobe towns and according to population forecasts, ~~that this~~ trend is expected to continue. Traralgon has both a role in ~~the~~ provision of goods and services to its local community as well as the wider population of ~~the~~ Latrobe City and the surrounding region.

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Traralgon is part of Gippsland's regional city under the *Gippsland Regional Growth Plan* where urban and population growth and regional infrastructure and service ~~investment~~ ~~are investment are~~ encouraged.

Vision

- ~~Recognise Acknowledge~~ Traralgon's role as part of Gippsland's regional city ~~and the primary population centre of Latrobe City.~~
- To continue to build on Traralgon's strength as one of the key regional commercial centres of Gippsland.

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Local area implementation

- Facilitate development in accordance with the Traralgon Town Structure Plan (TTSP) ~~Traralgon Housing Framework Plan (THFP).~~

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Residential

- Resolve any Environmental Significance Overlay Buffer conflicts along the southern boundary of Traralgon and assess its impact on the southern area of Traralgon.
- Seek the views of the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* regarding the assessment of geotechnical risk within 2,000 metres from the crest of the mine around the southern boundary of Traralgon prior to supporting the rezoning of land, subdivision, or an increase in dwelling density in TTSP Areas 5, 12b and 21.
- Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan.
- Mitigate flooding and encourage residential development in TTSP Areas 1, 2, ~~3~~, 3, 4, 6 and 7 in the short term.
- In the longer-term, encourage residential intensification of land zoned rural living in TTSP Area 12a and facilitate the orderly planning of Area 11, 13 and 19 for residential development with an appropriate interface with the Major Gas Pipeline.
- ~~Use to the, including residential and mixed use developments.~~
- In the medium-term, facilitate the orderly planning of TTSP Areas 9 and 10 for residential development with an appropriate interface with the Major Gas Pipeline and buffer to industrial zoned land.
- Encourage higher density ~~and diverse~~ housing within the Transit City Precinct and existing and future ~~Neighbourhood~~ Activity Centres in Traralgon.

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- Investigate opportunity for open space, walking and cycle trails, recreation and conservation uses in the area north of Traralgon (TTSP Area 14) bounded generally by Latrobe River to the north and Traralgon urban area to the south
- Discourage rezoning that would result in further subdivision of Farming Zone and Rural and Rural Living Zone land within the Amenity Rural Buffer, due to its close proximity to the Australian Paper Mill.

Commercial

- Establish Neighbourhood and Local Activity Centres in key locations as outlined in the TTSP and encourage basic goods, services, community services and facilities in these clusters.
- Encourage the development of new retail, office and residential mixed use developments within Traralgon Primary Activity Centre (TTSP Area 15) and Argyle Street (TTSP Area 15).
- Discourage significant new retail and office development outside TTSP Area 15, Argyle Street (TTSP Area 16) and Princes Highway and Stammers Road (TTSP Area 18).
- Encourage Restricted Retailing to locate within Argyle Street (TTSP Area 16) and Stammers Road (TTSP Area 17).
- Encourage increased densities and vertical growth of Traralgon's Primary Activity Centre (TTSP Area 15) to support the growth of the office sector.
- Discourage dispersion of the office sector.
- Support the development of the land generally bounded by Grey Street, Franklin Street and the Traralgon Creek for mixed use purposes (TTSP Area 18).
- Support the development of a Neighbourhood Activity Centre on the corner of Traralgon Maffra Road and Marshalls Road (TTSP Area 11) in accordance with the Traralgon North Neighbourhood Activity Centre Development Plan to meet the local convenience needs of the local area.

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Industrial

- Encourage the early transition of industrial land uses in the southern parts of the Transit City Precinct and Area 8a to enable the conversion of land to uses that will benefit from the close proximity to the Traralgon Activity Centre.
- Explore options in TTSP Area 19 for industrial uses with an appropriate buffer to existing and future residential and rural living uses to the west and south.
- Protect industry in TTSP Area 20 from encroachment of sensitive uses, that may result in conflicts and impact on industry operations, particularly with the development of residential uses to the north and east.
- Seek the views of the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* regarding the assessment of geotechnical risk within 2,000 metres from the crest of the mine around the southern boundary of Traralgon prior to supporting the rezoning of land in TTSP Area 19.

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Rural

- Retain large farming lots to the east of the existing urban area of Traralgon until land is required for urban development, should that be strategically justified.
- Investigate rezoning of existing farming zoned land currently used for rural living purposes to a rural living zone (TTSP Area 21).

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Infrastructure

- ~~Connect~~ ~~Inter-connect~~ Traralgon's network of on and off road cycling paths.
- Explore the feasibility of extending the east-west road links over Traralgon Creek north and south of Princes Highway.
- Ensure that future decisions regarding the Environmental Significance Overlay Schedule 1 and rezonings are informed by geotechnical monitoring data.
- Protect the designated alignment for the Traralgon Highway Bypass. Investigate route options for traffic, especially large vehicles, entering Traralgon from the south-east route to the town centre and industrial precincts.
- Consider the impact of the proposed Highway Bypass and Bypass Ramps when planning for future development within TTSP Areas 12b, 19 and 21.
- Maintain and enhance the township gateway (TTSP Areas 22, 23, 24 and 25). In particular, the enhancement of Traralgon's southern entrance (TTSP Area 23) should be designed with consideration to the implications of the Traralgon Bypass Route.
- Support implementation of the recommendations of the Traralgon Train Station Master Plan, including Stage 1: ~~e~~Construction of a new bus interchange, plaza and station building; Stage 2: ~~w~~Works to ~~southside~~Southside commuter car park, ~~S~~southern ~~p~~Plaza and VRI Hall; and Stage 3: ~~d~~Development of residential and community facilities to the east and west of the ~~southside~~Southside commuter carpark.
- Implement the *Car Parking Framework Review Traralgon & Morwell 2014*.
- Protect and acknowledge the important operation of the Gippsland Water Regional Outfall Sewer while allowing ~~complimentary~~ compatible use and development around the sewer easement.
- Acknowledge that Gippsland Water's emergency storage facilities may have potential interface amenity issues with sensitive uses while allowing ~~complimentary~~ compatible use and development around these facilities.

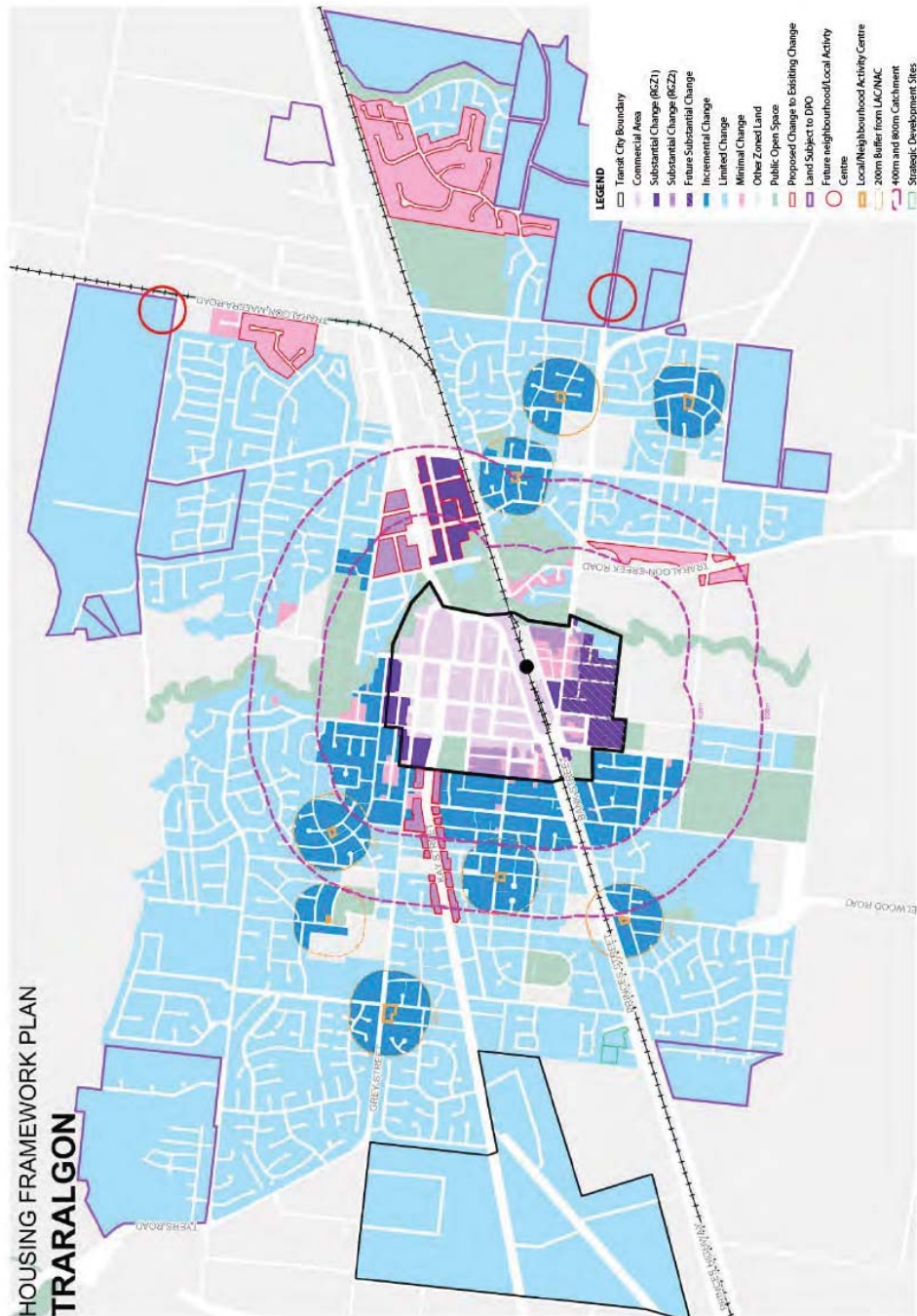
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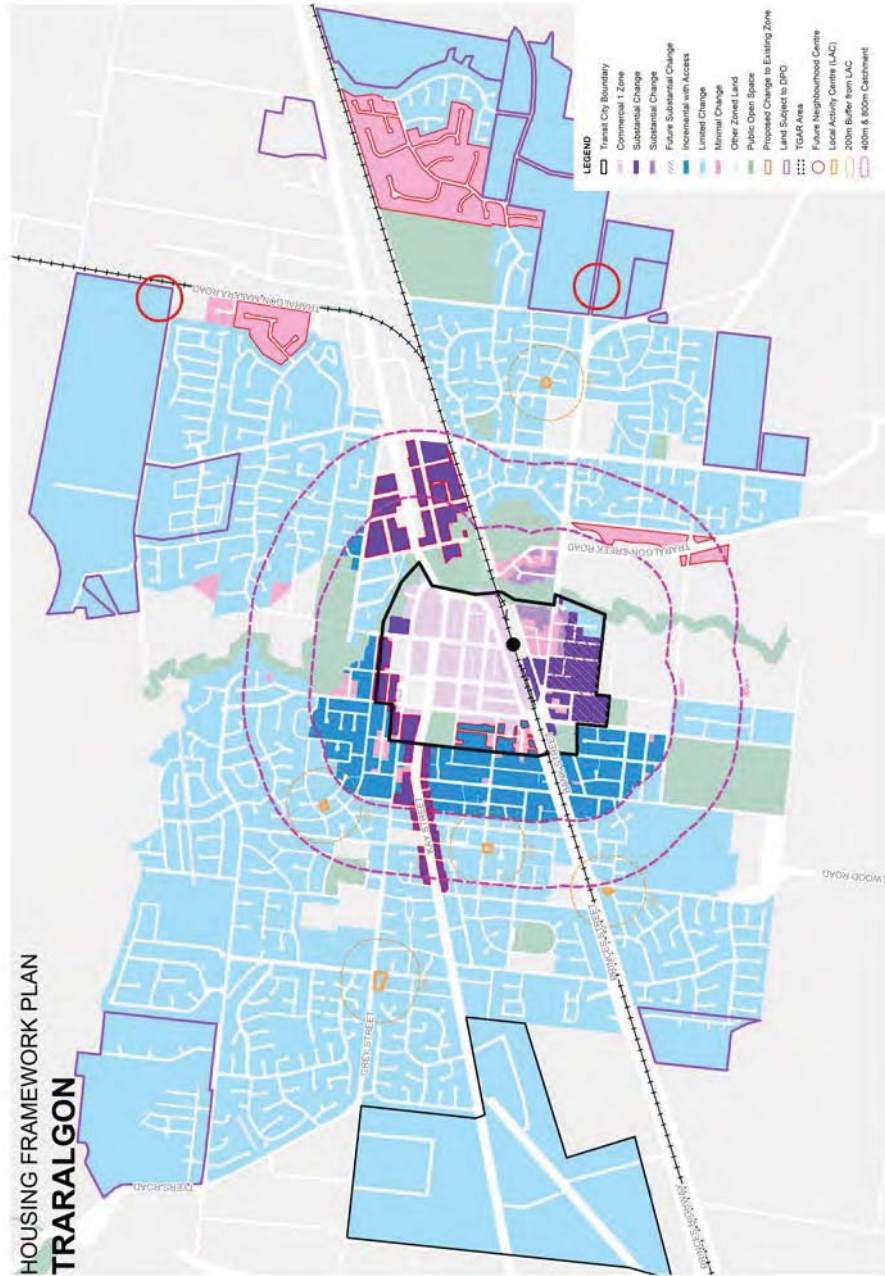
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Traralgon Housing Framework Plan





21.09-67 Specific Growth Corridor Strategies – Traralgon West

19/10/2017
G97
-Proposed
C105

Transport corridors form one of the key elements of the networked city concept. The Moe-Morwell, Traralgon-Churchill, Morwell-Churchill, and Morwell-Traralgon transport corridors facilitate the movement of people and goods within as well as to and from the municipality. The proposed Traralgon Bypass will protect and enhance the Morwell-Traralgon transport corridor by removing regional traffic. The capacity of the Morwell-Traralgon and Moe-Morwell transport corridors is enhanced by the passenger railway line which runs between these three towns and connects the region to Melbourne.

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Local area implementation

- Facilitate development in accordance with the Traralgon West Growth Corridor Structure Plan (TWGCSP).

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Residential

- Encourage future rezoning of Farming zoned land in TWGCSP Area 1 for medium density residential purposes.
- Encourage the future relocation of the Traralgon Golf Course (TWGCSP Area 2) and orderly development of the site for residential purposes.
- Encourage orderly development of low density residential and rural living land in TWGCSP Area 3 for residential purposes.
- Encourage creation of an open space corridor through TWGCSP Areas 1, 3 and 7 along the waterway incorporating the existing water body in Area 1.
- In TWGCSP Area 3, support retirement village, aged care and higher density residential developments in proximity to the Latrobe Regional Hospital.
- Consider integrated residential development on unconstrained land in TWGCSP Area 4 where it will not compromise the future employment uses in the area, is ancillary to a health, aviation or other employment use and is subject to consideration of aircraft noise impacts as outlined in the *Latrobe Regional Airport Master Plan* (as amended).
- Discourage rezoning that would result in further subdivision of Farming Zone and Rural Living Zone land within the Amenity Rural Buffer and the Amenity Lifestyle Precinct, due to its close proximity to the Australian Paper Mill.

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Commercial

- Encourage the development of a Neighbourhood Activity Centre close to the intersection of Princes Highway and Airfield Road that supports the Latrobe Regional Hospital, the future commercial land uses within the employment investigation area (TWGCSP Area 4) and future residents.
- The proposed Neighbourhood Activity Centre is encouraged to include an area of public open space in proximity to the Latrobe Regional Hospital to provide for the recreation needs of workers, residents and visitors in the area.
- Encourage the development of a Local Activity Centre near the intersection of Bradford Drive and Prices Highway in TWGCSP Area 1.
- Encourage proposals for employment intensive businesses that are compatible with the nearby Latrobe Regional Hospital and Latrobe Regional Airport associated with health and aeronautics in TWGCSP Area 4 and ensure that these proposed businesses have an appropriate interface treatment with the Major Gas Pipeline in the area.

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Industrial

- Provide a landscaped buffer along the western and eastern edges of the industrial precinct in TWSP Area 6 and the adjoining industrial precinct within the Morwell Structure Plan (Area 6).

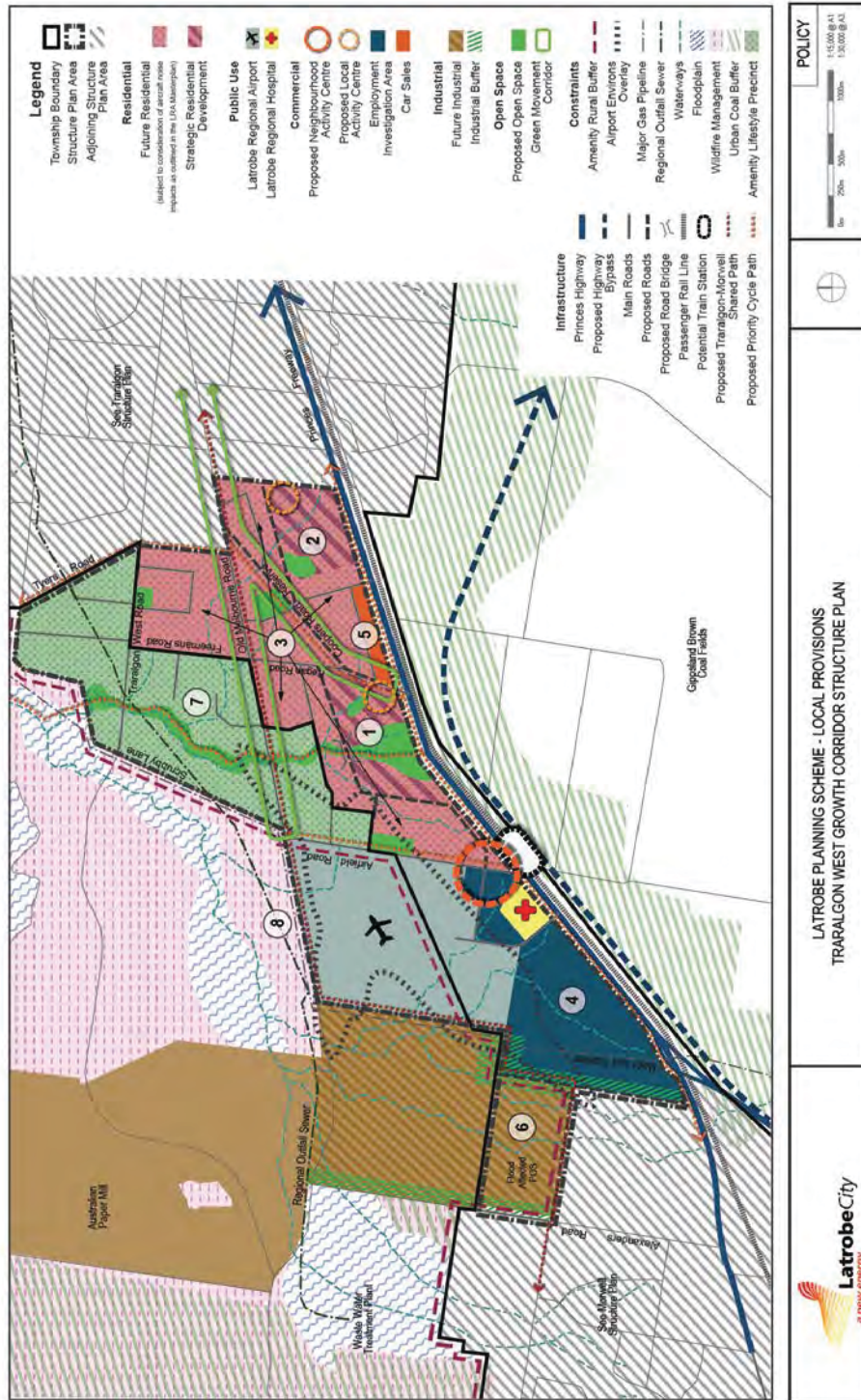
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Infrastructure

- Protect Latrobe Regional Hospital and support the intensification of health related uses on the hospital site or expansion into TWGCSP Area 4.
- Support the development of a new train station near the Latrobe Regional Hospital to service the Hospital, Latrobe Regional Airport, and future commercial and residential uses in the area.
- Encourage Princes Highway to continue to develop as a key transport corridor with high frequency bus services and new on-road cycle lanes.
- Encourage development of a highly permeable road network within the Structure Plan that provides legible connections through the precinct to key locations such as schools, public open spaces and activity centres. This road network will be based around new connector roads outlined in the Structure Plan.
- Encourage development of a new bridge along the northern boundary of TWGCSP Area 1 across the main drain.
- Encourage development of a high amenity green movement corridor along Old Melbourne Road and the Coopers Road Reserve that incorporates pedestrian and cycle pathways, sections of the proposed Traralgon–Morwell shared path and important areas of native vegetation.
- Encourage development of a high amenity open space corridor through TWGCSP Areas 1, 3 and 7 along the main drain incorporating a shared path connecting to the broader proposed open space area to the north of Traralgon within the Latrobe River Floodplain.
- Acknowledge that Gippsland Water’s emergency storage facilities may have potential interface amenity issues with sensitive uses while allowing complementary use and development around these facilities.

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Traralgon West Growth Corridor Structure Plan



21.09-8 District and Small towns

19/10/2017
C97
Proposed
C105

The role of the smaller settlements is to add to the diversity of housing choices in Latrobe City as well as to be functioning as service centres for local communities. Each settlement should have an attractive and distinctive town centre.

Glengarry, Tyers, Yallourn North and Yinnar are district towns which serve as key retail and service centres for a moderate population base and hinterland, providing important alternative lifestyle opportunities within commuting distance of the larger centres.

Boolarra, Toongabbie and Traralgon South are small towns providing a limited range of educational, retail and recreation services for residents and the community in the surrounding rural areas.

Rural living precincts including Flynn, Jeeralang, Hazelwood North, Hazelwood South, Callignee and Moe South, comprising clusters of housing on small rural lots, with limited services. These areas support farming and rural living communities, providing an attractive lifestyle choice in a rural setting. While Whilst a number of residents from these small towns and surrounding rural living areas work in the nearby main towns of Latrobe City, the residents often utilise the shops, schools and community facilities provided locally.

Small Town Structure Plans for Boolarra, Glengarry and Tyers have been prepared to guide future land use and development towards 2023. This includes medium density housing opportunities, commercial and community facilities and services. Structure Plans are to be prepared for Toongabbie, Traralgon South, Yallourn North and Yinnar, to guide future growth and development opportunities in response to community needs.

Urban infill and diversification of housing choice are also relevant for the small towns in the municipality, to make efficient use of existing infrastructure (where present) and to enable residents to remain in their town whatever their housing need.

21.09-9 Objective 1

19/10/2017
C97
Proposed
C105

To facilitate development in settlements in accordance with Town Structure Plans and to preserve their unique attributes, valued by their communities.

Strategies

- 1.1 Retain, promote and preserve the rural residential atmosphere and residential service centre role of District and Small towns (s50).
- 1.2 Discourage the fragmentation of high quality agricultural land adjoining township boundaries to allow for future urban growth opportunities.
- 1.3 Encourage urban infill and diversification of housing choice within 200 metres of established Local and Neighbourhood Activity Centres as outlined by the Housing Framework Plans.
- 1.4 Encourage generous residential allotment sizes that respect the character of District and Small towns (s50).
- 1.5 Provide a visually attractive urban environment and enhance town entrances.
- 1.6 Encourage commercial development opportunities in and around town centres.
- 1.7 Encourage well-designed development that responds to local site conditions with regard to character, environmental and heritage values and existing community infrastructure.

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21.09-810 Boolarra

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Proposed
C105

Boolarra is a small town situated in the foothills of the Eastern Strzelecki Ranges approximately 40 kilometres south west of Traralgon and 160 kilometres east of Melbourne. The town has a population of 550 and is located at one end of the Grand Ridge Rail Trail, which extends through the Strzelecki Ranges from Mirboo North to Boolarra. The township has grown due to logging and dairy industries, which are still important today. The Boolarra township comprises of a primary school, pre-school and childcare facilities, a cluster of local shops, a police station, a hotel and sporting and recreation facilities.

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Vision

- Retain and promote Boolarra's rural atmosphere and residential service centre role.
- Provide a visually attractive urban environment and enhance town entrances.
- Provide a safe and effective road and path network that allows for convenient movement of vehicles, pedestrians and cyclists.

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Local area implementation

- Facilitate development in accordance with the Boolarra Town Structure Plan (BTSP) and Boolarra Housing Framework Plan (BHFP).

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Residential

- Ensure new developments close to town entrances enhance the visual amenity, with particular emphasis on the eastern entrance from Monash Way.
- Promote opportunities for infill development within the township boundary and encourage increased diversity in residential allotment sizes (BTSP Areas 3, 4, 5, 6 & 7).
- Investigate the potential for BTSP Area 5 to yield higher density residential development.
- Protect the development potential of land to the east of the township (BTSP Area 10) for possible future long-term urban growth.
- Rezone the hotel site to reflect existing use and to facilitate future development opportunities (BTSP Area 11).
- Encourage residential development in accordance with locations identified in the BHFP.

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Commercial

- Promote commercial activity in and around the primary activity centre (BTSP Area 1) and surrounding Township Zone.

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Infrastructure

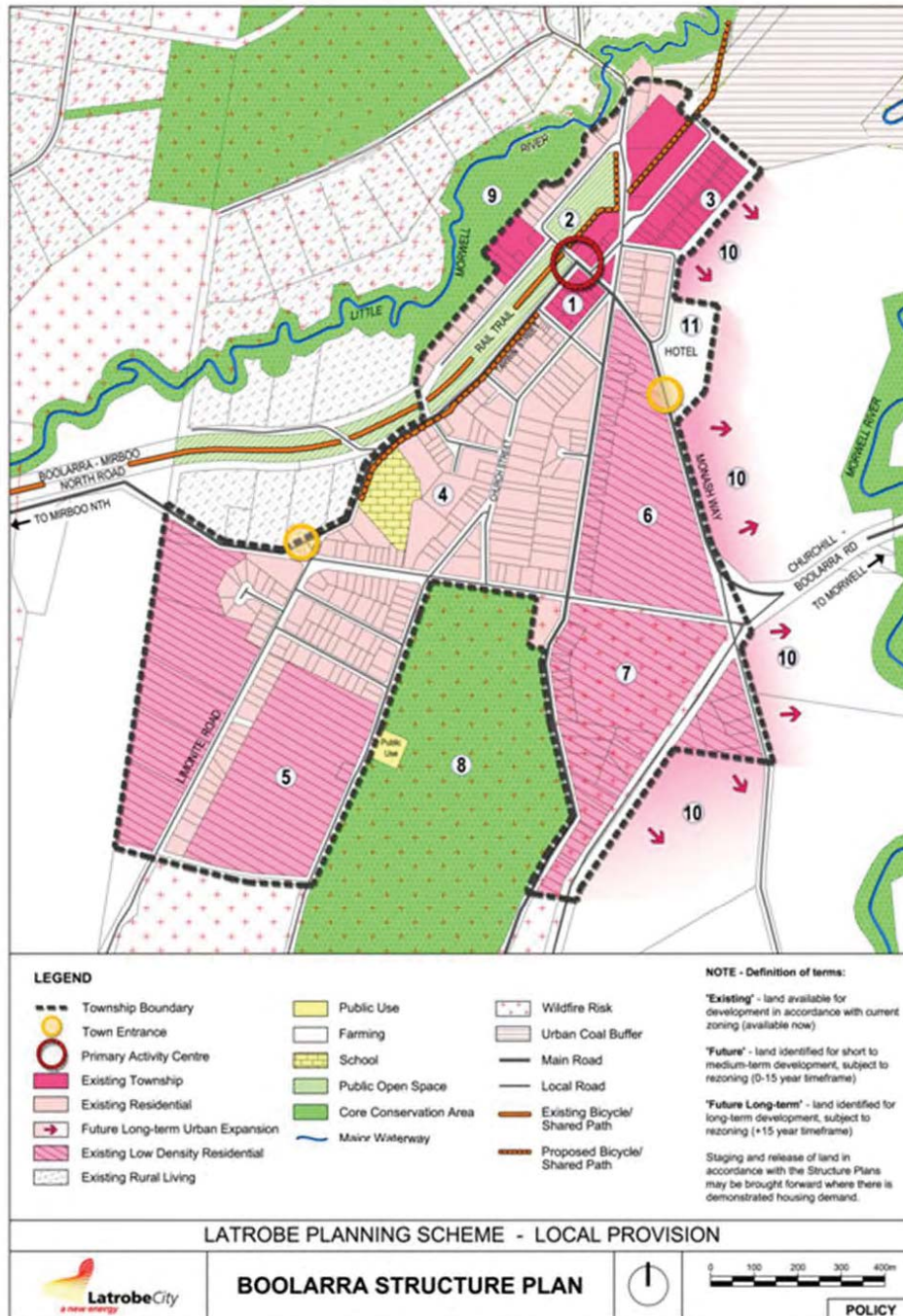
- Maintain and enhance existing public open space reserves and protect the environmental features and habitat values of core conservation areas, including the Boolarra-Mirboo North Rail Trail (BTSP Areas 2, 8 & 9).
- Preserve and maintain waterway and wetland habitat values within the township (BTSP Area 6 & 9).
- Apply appropriate zones to public open space areas (BTSP Area 2).

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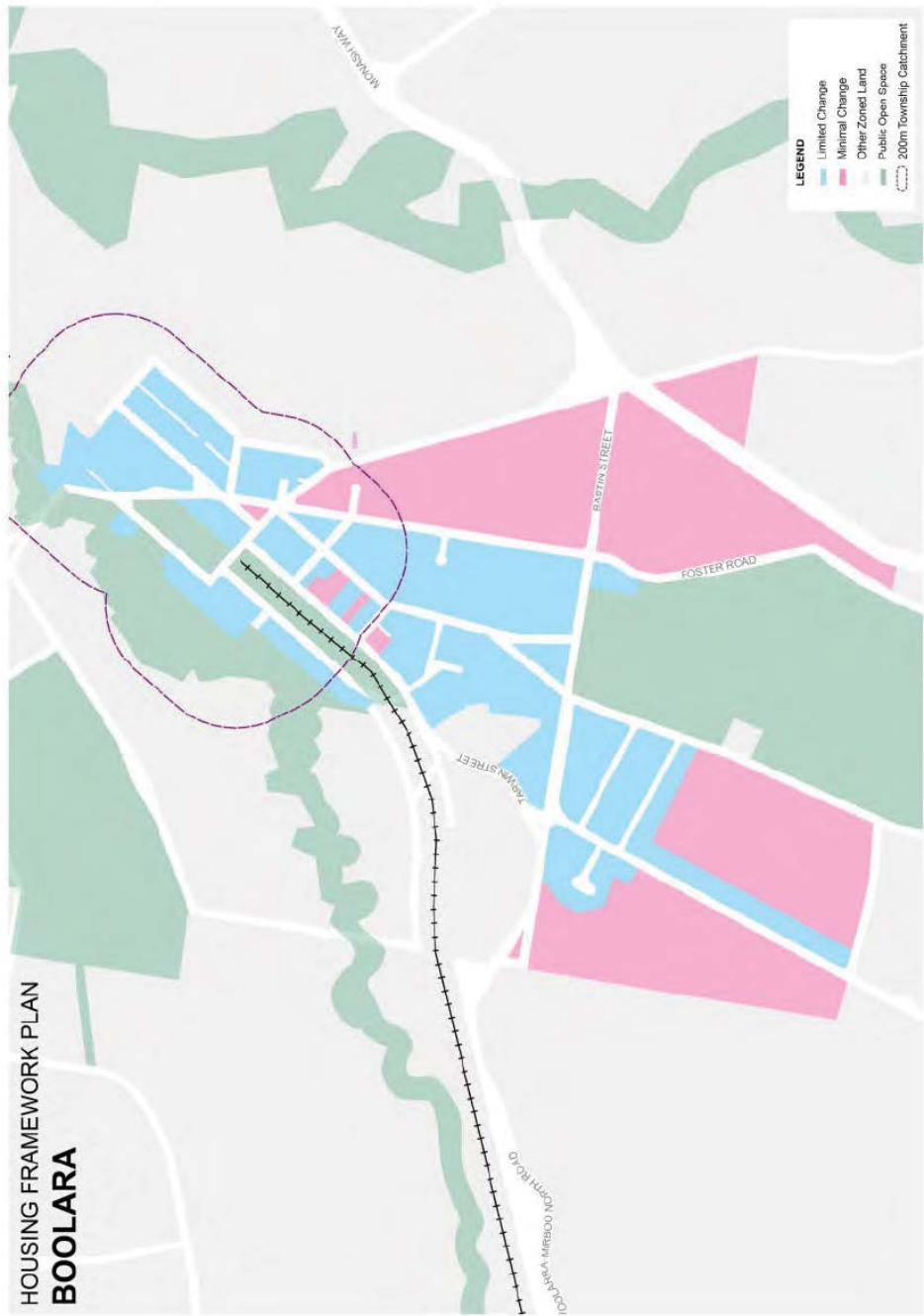
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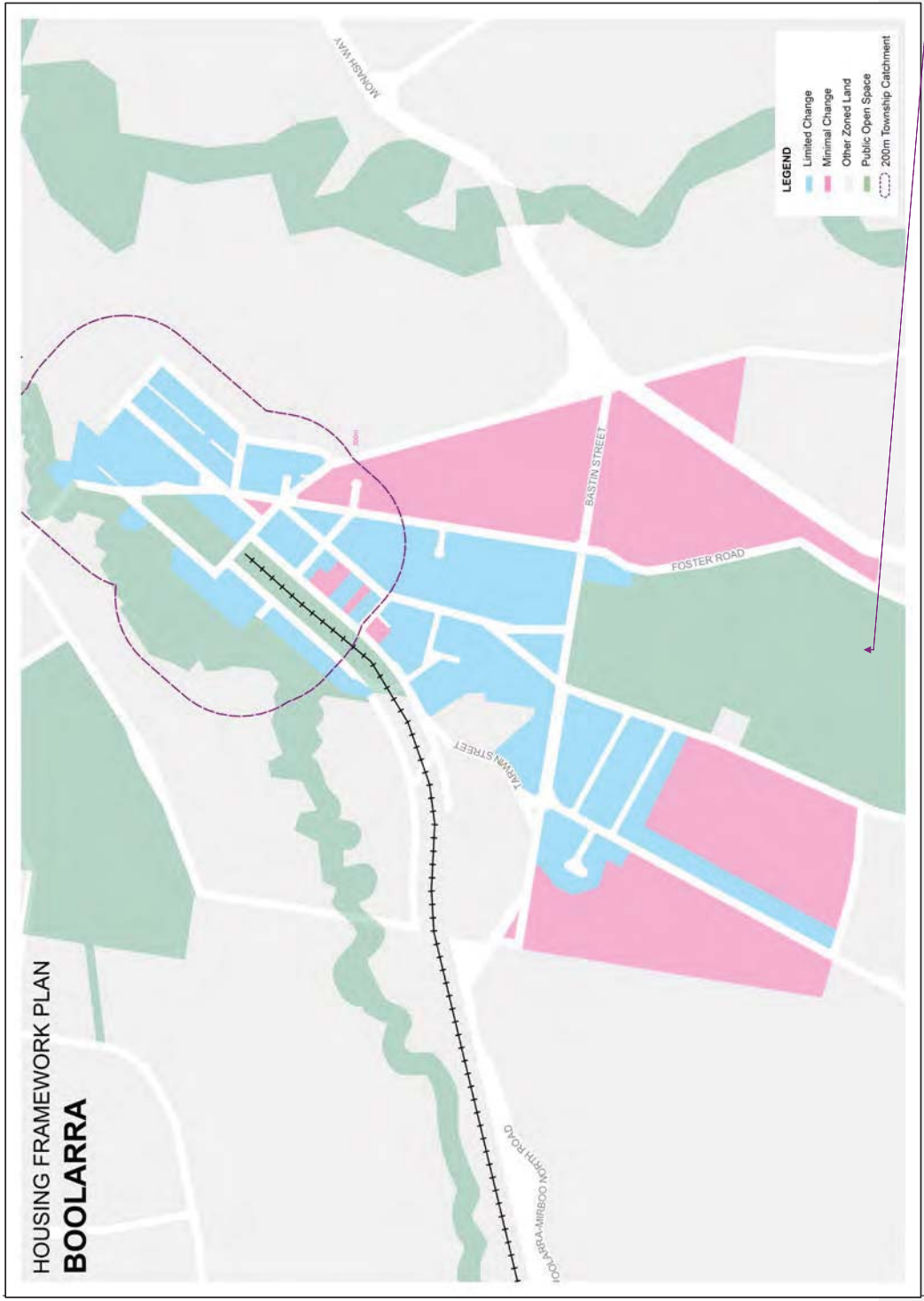
- Ensure an appropriate buffer is provided between urban development and coal resource areas.

Boolarra Town Structure Plan



Boolarra Housing Framework Plan





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21.09-911 Glengarry

19/10/2017
C97
-Proposed
C105

Glengarry is a small town situated approximately 11 kilometres north of Traralgon and 171 kilometres east of Melbourne. Glengarry has a population of 1,360 and was established after the railway arrived from Traralgon in 1883. Its town centre and adjacent recreation reserve is recognised as a heritage precinct. The Glengarry ~~township~~ Township comprises ~~of~~ one primary school, one pre-school, local shops and businesses, ~~hotel public bar~~ and restaurant and sporting and recreation facilities.

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Vision

- Retain and promote Glengarry's rural atmosphere and residential service centre role.
- ~~Support Investigate the opportunity for~~ Glengarry's role ~~to expand~~ as a dormitory suburb of Traralgon.
- Provide a visually attractive urban environment and enhance town entrances.
- Provide a safe and effective road and path network that allows for convenient movement of vehicles, pedestrians and cyclists.

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Local area implementation

- Facilitate development in accordance with the Glengarry Town Structure Plan (GTSP) and Glengarry Housing Framework Plan (GHFP).

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Residential

- Ensure new developments enhance the visual amenity of town entrances, with particular emphasis on the southern entrance from Traralgon-Maffra Road (GTSP Areas 7 & 8).
- Encourage residential development to the east of the township which is to be sensitive to the Eaglehawk Creek environment and floodplains (GTSP Areas 5 & 6).
- Investigate and resolve the extent of the Eaglehawk Creek floodplain (GTSP Area 12)
- Encourage low density residential development in GTSP Area 7, subject to appropriate flood mitigation.
- Encourage subdivision and development of large vacant and developed allotments within existing residential areas GTSP Area 3.
- Protect development potential of agricultural land to the north, east and south of the township (GTSP Areas 9, 10, 13 and 14) for future long-term residential expansion. This residential development must be sensitive to the Eaglehawk Creek environment and floodplains.
- Resolve reticulated sewer and water serving issues affecting GTSP Areas 9, 10 and 13.
- Encourage residential development in accordance with locations identified in the GHFP.

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Commercial

- Encourage commercial use and developments within the primary activity centre (GTSP Area 1).
- Ensure new commercial development responds to the heritage features and significance of the heritage precinct.

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Infrastructure

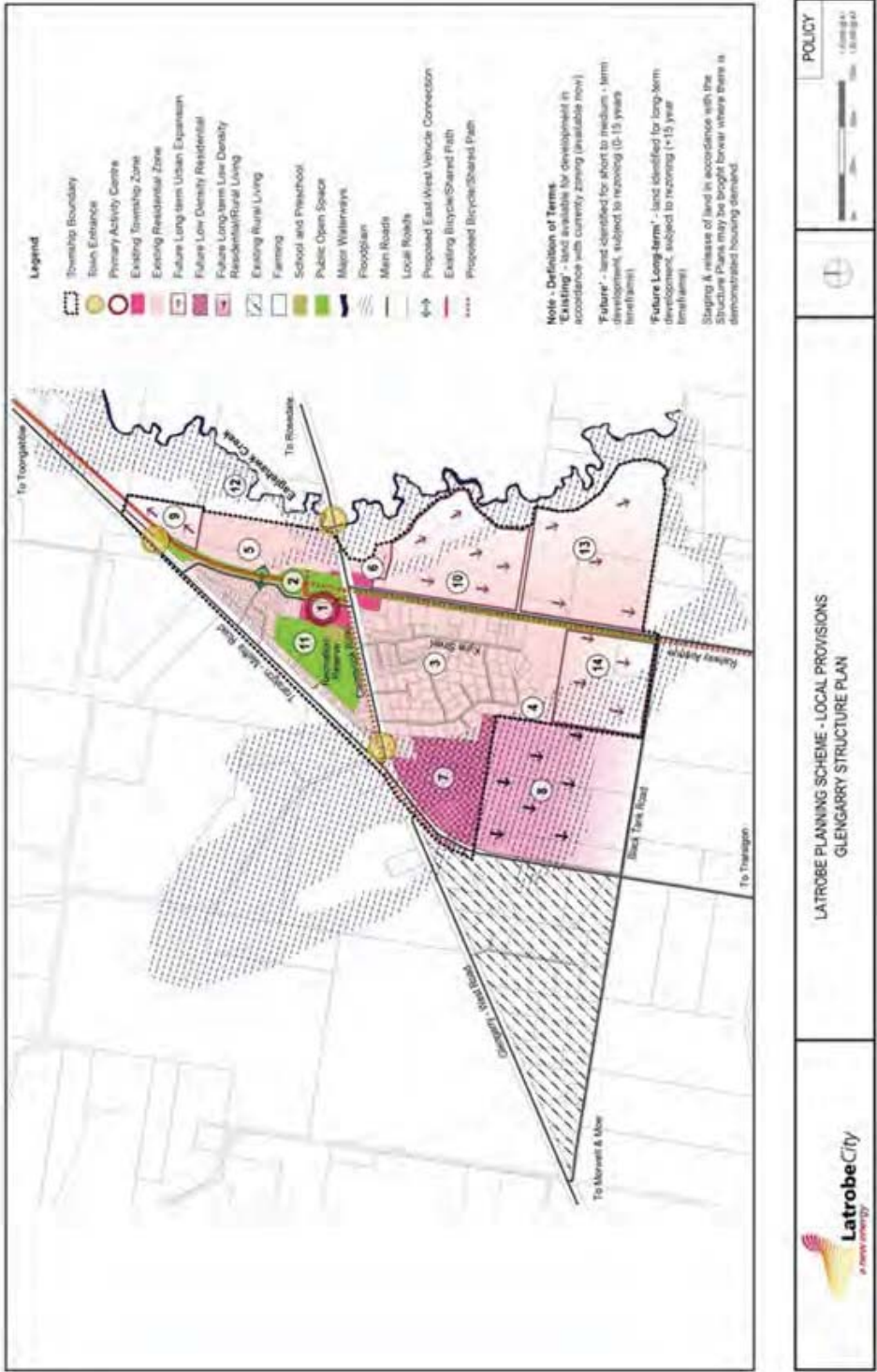
- Maintain and protect public open space areas including the Gippsland Rail Trail, and implement the recommendations of the *Latrobe City Open Space Plan* (GTSP Areas 2 & 11).
- Encourage east-west shared path link and vehicular link between GTSP Areas 5 & 6 and the town centre. Links should be designed to ensure the safe passage of all pedestrians, bicycles and vehicles.
- Investigate opportunities for the future use and possible development of former drainage reserve (GTSP Area 4).
- In consultation with stakeholders, investigate and resolve appropriate vehicle access points to GTSP Area 5.
- In consultation with stakeholders, investigate opportunities for vehicle access from GTSP Area 3 to Railway Avenue.

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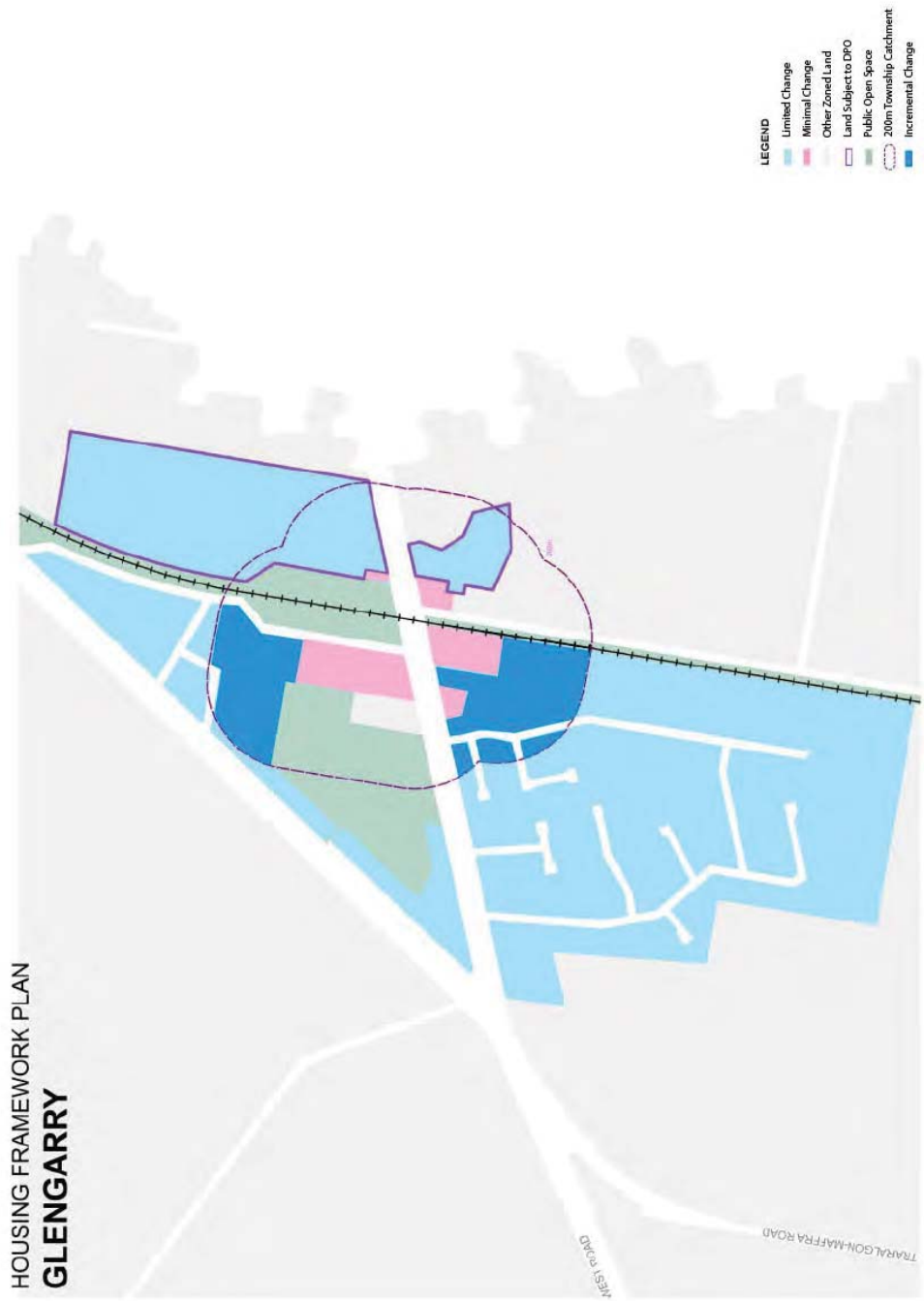
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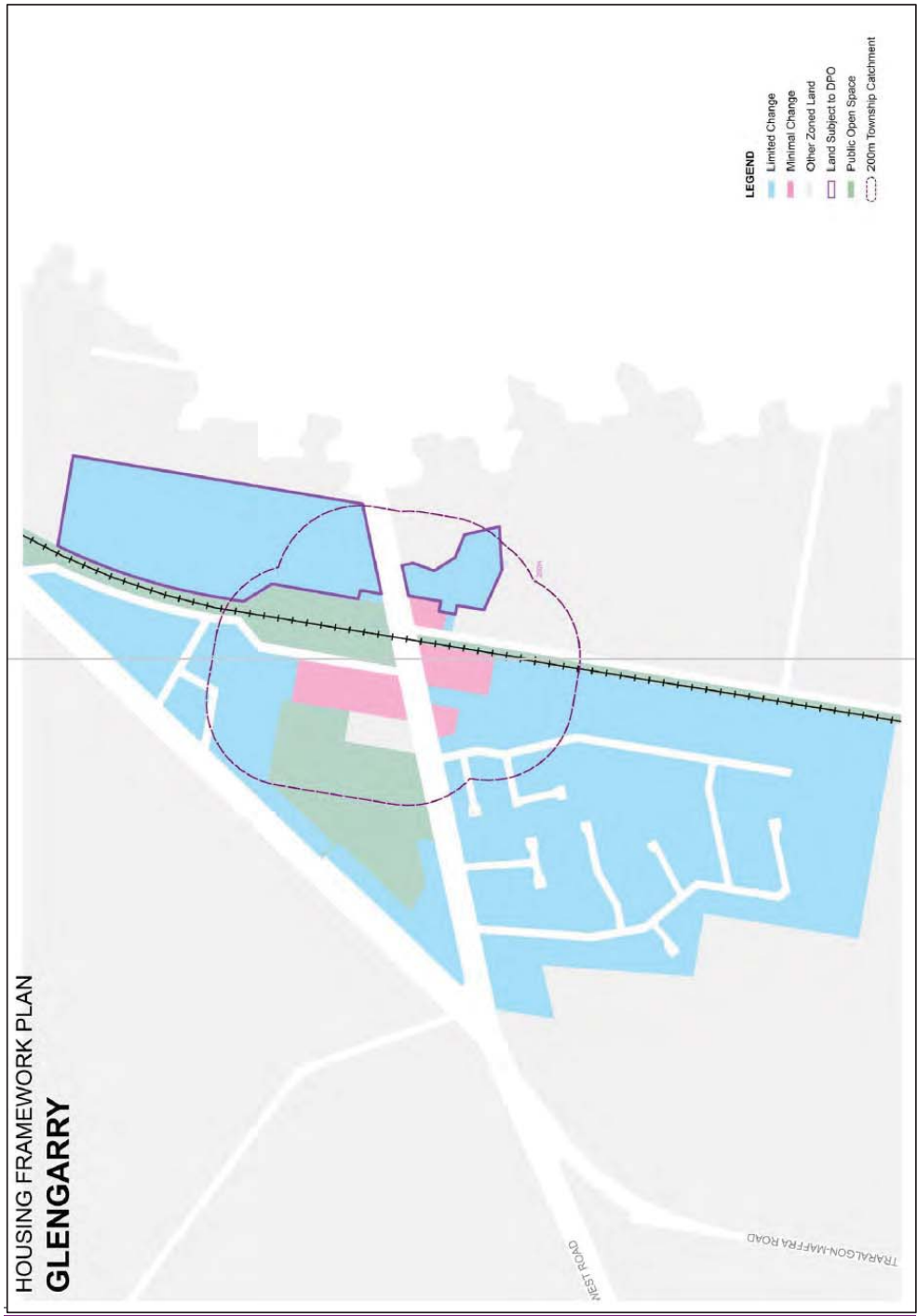
Glengarry Town Structure Plan

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Glengarry Housing Framework Plan





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21.09-~~4012~~ Tyers

19/10/2017
C97
-Proposed
C105

Tyers is a small settlement located approximately 10 kilometres north west of Traralgon and 158 kilometres east of Melbourne and has a population of 820. It was known as 'Boola Boola' until 1852 when it was named after the surveyor and explorer Charles Tyers. This small township has limited town centre services and facilities, including a pre-school, primary school, convenience store and service station, public hall and recreation reserves.

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Vision

- Retain and promote Tyers' rural atmosphere and residential service centre role.
- Provide a visually attractive urban environment and enhance town entrances.
- Provide a safe and effective road and path network that allows for convenient movement of vehicles, pedestrians and cyclists.

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Local area implementation

- Facilitate development in accordance with the Tyers Town Structure Plan (TYTSP) and Tyers Housing Framework Plan (TYHFP).

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Residential

- Encourage low density and rural living development to the north-east of the town, subject to the availability of sewerage infrastructure or the creation of lots capable of containing on-site domestic wastewater treatment systems (TYTSP Areas 3 and 9).
- Promote opportunities for infill development within the township boundary, such as TYTSP Area 7 and encourage increased diversity in residential allotment sizes, subject to availability of sewerage infrastructure.
- Ensure access from new development and individual allotments to the Main Road (Moe-Glengarry Road) and Tyers Walhalla Road is limited where possible.
- Investigate and review land affected by the Wildfire Management Overlay within the township boundary.
- Investigate 'rezoning' of TYTSP Areas 4 and 5- to appropriate zones.
- Investigate the development potential of land in the Amenity Lifestyle Investigation Precinct south of the township for future rural living purposes (CTSP Area 8), due to its close proximity to the Australian Paper Mill.
- Investigate and resolve the development potential of land identified within the Extractive Industry Interest Area to the north of the town.
- Encourage residential development in accordance with locations identified in the TYHFP.

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Commercial

- Encourage commercial developments within the primary activity centre (TYTSP Area 1).

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Infrastructure

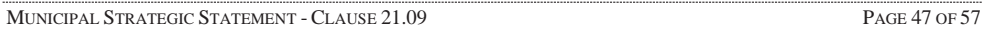
- Resolve domestic wastewater treatment issues in the township and identify improvements or additional infrastructure that may be required to accommodate future urban growth and development.

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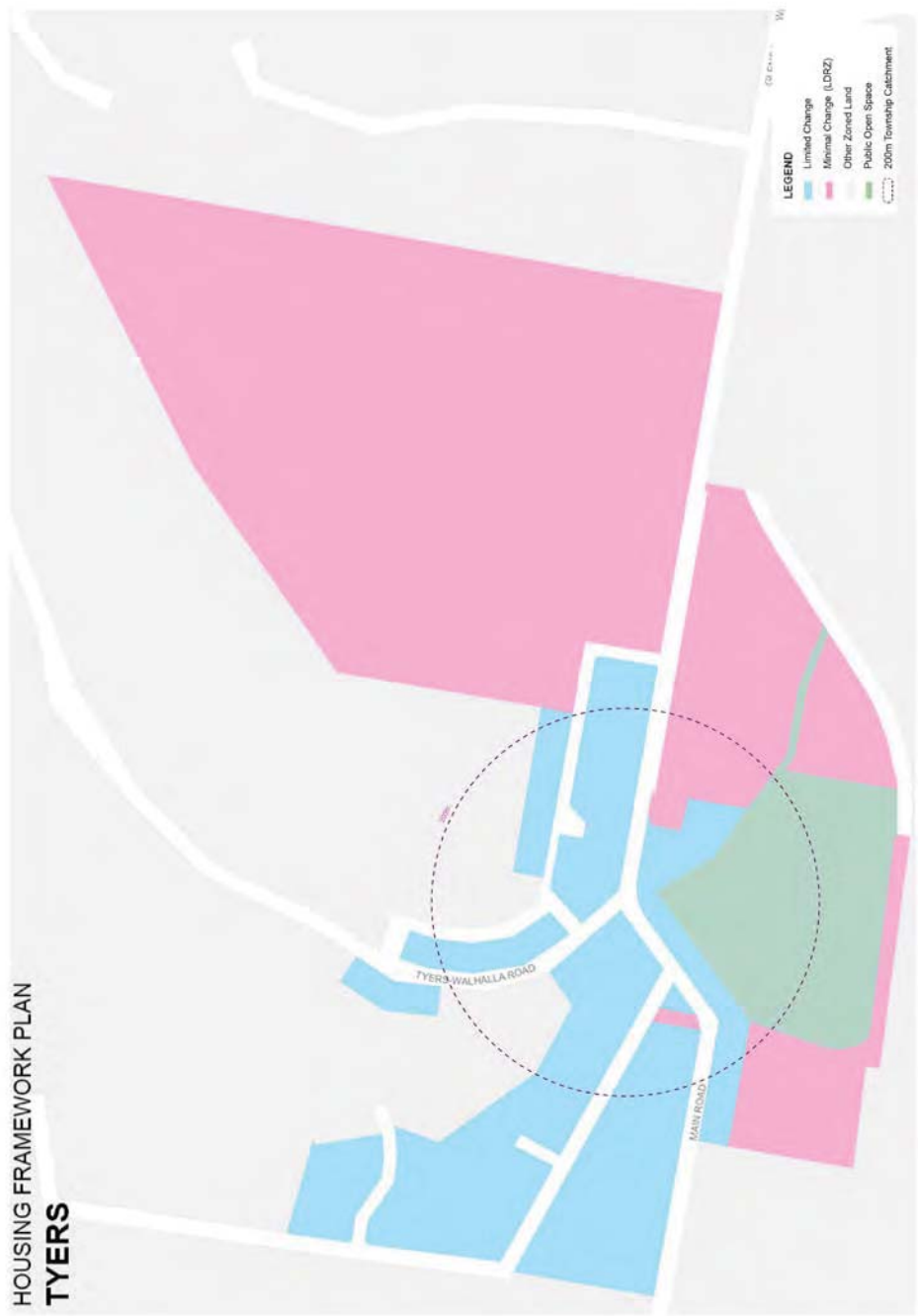
LATROBE PLANNING SCHEME

- | ▪ Improve sewerage treatment on existing allotments and implement an integrated waste water management system for the township to the satisfaction of the responsible authority.
- | ▪ Protect and enhance habitat values within the town and apply appropriate zone or overlays to core conservation TYTSP Areas 2, 4 & 6.
- | ▪ Undertake detailed native vegetation assessment to clarify the subdivision and development potential on the periphery of TYTSP Areas 2 & 4 and apply appropriate zone or overlay.
- | ▪ Encourage shared path link between future low density and rural living development (TYTSP Area 3 & 9) and the town centre (TYTSP Area 1).
- | ▪ Protect road reserves, such as Hinde Road, to allow for future access to proposed development areas.
- | ▪ Investigate innovative waste water disposal strategies in Tyers township.

Tyers Town Structure Plan



Tyers Housing Framework Plan



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21.09-413 Yallourn North

19/10/2017
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C105

Yallourn North is located 8 kilometres north east of Moe and 146 kilometres south east of Melbourne. It has a population of approximately 1,500 people. Yallourn North was originally called Brown Coal Mine as workers at the Yallourn W station settled in the area. Yallourn North township comprises ~~of~~ one primary school, one pre-school, local ~~shops~~ shop and businesses, ~~hotel~~ and restaurant and sporting and recreation facilities. The town contains many churches, including the only Serbian Orthodox Church and Mosque in the region.

Local area implementation

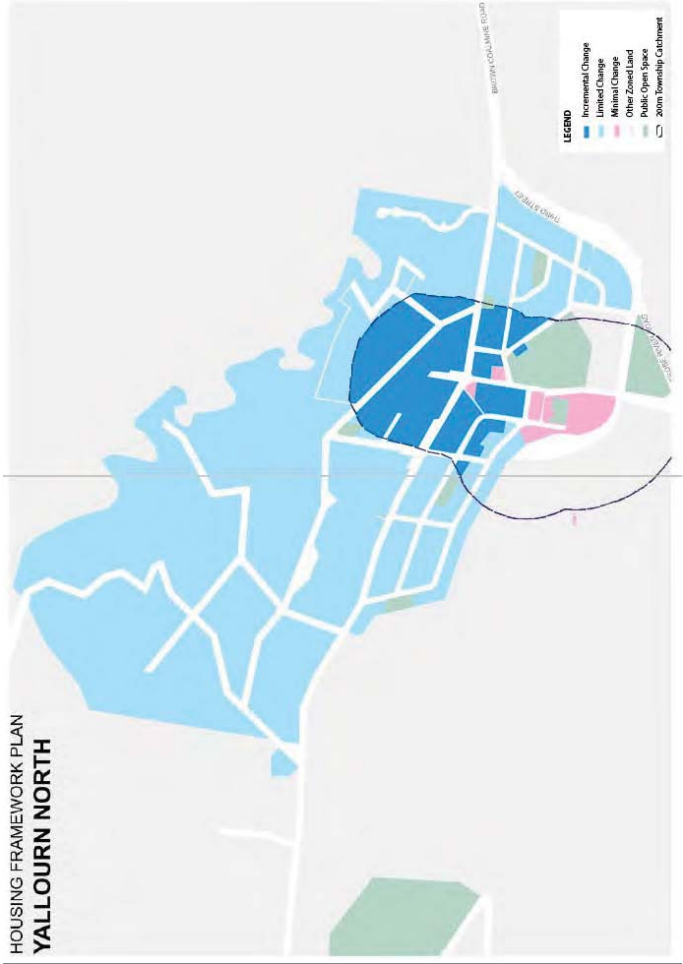
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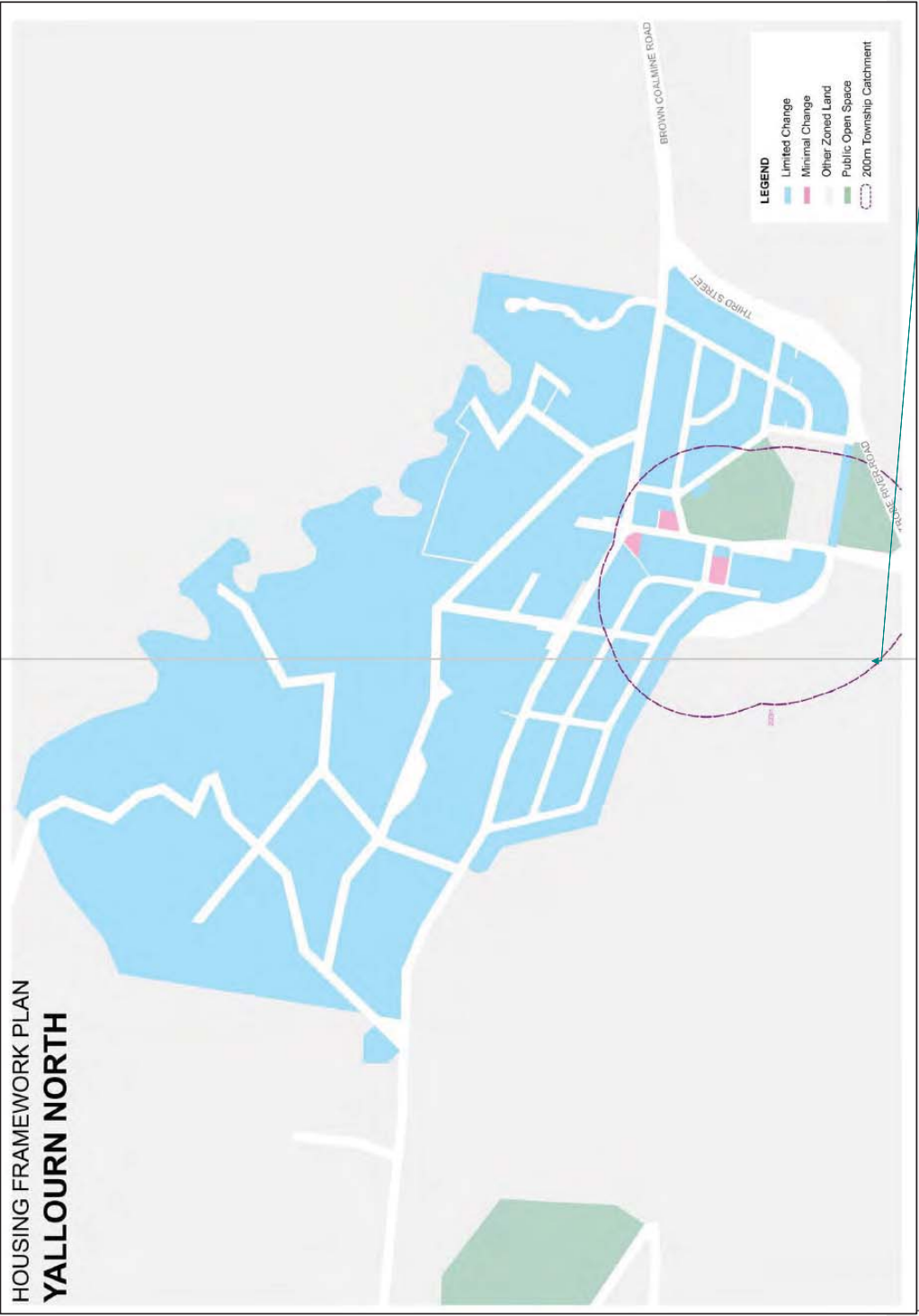
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Yallourn North Housing Framework Plan



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1 Toongabbie

LATROBE PLANNING SCHEME

Toongabbie is a small, historic township approximately 177 kilometres east of Melbourne and 21 kilometres north of Traralgon. It is nestled in the foothills of the Great Dividing Ranges and crosses over two municipal boundaries – Latrobe City Council and Wellington Shire. Toongabbie has a total population of approximately 900. Toongabbie township comprises of a general store, a primary school, a pre-school and sporting and recreation facilities.

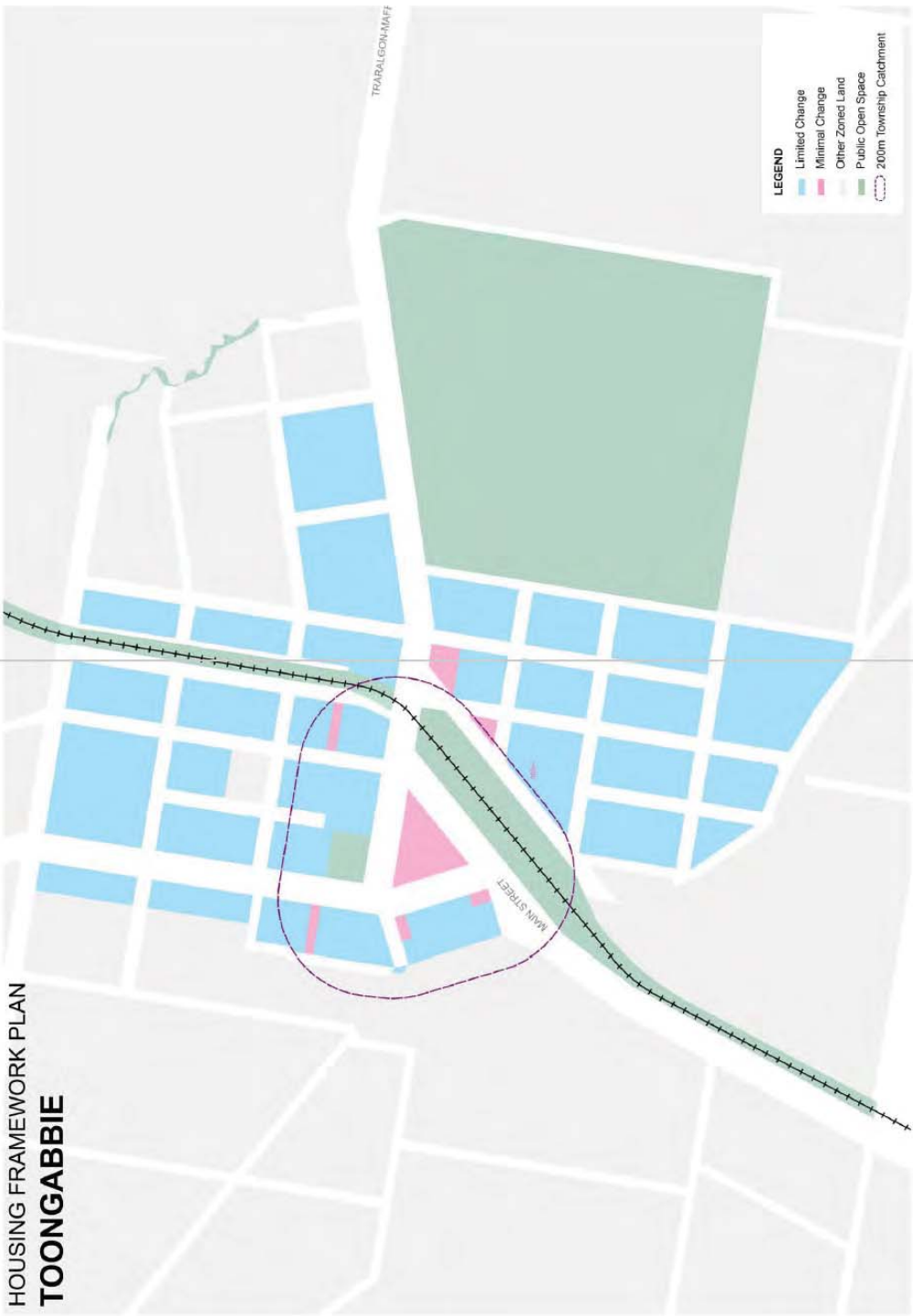
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Local area implementation

- ~~To prepare and facilitate development in accordance with the Toongabbie Town Structure Plan and Toongabbie Housing Framework Plan (TOHFP).~~
- Rezone land for Rural Living Purposes as outlined by the Rural Land Use Strategy.

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Toongabbie Housing Framework Plan



HOUSING FRAMEWORK PLAN
TOONGABBIE

21.09-1315 Traralgon South

19/10/2017
G97
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C105

Traralgon South is a rural township approximately 171 kilometres east of Melbourne and 13 kilometres south of Traralgon. The town has an approximate population of 470, however the residents of the surrounding rural living and farming communities utilise the facilities and services provided in Traralgon South. ~~The township~~The township comprises ~~of~~ a general store, a primary school, a pre-school and sporting and recreation facilities.

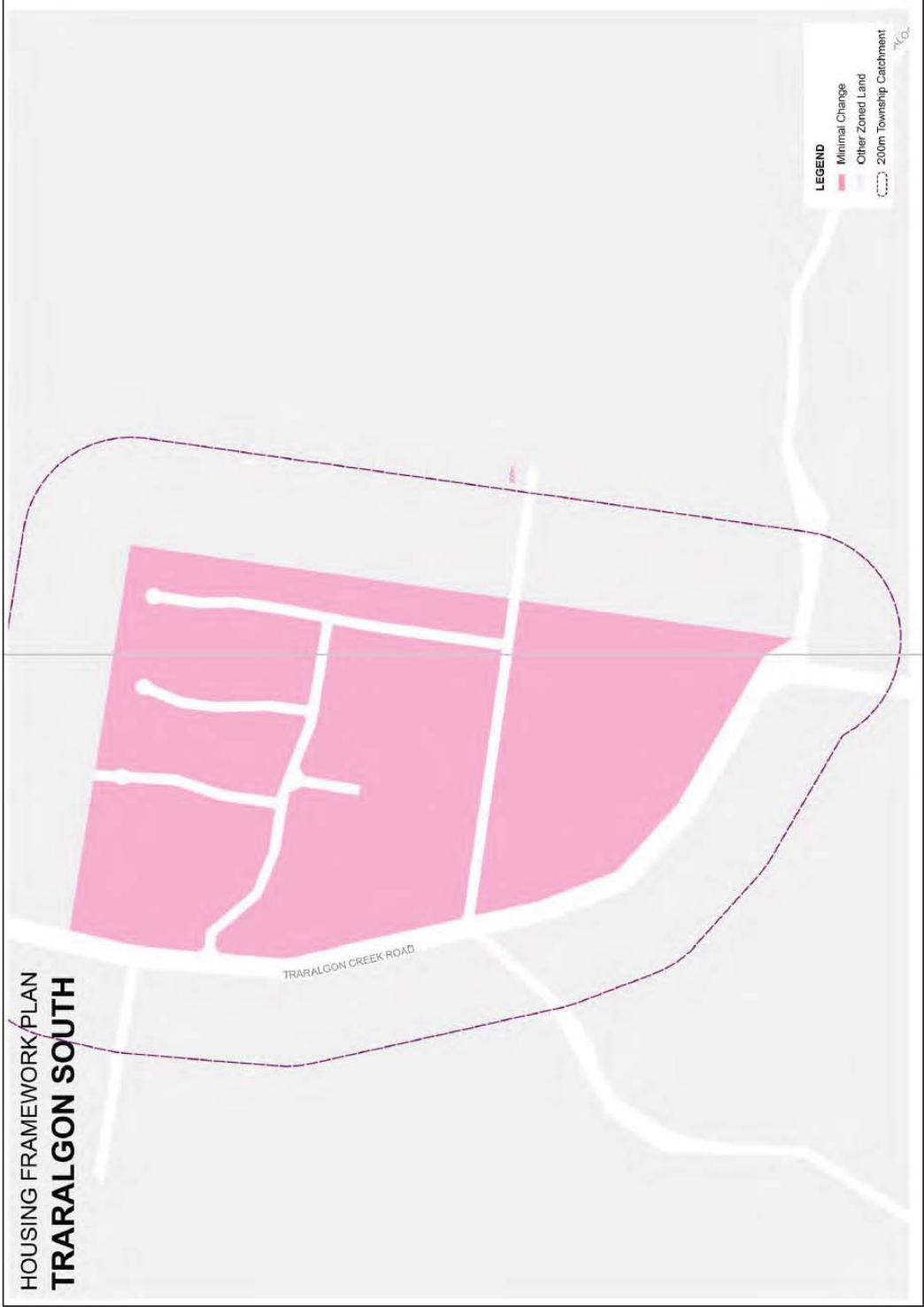
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Local area implementation

- ~~To prepare and facilitate development in accordance with the Traralgon South Town Structure Plan, and Plan and Housing Framework Plan (TSHFP).~~

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Traralgon South Housing Framework Plan



21.09-1416 Yinnar

19/10/2017
C97
Proposed
C105

Yinnar is located in the Morwell River Valley, with views of the Strzelecki Ranges to the west and the Jeeralang Hills to the east. Yinnar is situated 160 kilometres east of Melbourne and 22 kilometres south of Morwell. The township provides urban lifestyle opportunities in a village setting for those employed in Latrobe City and has an approximate population of 600. Yinnar township comprises ~~of a~~ range of shops and services, general store, a pre-school and sporting and recreation facilities.

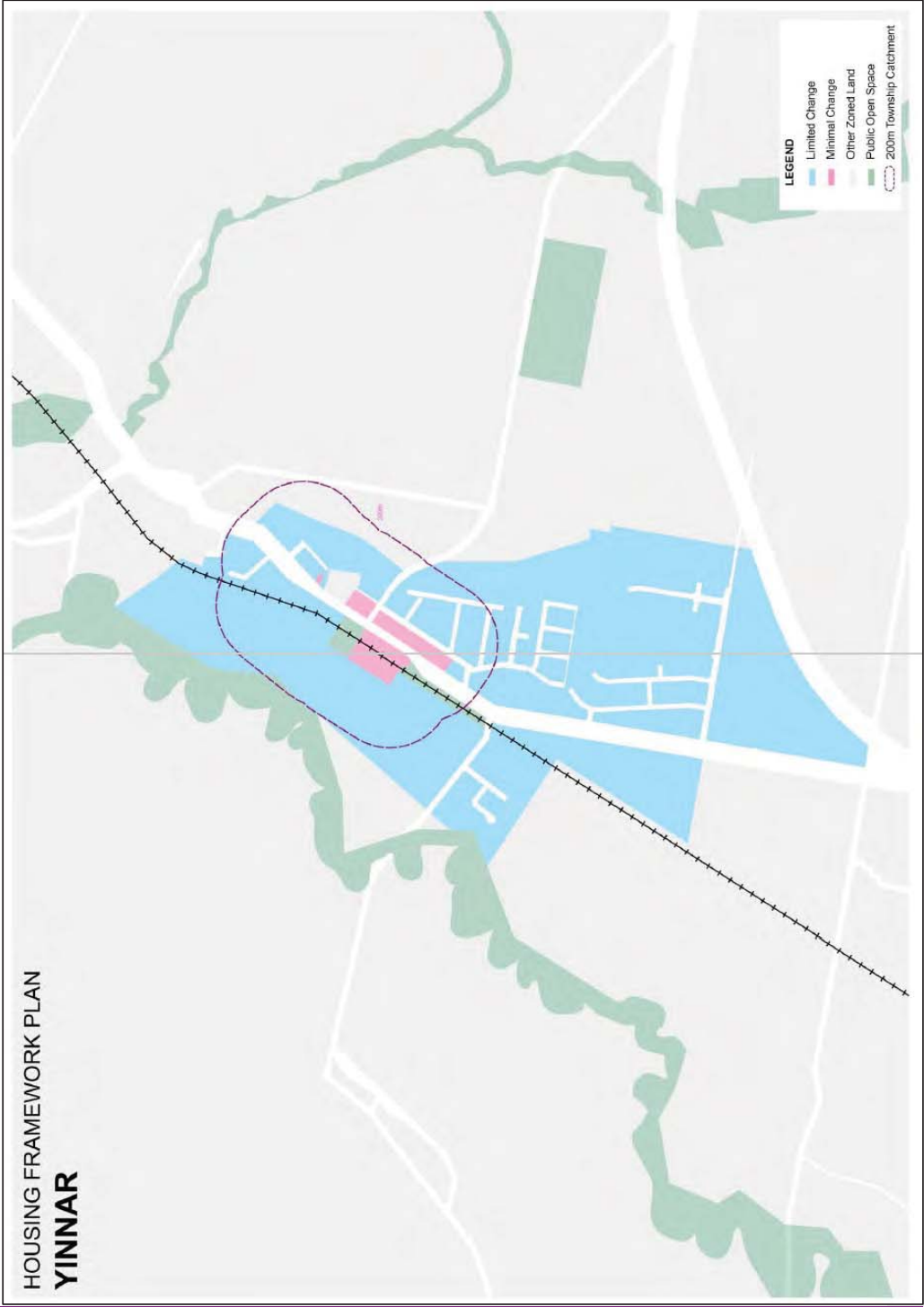
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Local area implementation

- ~~To prepare and facilitate development in accordance with the Yinnar Town Structure Plan, and Plan and Housing Framework Plan (YHFP).~~

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Yinnar Housing Framework Plan



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Proposed C105**IMPLEMENTATION****21.10-1**19/10/2017-
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Proposed C105**Application of zones and overlays**

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays as follows:

Zones

- Apply the General Residential Zone, Neighbourhood Residential Zone or the Residential Growth Zone to existing residential areas.
- Apply to the General Residential Zone to 'Future Local Activity Centres or Neighbourhood Activity Centres' when they have been established.
- Consider applying the Urban Growth Zone to large future urban growth areas.
- Apply the Urban Growth Zone to land where a precinct structure plan has been prepared or where a strategy has been prepared which clearly identifies that the land is suitable for future urban development.
- Apply the Mixed Use Zone to areas close to town centres with potential for complementary residential, commercial and industrial activities.
- Apply the Mixed Use Zone to local and neighbourhood activity centres in the larger urban centres.
- Apply the Township Zone generally to small and district towns, particularly the town centres, or settlements.
- Apply the Low Density Residential Zone to larger residential lots on the fringes of the main towns that are not within urban growth corridors.
- Apply the Industrial 1 Zone to main industrial estates.
- Apply the Industrial 3 Zone to light industrial and service industrial areas.
- Apply the Commercial 1 Zone to principal shopping and principal office areas.
- Apply the Commercial 2 Zone to the principal office areas and to peripheral sales areas.
- Apply the Farming Zone Schedule 1 to commercial agricultural areas.
- Apply the Farming Zone Schedule 2 to mixed farming areas.
- Apply the Rural Living Zone to areas committed to rural residential type use, including areas in Flynn, Jeeralang, Toongabbie, Glengarry, Tyers, Hazelwood North, Hazelwood South, Callignee and Moe South.
- Apply the Public Park and Recreation Zone to public open space areas.
- Apply the Public Conservation and Resource Creation Zone to scenic, natural feature and conservation reserves areas, State, Regional and National parks, public forest areas and the like.
- Apply the Special Use Zone – Schedule 1 Brown Coal over Category A coalfields.

Overlays

- Apply the Development Plan Overlay and or Development Contribution Plan Overlay (including development contribution plans) to future urban growth areas and large undeveloped tracts of land requiring infrastructure, social services, recreation and open space coordination.
- Apply the Design and Development Overlays to areas requiring specific design solutions.
- Apply the Design and Development Overlays to protect major gateways.

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- Apply the Environmental Significance Overlay to areas where amenity buffers are required.
- Apply the Environmental Significance Overlay to protect sites, areas and corridors of environmental significance.
- Apply the Environmental Significance Overlay – Schedule 1 Urban Buffers to provide reciprocal protection for urban areas and the mines and their associated activities.
- Apply the Heritage Overlay to heritage places and precincts.
- Apply the Land Subject to Inundation to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Apply the Floodway Overlay to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Apply the Bushfire Management Overlay to bush fire prone areas **where there is potential for extreme bushfire behaviour, consistent with state hazard criteria and mapping.**
- Apply the State Resource Overlay – Schedule 1 Gippsland Brown Coalfields to Category B and C areas to identify the balance of the Gippsland coalfields located within the municipality.

Other

- Apply Development Contribution Plans to large areas of undeveloped residential, commercial, and industrial land.
- Apply Development Plans or Precinct Structure Plans to undeveloped residential land which incorporate Urban Design Good Practice principals and the provision of infrastructure and community services through developer contribution plans if required.

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Further strategic work

Council is committed to undertaking the following strategic work:

- ~~Employment and Industrial Land Review including the implications of the new Industrial, Commercial and Farming Zones and including a review of existing smaller pockets of industrial areas and isolated industrial areas.~~
- ~~Rural Land Use Strategy addressing landscape, economic initiatives, environmental, tourism, timber, subdivision and dwelling opportunities and rural lifestyle considerations.~~
- ~~Housing Strategy inclusive of Neighbourhood Character guidance, housing density, housing diversity and residential design guidelines.~~
- Retail Demand and Supply Strategy including an investigation of the implications of the new commercial zones and 'out-of-centre' developments.
- Infrastructure Needs Analysis for existing and future significant shared infrastructure across the municipality.
- ~~Built Form Guidelines for commercial, industrial and residential development.~~
- ~~Create Landscape Design Guidelines and infrastructure improvements to work towards the objective of fostering connected communities.~~
- ~~Undertake a landscape assessment of rural areas and apply appropriate planning scheme tools to protect significant landscapes, views and vistas.~~
- Align the *Latrobe Regional Hospital Master Plan* recommendations with appropriate zones and overlays.
- Implement the revised *Latrobe Regional Airport Master Plan* into the Latrobe Planning Scheme.

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LATROBE PLANNING SCHEME

- Prepare small town structure plans for Yinnar, Traralgon South, Toongabbie and Yallourn North.
- Complete a neighbourhood character assessment of small towns and district towns to inform the revision of appropriate land use policy which recognise their unique character attributes, housing form and type
- Complete the draft Traralgon Activity Centre Plan.
- Prepare a land use response to the State Government's Strategic Plan for Coal or any other adopted relevant coal resource strategy.
- Prepare a land use response to the implementation of Gippsland Regional Growth Plan.
- Introduce planning provisions into the Planning Scheme to control land use and development within the Amenity Lifestyle Precinct, Amenity Lifestyle Investigation Precinct and Amenity Rural Buffer that resolves industrial/sensitive use interface issues.
- Prior to any future rezonings, investigate the application of the Amenity Rural Buffer and Amenity Lifestyle Investigation Precinct (Area 8) in Tyers, by undertaking odour modelling.
- Introduce appropriate planning provisions into the Planning Scheme to control land use and development within the Amenity Lifestyle Precinct, Amenity Lifestyle Investigation Precinct and Amenity Rural Buffer that resolves industrial/sensitive use interface issues. Discourage any rezoning in the Amenity Lifestyle Investigation Area until this is resolved. Revised.
- Revise and update existing Main Town structure plans as required.
- Rezone land in accordance with the future land use and staging outlined in Structure Plans and the Traralgon Growth Area Framework.
- Prepare a detailed drainage study for land within the Traralgon West Growth Corridor to establish development capability and infrastructure investment requirements.
- Prepare a Development Plan or Precinct Structure Plan for land in the Traralgon West Growth Corridor in accordance with the Structure Plan.
- Prepare a Development Contribution Plan for land in the Traralgon West Growth Corridor in accordance with the Structure Plan.
- Prepare Masterplans for the Latrobe Regional Airport, Latrobe Regional Hospital and the open space and green movement corridors within the Traralgon West Growth Corridor.
- Investigate potential future uses for the land identified as employment investigation area within the Traralgon West Growth Corridor that will generate long term future employment opportunities.
- Prepare a Development Plan or Precinct Structure Plan for future residential and industrial land east, north and south of the Traralgon existing urban area to provide a broad framework for medium and longer term growth.
- Prepare a Development Contribution Plan for future residential and industrial land east of the Traralgon existing urban area.
- Investigate opportunity for open space, recreation and conservation uses in the area north of Traralgon bounded generally by Latrobe River to the north and Traralgon urban area to the south.
- Undertake a Housing Strategy that identifies appropriate locations for medium and high density housing and investigates mechanisms for achieving diversity in urban growth areas.

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LATROBE PLANNING SCHEME

- Prepare a coordinated Activity Centre Strategy across the four Main Towns which considers the retail needs of the community, but also the cultural and social activities that occur in activity centres.
- Complete the Traralgon Activity Centre Plan.
- Rezone land in accordance with the future land use and staging outlined in Structure Plans and the Traralgon Growth Area Framework.
- Prepare a coordinated Activity Centre Strategy across the four Main Towns which considers the retail needs of the community, but also the cultural and social activities that occur in activity centres.
- Prepare a coordinated Activity Centre Strategy across the four Main Towns (including the 'Hollydale' site) which considers the retail needs of the community, but also the cultural and social activities that occur in Activity Centres. Prepare Development Plans or Precinct Structure Plans.
- Develop Open Space Asset Management Plans (linked to GIS Systems) for all classes/types of open space assets (including vegetation) and park furniture to implement a costed, systematic approach to asset replacement, renewal and maintenance.
- Develop administration processes that improve the record keeping of open space contributions received (cash and land) to ensure transparency around the expenditure on passive and active open spaces (including land acquisition) and sources of funding.
- Develop a policy to guide open space contributions and expenditure, including circumstances where Council will accept encumbered land for open space in addition to unencumbered land.
- Monitor the application and efficiency of public open space contributions for new residential, commercial, industrial and mixed use subdivisions.
- Investigate the need for an existing condition survey of dwellings and structures in Area 21 that may inform the need for engineering requirements for the construction of new structures in the Area.
- Prior to rezoning land for residential purposes adjacent to the existing Environmental Significance Overlay Schedule 1, advocate for the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* to carry out an independent risk assessment that clarifies whether any revision of the Environmental Significance Overlay Schedule 1 is required around the southern boundary of Traralgon. This should be done in consultation with the Latrobe City Council and the State Government appointed Technical Review Board.
- Advocate for the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* to provide clear guidance on the future form of the Environmental Significance Overlay Schedule 1 around the southern boundary of Traralgon in areas planned for the Traralgon Highway Bypass.
- Advocate for the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* to continue to assess geotechnical monitoring information provided by coal mine licensees in determining the future form of the Environmental Significance Overlay Schedule 1 adjacent to urban settlements.
- Advocate for the Minister administering the *Mineral Resources (Sustainable Development) Act 1990* to conduct an independent risk assessment that clarifies whether any revision of the Environmental Significance Overlay Schedule 1 is required, so as to provide clear direction for future rezoning and urban development in areas adjacent to the existing Environmental Significance Overlay Schedule 1 in consultation with the Latrobe City Council and the State Government appointed Technical Review Board.

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- Prepare Development Plans or Precinct Structure Plans
- Prepare a plan and facilitate the formal recognition of the Strzelecki-Alpine Biolink, incorporating plantation, public, private, road reserve land and mining areas ready or scheduled for rehabilitation through the appropriate application of zones and overlays, such as Rural Conservation Zone and Environmental Significance Overlay.
- Explore the application of appropriate Local Policy, Zone and Overlay Controls including the Rural Conservation Zone and/or Vegetation Protection Overlay to protect important values within the Strzelecki - Alpine Ranges biodiversity corridor and other core habitat locations, considering state-wide biodiversity information maintained by Department of Land, Water and Planning.
- Undertake a landscape assessment of rural areas and apply appropriate planning scheme tools to recognise locations of high hazard erosion and to protect significant landscapes, vistas or areas of significance.
- Identify locations and apply the Environmental Audit Overlay, considering sites including former landfill sites, fuel depots or industry locations identified for transition.
- Prepare an Industry Transition Strategy for the City. This should include opportunities to transition heavy industries to appropriate locations which provide appropriate buffers to sensitive land uses as well as good highway access.
- Prepare a Rural Living Strategy for the municipality and apply appropriate planning scheme tools to land identified as appropriate for Rural Living.
- Undertake an assessment of future Incremental change areas and apply appropriate zones through a Planning Scheme Amendment.

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Reference documents

The following strategic studies have informed the preparation of this planning scheme. All relevant material has been included in the Scheme and decisions makers should use these documents (as amended) for background research only. Material in these documents that potentially provides guidance on decision making but is not specifically referenced by the Scheme should be given limited weight.

- *Latrobe 2026.*
- *Council Plan (2013-2017).*
- *Latrobe City Municipal Public Health and Wellbeing Plan (2013-2017).*
- *Assessment of Agricultural Quality of Land in Gippsland (1984).*
- *Framework for the Future (1987).*
- *Land Overcover Coal Buffers Study (1988).*
- *Latrobe Supply Area Extractive Industry Interest Areas Strategy (1999).*
- *Recreation and Leisure Strategy (2006).*
- *Municipal Domestic Waste Water Management Plan (2006).*
- *Lurgi Master Plan (2006).*
- *Transit City Master Plan: Towns Summary (2006).*
- *Latrobe Structure Plans Volumes 1-5 (2007).*

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- *Moe Activity Centre Plan (2007).*
- *Latrobe City ~~Bicycle~~ Plan (2007-2010).*
- *Retail Strategy Review (2007).*
- *Healthy Urban Design Good Practice Guidelines (2008).*
- *Latrobe City Council Residential and Rural Residential Land Assessment (2009).*
- *Latrobe City Council Bulky Goods Retail Sustainability Assessment (2009).*
- *Moe Rail Precinct Revitalisation Project: Master Plan (2009).*
- *Clifton Street Precinct (Moe) Urban Design Guidelines (2009).*
- *Latrobe Regional Airport Master Plan (2009).*
- *Latrobe Regional Hospital Master Plan (2009).*
- *Churchill Town Centre Plan (2010).*
- *Latrobe City Heritage Study (2010).*
- *Small Town Structure Plans: Boolarra, Glengarry & Tyers (2010).*
- *Traralgon Activity Centre Plan ~~(draft)~~ (2018).*
- *Traralgon Activity Centre Plan Background Reports 1-6 (2010).*
- *Positioning Latrobe City for a Low Carbon Emission Future (2010).*
- *Latrobe City Waste Management Strategy (2010-2017).*
- *Gippsland Region Sustainable Water Strategy (2011).*
- *Economic Sustainability Strategy (2016-2020).*
- *Traralgon Train Station Master Plan (2011).*
- *Australian Paper: Maryvale Pulp Mill Buffer Requirements (July 2011).*
- *Gippsland Logistics Precinct Project Plan (2013)*
- *Latrobe City Public Open Space Strategy (2013).*
- *Churchill East West Link: Master Plan and Urban Design Framework (2013).*
- *Retail Advice – Lake Narracan Structure Plan (2013).*
- *Guidelines for Development in Flood Prone areas (2013)*
- *Traralgon West Structure Plan (August 2013).*
- *Traralgon Growth Area Review Framework (August 2013).*
- *Traralgon Background Report (August 2013).*
- *Municipal Fire Management Plan ~~(2013-2014)~~ (2014-2016).*
- *Wood Encouragement Policy (2014).*
- *Natural Environment Sustainability Strategy (2014-2019).*
- *Moe and Newborough Structure Plan (March 2015).*
- *~~Guidelines for Development in Flood Prone areas (2013)~~*
- *~~Bicycle Plan (2007-2010).~~*
- *Cultural Diversity Action Plan (2014-2018).*
- *Disability Action Plan (2013/2014).*
- *~~Healthy Urban Design Good Practice Guideline (2008).~~*
- *~~Latrobe City Municipal Public Health and Wellbeing Plan (2013-2017).~~*
- *~~Latrobe City Public Open Space Strategy (2013).~~*
- *Review of Proposed Public Open Space Contributions Rates (2016).*

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- *Latrobe Play Space Strategy (2016).*
- *Older Persons Strategy (2007-2021).*
- *Public and Urban Art Policy (2011).*
- *Public Toilet Strategy (2010).*
- ~~*Recreation and Leisure Strategy (2006).*~~
- *Tracks, Trails and Paths Strategy (2016).*
- *Transit Centre Precincts Volumes 1-5 (2007)*
- ~~*Adopted development plans and contribution plans.*~~
- ~~*Planning for Intensive Agriculture in Gippsland (2016)*~~
- ~~*Live Work Latrobe Rural Land Use Strategy (2017)*~~
- ~~*Live Work Latrobe Housing Strategy (2017)*~~
- ~~*Live Work Latrobe Industrial and Employment Strategy (2017)*~~
- ~~*Latrobe City Urban Design Guidelines (as amended).*~~
- ~~*Hazelwood Mine Fire Report (2014).*~~
- ~~*Car Parking Framework Review Traralgon & Morwell 2014*~~
- ~~*Traralgon Inner South Precinct Master Plan 2010*~~
- ~~*Protecting Victoria's Environment – Biodiversity 2037 (DELWP 2017)*~~
- ~~*Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)*~~

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LOCAL PLANNING POLICIES**22.01**

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Intensive Agriculture

This policy applies to an application for intensive agriculture.

Policy Basis

This policy builds on and supports Clause 21.05-1 Agriculture to direct intensive agriculture to preferred locations in Latrobe City. Latrobe City has a variety of areas each with some unique characteristics that make them particularly suitable for intensive agriculture:

- Flat, relatively unencumbered land with appropriate zoning in larger land holdings;
- Plantation areas that may offer relatively isolated locations for enterprises with biosecurity needs;
- Land within coal reserve zones and overlays that are relatively undeveloped, commonly distant from sensitive uses;
- Land within close proximity to irrigation resources, transport, infrastructure, manufacturing, labour force and industrial resources.

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Objective

To facilitate the use and development of land for intensive agriculture in appropriate locations, in a way that enhances the surrounding environment and does not cause detriment to nearby sensitive uses.

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Policy

It is policy to:

- Encourage proposals for intensive agriculture to locate within appropriate locations, including preferred precincts as shown on the Latrobe City Intensive Agriculture Precincts map.
- Encourage separation distances for intensive agriculture, where applicable, to be contained within property boundaries.
- Encourage stormwater management that provides for nil increase in run-off from the site with the construction and subsequent operation of the development.
- Discourage the establishment of rural-lifestyle dwellings in the preferred intensive agriculture precincts.
- Discourage the establishment of dwellings on lots less than 100 hectares, unless demonstrated that the dwelling is required in association with an agricultural use of the land.
- Encourage the management of land and water on the subject land through the retention of existing native vegetation trees, the re-vegetation of waterways and prevention of contamination of these areas by the approved agricultural enterprise.
- Consider the presence of Coal resource and its future utilisation

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Application Requirements

An application for intensive agriculture must include the following information, as appropriate:

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Documentation and plans for the site and surrounding area including:

- The location of the proposed use and/or development, including all buildings and works.
- Demonstration of how the design and siting of the proposed use and /or development complies with applicable industry codes of practice.
- Planned length of time the proposed use and/or development is intended to be undertaken on the subject site.
- Plans and elevations of existing and proposed development, including external cladding, site access, waste management, landscaping, available infrastructure, stormwater management and any other relevant matter.
- Details of earthworks for access, site establishment and infrastructure.
- Topography of the land and location of existing vegetation, including that affected by the development.
- Management of top soil and sub soil required to avoid soil contamination.
- Acoustic report to establish base line noise levels and proposed noise levels and any noise mitigation, where relevant.
- Existing land uses undertaken on surrounding properties, including any required separation and buffer distances to nearby sensitive uses.
- Any other matter relevant to the site and environment.
- A report explaining the proposal and how it addresses this policy.

Where the State Resource Overlay – Schedule 1 applies to the land, the application must also include:

- Planned length of time the proposed use and or development is intended to be undertaken on the subject site.
- Consideration of the likely scheduled utilisation of coal on or within one kilometre of the subject site and any potential risk to coal utilisation which may result from the proposed use and development.
- The nature and scale of development and estimated total value of all buildings and works.
- A rehabilitation plan of works, covering actions needed to return the land to its original or otherwise agreed condition once the use and development ceases, or the subject land is required for coal utilisation.
- Anticipated jobs creation, social and economic implications associated with the use.
- A fire management plan where the use or development is located within 1000 metres of a Mining Licence.

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Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in the Farming Zone, the responsible authority will consider:

- The location, topography, size and shape of the site relative to neighbours taking into consideration prevailing weather conditions, particularly wind direction and potential risk of conflict with neighbours due to odour and noise issues.
- Whether the proposed use meets the separation distances of permitted or existing agricultural uses, as required under appropriate government codes or practice including biosecurity, the Environmental Protection Authority's Recommended Separation Distances for Industrial Residual Air Emissions (as amended).
- Whether the proposed development adequately allows for the management and enhancement of rare or threatened species or ecological communities, areas of cultural heritage significance, and drainage to waterways and wetlands.

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- The views of relevant agencies or referral authorities.
- If located within the State Resource Overlay – Schedule 1, the need to ensure the interim use and development of the land is appropriate considering the scheduled or possible timeframe/s in which the underlying coal resource will be required.
- Whether the proposed works can be blended into the landscape through the design of the bulk, form and siting of buildings and infrastructure, and the use of non-reflective external materials in muted tones.

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Policy References

Latrobe City Rural Land Use Strategy 2017

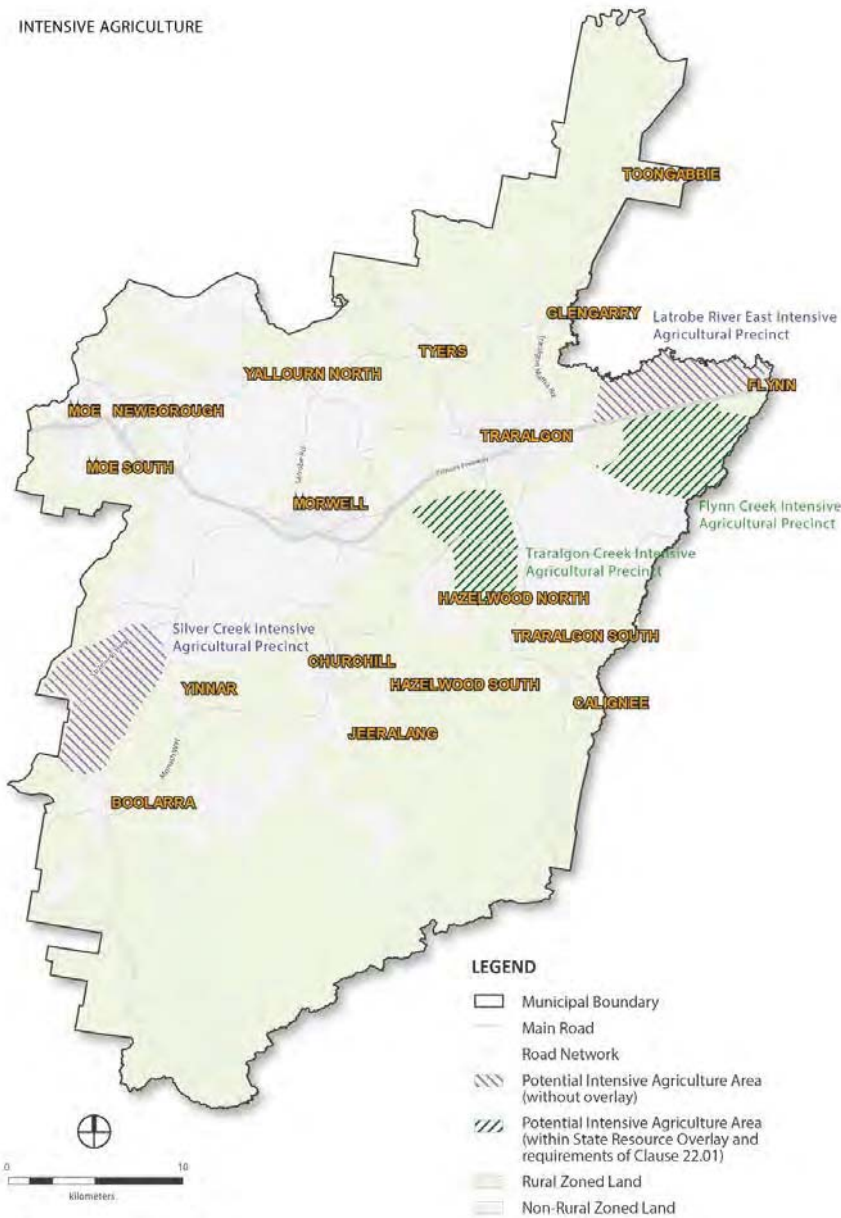
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Latrobe City Intensive Agriculture Precincts



LATROBE PLANNING SCHEME

INTENSIVE AGRICULTURE



22 LOCAL PLANNING POLICIES

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22.02 Rural Dwelling and Subdivision in the Farming Zone

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This policy applies to an application for a dwelling or the subdivision of land in the Farming Zone Schedule 1 and Farming Zone Schedule 2.

Policy Basis

This policy builds on and supports Clause 21.05-1 Agriculture to facilitate the following:

- Retain larger lots and avoid the establishment of sensitive land uses within the Farming Zone – Schedule 1 in order to retain ~~versatility~~ flexibility for current and future agriculture investment.
- Provide direction for the use and development of land within the Farming Zone - Schedule 2 for the purpose of niche and mixed farming, tourism and hobby farms in locations compatible with existing infrastructure investment, biodiversity values, land holding patterns and adjacent land use.

22.02-1 Objectives

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In the Farming Zone Schedule 1:

- To ensure that the use, development or subdivision of land does not adversely impact on the productive use of land for food and fibre.
- To discourage the proliferation of dwellings ~~-not~~ associated with agriculture use.
- To ensure that the siting of dwellings does not prejudice existing and future agricultural activities on surrounding land.
- To limit the fragmentation of land by subdivision and discourage the creation of irregular shaped or small lots.
- To preserve and encourage the creation of large land parcels through consolidation and/or re-subdivision.

In the Farming Zone Schedule 2:

- To provide for the orderly and complimentary use of land for agriculture, tourism, niche and mixed farming and related purposes in attractive rural landscapes.
- To discourage dwellings in locations that will limit the operation of surrounding commercial agriculture enterprises – including buffers required by industry codes of practice.
- To ensure buildings are suitably designed and sited to protect the landscape characteristics of the area.
- To support improved biodiversity and conservation outcomes through improved land management.

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For all land in the Farming Zone Schedule 1 and Schedule 2, it is policy to:

- Encourage dwellings where permitted and associated development to be located away from ridgelines and hilltops to ensure that the buildings blend into the landscape.
- Ensure the siting of a dwelling does not compromise the operation of nearby commercial agricultural enterprises, including an assessment on how impacts can be managed and will not ~~not~~ by encroaching on existing industry buffer and

separation distances.

- Discourage a dwelling within 100 metres of agricultural production infrastructure, activity nodes (such as effluent ponds, stock yards etc), or intensive animal production, or within the buffer distances for any as-of-right animal production land uses.

For land in the Farming Zone Schedule 1, it is policy to:

- Discourage dwellings not associated with the agricultural use of the land.
- Discourage more than one dwelling on a lot unless it can be demonstrated that the additional dwelling is required for a caretaker, farm manager or farm worker for the operation of the agricultural use, and is located on the same lot as the existing dwelling and the agricultural use.
- Enable the excision of dwellings from existing lots only where all of the following requirements apply, as appropriate:
 - There are beneficial agricultural outcomes, such as the expansion of an existing agricultural operation;
 - It is the re-subdivision of land so that the number of lots is not increased, or includes the consolidation of a number of small allotments;
 - The dwelling is located in close proximity to a road. Long narrow lots, 'battle-axe' or island style lots will be strongly discouraged.
 - No detriment is likely to result to adjoining agricultural activities.

For land in the Farming Zone Schedule 2, it is policy to:

- Encourage mixed use and niche farming enterprises, rural tourism, accommodation and produce sales.
- Support the establishment of small scale rural tourism opportunities, including agriculture related or nature based activities, bed and breakfasts, ~~cabins, farm host farms, stays, cellar door wineries~~ and restaurants.
- Discourage tourism uses not related to or that would likely introduce conflict with agriculture uses or rural amenity including camping, caravan park, backpacker hostels, market or residential hotel.
- Discourage subdivision of land that will result in the creation of a lot below the minimum lot size.
- ~~Subject to site conditions, encourage dwellings and associated development to be clustered together in the landscape by requiring similar setbacks from road frontages, providing site conditions enable this to be achieved.~~
- Support the ~~construction of use of land for a~~ dwelling, including accommodation, provided all of the following requirements are met:
 - No detriment is likely to result to adjoining agricultural activities.
 - It can be demonstrated that improved land management and or rehabilitation for conservation purposes, or improvements to degraded land will result.
 - ~~The lot is of a size to retain all wastewater onsite~~ All wastewater can be retained onsite.
 - New dwellings or other buildings requiring a BAL, should demonstrate that they will be sufficiently setback from any bushfire hazard to achieve a BAL construction standard no higher than BAL-29, unless there are significant siting constraints

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Application Requirements

An application for a dwelling or subdivision within the Farming Zone must include the following information, as appropriate:

For dwellings, documents and plans for the site and surrounding area including:

- ~~A site plan showing proposed buildings and works in plain view~~ including driveway access, existing and proposed fencing, existing or proposed easements, services, waste and treatment disposal area, existing and proposed vegetation, waterways and water tank(s).
 - An elevation plan including maximum height of buildings and works above ground level, including description of colour and materials to be used.
 - ~~Existing and proposed fences including location, height and materials.~~
 - Setbacks from boundaries, adjacent farm infrastructure and neighbouring dwellings.
 - A description of adjoining land use, buildings and features.
 - An assessment which considers how the surrounding commercial agricultural activity has been considered in the siting of the dwelling, including the following impacts:
 - Noise
 - Odour
 - Amenity (sight lines)
 - Infrastructure and livestock movements; and
 - Concentration of dwellings in the area
 - and how these impacts have been mitigated.
 - A description of the agricultural qualities of the land.
 - For Farming Zone 1 applications, a farm plan which demonstrates that the dwelling is required for a agricultural use
 - Where land is undulating, contours and proposed earthworks to show how the proposed development will be integrated into the landscape.
 - ~~Existing site conditions plan to show native vegetation and watercourses and other relevant site features. This can be provided as a clear aerial image.~~
 - A Land Capability Assessment required for lots under one hectare or where the development envelope is within 100 metres of a waterway, is prone to flooding or landslip risk, in order to demonstrate that the treatment and disposal of wastewater on the site can meet the *Septic Tank Code of Practice*, as amended.
 - For sites proposed to be subject to environmental rehabilitation or management for conservation purposes, a management statement including a schedule of works to achieve site rehabilitation or management, and describing how a dwelling or accommodation use would be an integral part of this. This should include a weed management program.
 - A BAL Assessment must be provided in a bushfire prone area
- For subdivision, documents and plans for the site and surrounding area including:
- A written report that responds to decision guidelines and the policy framework.
 - A description of adjoining land use, buildings and features.
 - A description of the agricultural qualities of the land.
 - A site plan showing existing development, topography, watercourses, infrastructure and existing native vegetation and other relevant site features, with proposed boundary lines.
 - For sites containing biodiversity assets, detail demonstrating that the new lots contain rather than divide biodiversity assets such as remnant patches of vegetation in their entirety, bodies of water or watercourses.
 - A Land Capability Assessment required for lots under one hectare or where the development envelope is within 100 metres of a waterway, is prone to flooding or landslip risk, in order to demonstrate that the treatment and disposal of wastewater on the site can meet the *Septic Tank Code of Practice*, as amended.
 - For the creation of a lot for an existing dwelling, a written statement that the

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dwelling has existing use rights, is in a habitable condition and is no longer required as part of an agricultural enterprise.

22.02-4 Decision Guidelines

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Proposed
C105

Before deciding on an application, in addition to the decision guidelines in the Farming Zone, the responsible authority will consider as appropriate:

- Whether the proposed dwelling is located within the buffer or 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) or within the as-of-right buffers of an animal production land use.
- Whether the dwelling will be located away from ridgelines or hill tops and the impact on the local landscape.
- Whether the dwelling will have a negative impact on surrounding commercial agricultural activity
- Whether the proposed development, including access and fencelines will require the removal of existing native vegetation.
- Where a proposed subdivision creates a lot less than the minimum lot size to be used for a dwelling, whether a section 173 agreement pursuant to the *Planning and Environment Act 1987* is required so that the remainder of the land will not be further subdivided.
- Where a second dwelling is proposed, whether the dwelling is required for a caretaker, farm manager or farm worker for the operation of the agricultural use, and is located on the same lot as the existing dwelling and the agricultural use
- The proposed BAL construction standard and setback from hazardous vegetation;
- The level of surety about ongoing vegetation management for the maintenance of defensible space or bushfire risk mitigation.
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In the Farming Zone Schedule 1:

- For a proposed dwelling, whether a section 173 agreement pursuant to the *Planning and Environment Act 1987* is required to prevent the future excision of the dwelling from the parent lot.
- The nature of the agricultural activities on the land and whether they require permanent and continuous care, supervision or security as provided by a dwelling on the land, or whether they can be managed from an off-site location.

In the Farming Zone Schedule 2:

- For a proposed dwelling required in association with improved land management or conservation outcome, whether the environmental management plan is satisfactory; and whether a section 173 agreement pursuant to the *Planning and Environment Act 1987* is required, to ensure an environmental management or rehabilitation plan is enacted in perpetuity.
- The impact of the proposed use or development on the amenity of the area.

For subdivision applications:

- Whether a section 173 agreement pursuant to the *Planning and Environment Act 1987* is required in the following circumstances:
 - Where a parcel less than the minimum lot size is proposed to be re-subdivided or subdivided, to prevent further subdivision of the remnant parcel.
 - Where a parcel less than the minimum lot size is proposed to be re-subdivided or subdivided, to prevent a further dwelling to be placed on the

LATROBE PLANNING SCHEME

vacant parcel.

- Where bushfire risk mitigation requires ongoing vegetation management.

•

- Where an application proposes the creation of a lot for an existing dwelling:
 - Whether the balance lot is at least the minimum specified in the schedule to the zone.
 - Whether the excision of the dwelling is compatible with agricultural use and will not reduce the potential for farming or other established rural land uses nearby.
 - Whether the design of the lot does not isolate key rural infrastructure from the remnant parcel of the land.
 - Whether previous lot excisions have taken place and the cumulative impact on the viability of the parent lot for agriculture or related use.

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22.02-5 Policy References

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Proposed
C105

Latrobe City Rural Land Use Strategy 2017

22 LOCAL PLANNING POLICIES

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Proposed
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22.03 Rural Tourism in the Farming Zone

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Proposed
C105

This policy applies to an application for rural tourism in the Farming Zone Schedule 1 and Farming Zone Schedule 2.

Policy Basis

This policy builds on and supports Clause 21.05-1 Agriculture and Clause 21.07-7 Tourism, to facilitate the following:

- Land uses that complement and enhance the viability of agricultural activity through small scale rural based tourism.
- The development of low impact rural tourism and related activities within the Farming Zone where it is consistent with settlement patterns, landscape, amenity and environmental values.

22.03-1 Objectives

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Proposed
C105

In the Farming Zone Schedule 1 and Schedule 2:

- To provide for the orderly and complementary use of land for rural and nature based tourism in attractive rural landscapes.
- To ensure buildings are suitably designed and sited to protect the landscape characteristics and respond to any identified bushfire risk of the area.
- To ensure that the use and development of land for rural tourism and related activities does not adversely impact on the productive use of land for food and fibre.
- To ensure that the siting of dwellings or accommodation required in association with rural tourism does not prejudice existing and future agricultural activities on surrounding land – including buffers required by industry codes of practice.

22.03-2 Policy

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Proposed
C105

For all land in the Farming Zone Schedule 1 and Schedule 2, it is policy to:

- Encourage all buildings, including dwellings and associated development, to be located away from ridgelines and hilltops to ensure that the buildings blend into the landscape.
- Ensure that the siting of all buildings, including dwellings and associated development, does not compromise the operation of nearby commercial agricultural enterprises by encroaching on existing industry buffer and separation distances.
- Give preference to Support rural tourism proposals that are:
 - Ancillary to an agricultural or rural land use, thereby adding to the sustainability of the agricultural industry; or
 - Sensitive to the rural landscape and natural environment, aiding the achievement of biodiversity conservation on that land and lead to greater appreciation and enjoyment of the natural environment; ~~or~~

Ancillary to an agricultural or rural land use, thereby adding to the sustainability of the agricultural industry.

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LATROBE PLANNING SCHEME

- Strongly discourage a dwelling or accommodation within 100 metres of agricultural production infrastructure, activity nodes (such as effluent ponds, stock yards etc), or intensive animal production, or within the buffer distances for any as-of-right animal production land uses.
- Discourage rural tourism proposals that are likely to result in significant disturbance of remnant bushland.
- New dwellings or other buildings requiring a BAL, should demonstrate that they will be sufficiently setback from any bushfire hazard to achieve a construction standard no higher than BAL-29, unless there are significant siting constraints, in accordance with AS 3959 Construction of buildings in bushfire prone areas.
- In a BPA outside the BMO, a tourism development application involving accommodation for persons not normally resident on the site (i.e. other than for a dwelling or dependent persons unit) must prepare a bushfire risk assessment report for the development, which will be referred to the CFA for comment, showing how any identified bushfire risk will be acceptably mitigated.
- Support large scale tourism developments within rural areas only where:
 - The proposed tourism enterprise requires a rural location.
 - The development will not contribute to the urbanisation of the area.
 - The land use is compatible with the use of adjoining and surrounding land for agriculture or forestry and complimentary to the rural setting.
 - The facility will significantly contribute to the tourism economy of the region.
 - The site is strategically located with respect to tourist routes, tourist attractions and other infrastructure.
 - The site has access to all relevant servicing infrastructure and the development will meet all costs for infrastructure provision to the site.
 - If deemed necessary, whether the proposal is to be undertaken by way of combined land rezoning and planning permit application to apply the Rural Activity Zone.

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For land in the Farming Zone Schedule 1, it is policy to:

- Ensure that rural tourism is ancillary to and associated with an existing farming activity undertaken on the property, and that the agricultural activity remains the primary land use.
- Ensure the proposed use of land for tourism will economically assist, promote, and form part of the productive agricultural enterprise (or rural use) to avoid potential land use incompatibilities.
- Ensure the mix of uses will not be out of balance with, nor change the character and nature of the agricultural land use, or result in an unreasonable loss of productive agricultural land.

For land in the Farming Zone Schedule 2, it is policy to:

- Support the establishment of small scale rural tourism opportunities, including agriculture related or nature based activities, bed and breakfasts, cabins, farm stays, cellar door and restaurants.
- Discourage tourism uses, including caravan parks, backpacker hostels, market or residential hotels that would likely introduce conflict with adjoining agriculture uses, land conservation outcomes or rural amenity values.
- Encourage buildings and ancillary infrastructure to be clustered together where site conditions enable this to be achieved and that screening from view from neighbouring dwellings is provided.

22.03-3 Application Requirements

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Proposed
C105

An application for a rural tourism within the Farming Zone 1 and 2 must include the following information, as appropriate:

- Proposed buildings and works, including driveways, waste and treatment disposal area and native vegetation to be retained or affected by the proposed development.
- Setbacks from waterways, boundaries, adjacent farm infrastructure and neighbouring dwellings, including view lines to neighbouring dwellings.
- Where land is undulating, contours and proposed earthworks to show how the proposed development will be integrated into the landscape.
- For sites proposed to be subject to environmental rehabilitation or management for conservation purposes, a management statement including a schedule of works to achieve site rehabilitation or management, and describing how a dwelling or accommodation use would be an integral part of this. This should include a weed management program.
- A report outlining why a rural location is required and how the proposal is sympathetic or complimentary to the agricultural or natural environment values on the subject land and its surrounds.
- For Farming Zone 1, an explanation on how the use is associated with an agricultural use.
- Proximity and access to tourism features and infrastructure.
- Expected hours of operation, including maximum daily visitors.
- Explanation of how the proposal will complement the local tourism economy, including anticipated employment directly and indirectly expected to result from the proposal.
- A bushfire risk assessment report for a tourism development must be prepared by a suitably qualified or experienced bushfire practitioner, and show:
 - Siting of buildings that responds to the hazard such that buildings can achieve a construction standard no higher than a BAL-29
 - Adequate access for emergency services
 - An adequate water supply for fire fighting and property protection
 - A Bushfire Emergency Management Plan (BEMP) detailing emergency management arrangements and procedures for the site on days of elevated fire danger.
- Description of safety measures to be deployed in response to fire risk and other hazards, where present.

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22.03-4 Decision Guidelines

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Proposed
C105

Before deciding on an application, in addition to the decision guidelines in the Farming Zone 1 and 2, the responsible authority will consider as appropriate:

- Whether the proposal is located within the buffer or 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) or within the as-of-right buffers of an animal production land use.
- Whether the proposed buildings and works will be located away from ridgelines or hill tops and the impact on the local landscape.
- Whether the proposed development, including access, will require the removal of existing native vegetation or likely result in significant vegetation disturbance.

LATROBE PLANNING SCHEME

- Likely benefits to the local and regional tourism economy.
- Whether the proposal will generate a substantial increase in traffic or require road improvements or signage likely to adversely affect the rural character of the road(s) serving the localities.
- For large scale tourism – whether the application for permit should be considered as part of Section 96(A) application under the Planning and Environment Act 1987 for the rezoning of land to a Rural Activity Zone.
- The impact of the proposed use or development on the surrounding agriculture, natural environment or rural amenity of the area.
- The views of the relevant fire authority.
- Whether any identified bushfire risk will be able to be acceptably mitigated in an ongoing capacity, for the life of the development.
- For Farming Zone 1, whether the application is in association with an agricultural use

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22.03-5

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Proposed
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Policy References

Latrobe City Rural Land Use Strategy 2017 (as amended)

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Proposed
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SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ1**

TRARALGON TRANSIT CITY PRECINCT

1.0 Design Objectives

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Proposed
C105

To facilitate development of smaller housing types comprising low scale apartments, shop-top housing, townhouses and units to maximise access to activity centres, services, transport and infrastructure.

To create an attractive neighbourhood character which allows for a compact urban form whilst retaining the appearance of wide, vibrant and vegetated streetscapes and boulevards, with spaces between buildings as they face the street.

To encourage multi-storey developments on large lots on land of sufficient size and width to achieve required building setbacks, a garden landscape within the front setback and off street car parking.

To ensure that the design of vehicle access points support a safe, accessible and walkable neighbourhood.

To ensure new development appropriately responds to the *Latrobe City Urban Design Guidelines*, *Traralgon Activity Centre Plan 2017* and where adjacent to Heritage Overlay land, the *Heritage Victoria Guidelines* (as amended).

2.0 Requirements of Clause 54 and Clause 55

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Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	3.0 metres for the front façade of the building and 5.5 metres for garages or car ports.
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	One canopy tree in front setback per dwelling facing the street.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	1.02 metres

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3.0 Maximum building height requirement for a dwelling or residential building

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Proposed
C105

A building used as a dwelling or a residential building must not exceed a height of 15 metres above natural surface-ground level.

4.0 Application requirements

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Proposed
C105

None specified.

5.0 Decision guidelines

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Proposed
C105

The following decision guidelines apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Where the development abuts a different residential zone, the design should provide a graduated or stepped transition in building height, mass and scale from that adjoining zone.
- Whether the proposed development provides adequate spacing between it and the adjoining building.
- Whether access points provided in the development are safe and accessible and promote a walkable neighbourhood.
- For developments exceeding three storeys, whether the lot has a frontage of at least 20 metres.
- The scale and design of the proposal against the Neighbourhood Character objectives of Clause 21.06, the *Traralgon Activity Centre Plan 2017* and the recommendations of the *Latrobe City Housing Strategy 2017* and the *Latrobe City Council Urban Design Guidelines* (as amended).
- Whether the proposed development presents activated and articulated facades to adjoining streets including on corner lots.

09/10/2014
C84
Proposed
C105

SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ2**.

COMPACT LIVING WITH SPECIAL CHARACTER

1.0 Design Objectives

09/10/2014
C84
Proposed
C105

To provide for a compact urban form that retains a garden appearance and wide streetscape, whilst enabling increased housing density and diversity.

To ensure that the design and siting of new buildings does not dominate the streetscape or compromise identified heritage character values.

To ensure pedestrian activity and walkability is retained by careful siting and design access points.

2.0 Requirements of Clause 54 and Clause 55

09/10/2014
C84
Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	<u>5.5 metres for garage and carports</u>
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	<u>One canopy tree in front setback per 25 square metres.</u>
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	<u>None specified - 1.2 metres</u>

3.0 Maximum building height requirement for a dwelling or residential building

09/10/2014
C84
Proposed
C105

A building used as a dwelling or a residential building must not exceed a height of 12 metres above natural surface/ground level.

4.0 Application requirements

09/10/2014
C84

None specified.

5.0 Decision guidelines

09/10/2014
C84
Proposed
C105

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

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LATROBE PLANNING SCHEME

- The application must have regard to the Latrobe City Council, *Traralgon Station Precinct Master Plan, June 2011 and 2011.*
- The scale and design of the proposal against the Neighbourhood Character objectives of 21.06 and the recommendations of the Latrobe City Housing Strategy 2017 and the Latrobe City Council Urban Design Guidelines (as amended).
- Whether the design of new developments exceeding 9 metres above natural surface level provides a stepped or graduated elevation treatment to the adjoining General Residential Zone, Neighbourhood Residential Zone or land located within a Heritage Overlay.
- For development exceeding three storeys, whether the lot has a frontage of at least 20 metres.
- On corner sites, buildings should address both street frontages with either openings and/or windows at street level.
- The application must have regard to the Latrobe City Heritage Study 2010, comprising:
 - Volume 1: Thematic Environmental History
 - Volume 2: Key Findings and Recommendations
 - Volume 3: Heritage Place and Precinct Citations (as Incorporated Document)
- The scale and design of the proposal must have regard to and complement development against the heritage significance of adjoining heritage sites and precincts, f the Railway, Queens Parade and Shakespeare Street Precinct.
- The front setback of a new building should not be set forward from an adjoining heritage building.
- An application for development on or adjoining land within a heritage overlay must have regard to the Latrobe City Heritage Study 2010, Volume 3: Heritage Place and Precinct Citations (as Incorporated Document).

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Proposed
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SCHEDULE 3 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

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MORWELL AND MOE TRANSIT CITY

1.0

Design Objectives

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Proposed
C105

To facilitate development of with a range of housing types within low scale buildings to maximise access to the activity centre, services, transport and infrastructure

To retain the appearance of a wide, vibrant and vegetated streetscape while allowing for a compact urban form.

To encourage multi-storey developments on large lots of sufficient size and width to achieve required building setbacks, a garden landscape within the front setback and off street car parking.

To ensure that the design of vehicle access points support a safe, accessible and walkable neighbourhood.

To ensure new development appropriately respond to the Latrobe City Urban Design Guidelines and compliments the relevant Activity Centre Plan.

2.0

Requirements of Clause 54 and Clause 55

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Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	3 metres for the front façade of the building and 5.5 metres for garages or car ports.
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	One canopy tree in front setback per dwelling facing the street.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	1 metre 1.2 metres

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3.0

Maximum building height requirement for a dwelling or residential building

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Proposed
C105

A building used as a dwelling or a residential building must not exceed a height of 12 metres above natural ~~surface-ground~~ level.

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Proposed
C105

Application requirements

None specified.

5.0 Decision guidelines

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Proposed
C105

The following decision guidelines apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development retains wide, vibrant and vegetated streetscape.
- Whether land is of sufficient size to achieve setbacks, landscaping and car parking requirements within front setbacks.
- Whether the development maximises residents access to activity centres, public transport and other key community infrastructure.
- Whether access points provided in the development are safe and accessible and promote a walkable neighbourhood.
- For developments exceeding three storeys, whether the lot has a frontage of no less than 20 metres.
- Whether the design of new developments exceeding nine metres above natural surface level provide a stepped or graduated elevation treatment to the adjoining General Residential Zone, or Neighbourhood Residential Zone.
- The scale and design of the proposal against the relevant Activity Centre Plan, Neighbourhood Character objectives of Clause 21.06 and the recommendations of the Latrobe City Housing Strategy 2017, and the Latrobe City Council Urban Design Guidelines (as amended).

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Proposed
C105

SCHEDULE 4 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ4**.

CHURCHILL ACTIVITY CENTRE

1.0 Design Objectives

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Proposed
C105

To facilitate development with a range of housing types within low scale buildings to maximise access to the activity centre, services, transport and infrastructure.

To retain the appearance of a wide, vibrant and vegetated streetscape while accommodating a compact urban form.

To encourage multi-storey developments on large lots of sufficient size and width to achieve required building setbacks, a garden landscape within the front setback and off street car parking.

To ensure that the design of vehicle access points support a safe, accessible and walkable neighbourhood.

To ensure new development appropriately responds to the *Latrobe City Urban Design Guidelines* and compliments the *Churchill Town Centre Plan* (as amended).

2.0 Requirements of Clause 54 and Clause 55

--/20--
Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	3 metres for the front façade of the building and 5.5 metres for garages or car ports.
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	One canopy tree in front setback per dwelling facing the street.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	1 metre 1.2 metres

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3.0 Maximum building height requirement for a dwelling or residential building

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Proposed
C105

A building used as a dwelling or a residential building must not exceed a height of 12 metres above natural ~~surface-ground~~ level.

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Proposed
C105

Application requirements

None specified.

5.0 Decision guidelines

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Proposed
C105

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development supports the character of wide, vibrant and vegetated streetscapes.
- Whether land is of sufficient size to achieve setbacks, landscaping and car parking requirements within front setbacks.
- Whether the development maximises residents access to activity centres, public transport and other key community infrastructure.
- Whether access points provided in the development are safe and accessible and promote a walkable neighbourhood.
- For developments exceeding three storeys, whether the lot has a frontage of no less than 20 metres.
- Whether the design of new developments exceeding nine metres above natural surface level provides a stepped or graduated elevation treatment to the adjoining General Residential Zone, or Neighbourhood Residential Zone.
- The scale and design of the proposal against the Neighbourhood Character objectives of 21.06, the Churchill Town Centre Plan (2017) and the recommendations of the Latrobe City Housing Strategy 2017 and the Latrobe City Council Urban Design Guidelines(as amended).

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C105

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

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INCREMENTAL CHANGE (Five Minute Neighbourhoods)

1.0 Neighbourhood character objectives

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Proposed
C105

To accommodate modest housing growth in the form of low scale townhouses and units within walking distance of Activity Centres.

To ensure new medium density development provides a sensitive and appropriate interface with adjoining streetscapes, buildings and residential areas.

To ensure upper levels of buildings, garages and carports are set back to minimise dominance within the streetscape.

To encourage setbacks from at least one side boundary to provide sufficient space for trees and other vegetation.

To encourage the retention of established canopy trees in the front setback and encourage low or open style front fences.

2.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

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Proposed
C105

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?

Yes

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

Yes

3.0 Requirements of Clause 54 and Clause 55

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Proposed
C105

Minimum street setback	A3 and B6	5.5 metres front setback for garages and carports.
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	One canopy tree in front setback with no less than 50% planted or grassed landscape area.
Side and rear setbacks	A10 and B17	Setback of 1.5 metre on one side for a distance of at least 10 metres from the front property boundary.
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	1.2 metres

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4.0 Maximum building height requirement for a dwelling or residential building

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Proposed
C105

None specified.

5.0 Application requirements

--/20--
Proposed
C105

None specified

6.0 Decision guidelines

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Proposed
C105

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified [in Clause 32.08 and](#) elsewhere in the scheme [which must be considered, as appropriate, by the responsible authority](#):

- Whether the new development reinforces the wide streets and a garden dominant character of the area.
- Whether the development provides for an appropriate visual transition to residential properties in the General Residential Zone Schedule 1 or a Neighbourhood Residential Zone.
- Whether new developments appropriately respond to the [Latrobe City Urban Design Guidelines](#) (as amended).

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Proposed
C105

SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ2**.

INCREMENTAL CHANGE (TRARALGON GARDEN SUBURB)

1.0 Neighbourhood character objectives

--/20--
Proposed
C105

To reinforce the garden character of established neighbourhoods, while accommodating modest housing growth in the form of ~~low-scale apartments~~ multi level residential developments, townhouses and units within walking distance of the Traralgon Primary Activity Centre.

To ensure new medium density development provides a sensitive and appropriate interface with adjoining streetscapes, buildings and residential areas.

To ensure upper levels of buildings are set back to minimise dominance within the streetscape.

To encourage setbacks from both side boundaries to provide sufficient space for trees and other vegetation.

To encourage the retention of established canopy trees in the front setback and low or open style front fences.

2.0 Permit requirement for the construction or extension of one dwelling on a lot or a fence associated with a dwelling on a lot

--/20--
Proposed
C105

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

Yes

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

Yes

3.0 Requirements of Clause 54 and Clause 55

--/20--
Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	5.5 metres front setback for carports or garages.
Site coverage	A5 and B8	None specified.
Permeability	A6 and B9	None specified.
Landscaping	B13	One canopy tree in front setback per dwelling facing the street with no less than 50% planted or grassed landscape area.
Side and rear setbacks	A10 and B17	Setback of 1 metre from both side boundaries for a distance of at least 10 metres from the front property boundary.
Walls on boundaries	A11 and B18	No wall on side boundary for a distance of at least 10 metres from the front property boundary.
Private open space	A17	None specified
	B28	None specified

	Standard	Requirement	
	Front fence height	A20 and B32	1.2 metres
<div> <div> --/20-- Proposed C105 </div> </div>	Maximum building height requirement for a dwelling or residential building None specified.		
<div> <div> 5.0 --/20-- Proposed C105 </div> </div>	Application requirements None specified		
<div> <div> 6.0 --/20-- Proposed C105 </div> </div>	Decision guidelines The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority : <ul style="list-style-type: none"> Whether the new development reinforces the wide streets and garden dominant character of the area. Whether new developments appropriately respond to the Latrobe City Urban Design Guidelines (as amended). Whether the development provides for an appropriate visual transition to residential properties in the General Residential Zone Schedule 1 or a Neighbourhood Residential Zone. 		

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Proposed
C105

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ3**

NEW ESTATES

1.0

Neighbourhood character objectives

--/20--
Proposed
C105

To establish and reinforce a spacious regional suburban character of new neighbourhoods by requiring adequate front and side setbacks of buildings and encouraging a garden streetscape with canopy trees.

To encourage the openness of streetscapes and rhythm of building spacing.

To encourage buildings to be offset from one side boundary.

To encourage a lack of front fencing and generous front setbacks to allow for landscaping.

To encourage smaller and diverse housing types, including units and townhouses, to within 200 metres of existing and planned neighbourhood and local activity centres, primary public transport routes and public open space areas.

2.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

--/20--
Proposed
C105

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?

Yes

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

3.0

Requirements of Clause 54 and Clause 55

--/20--
Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	5.5 metres for carports or garages.
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	One canopy tree in front setback per dwelling facing the street.
Side and rear setbacks	A10 and B17	1.5 metre side setback on one side.
Walls on boundaries	A11 and B18	No wall on one side boundary
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

4.0 Maximum building height requirement for a dwelling or residential building

--/20--
Proposed
C105

None specified

5.0 Application requirements

--/20--
Proposed
C105

None specified

6.0 Decision guidelines

--/20--
Proposed
C105

None specified

--/--/20--
Proposed
C105

SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ4**.

DISTRICT TOWNS

1.0 Neighbourhood character objectives

--/--/20--
Proposed
C105

To retain the character of established neighbourhoods, whilst accommodating modest housing growth in the form of ~~low-scale apartments~~ **multi level residential developments**, townhouses and units within walking distance of Local Activity Centres of District Towns.

To ensure new medium density development provides a sensitive and appropriate interface with adjoining streetscapes, buildings and residential areas.

To ensure buildings do not visually dominate the site or streetscape by recessing upper levels, and garages and carports are set back behind the building façade.

To provide sufficient space for landscaping and visual rhythm between buildings by provision of a setback from at least one side boundary.

To encourage new development that appropriately responds to the *Latrobe City Urban Design Guidelines* and where adjacent to Heritage Overlay land, the *Heritage Victoria Guidelines* (as amended).

2.0 Permit requirement for the construction or extension of one dwelling on a lot or a fence associated with a dwelling on a lot

--/--/20--
Proposed
C105

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

Yes

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

3.0 Requirements of Clause 54 and Clause 55

--/--/20--
Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	5.5 metres for carports or garages.
Site coverage	A5 and B8	None specified.
Permeability	A6 and B9	None specified.
Landscaping	B13	One canopy tree in front setback per dwelling facing the street.
Side and rear setbacks	A10 and B17	Combined side setback of no less than 2.0 metres for a distance of at least 10 metres from the front property boundary.
Walls on boundaries	A11 and B18	No wall on one boundary.
Private open space	A17	None specified
	B28	None specified

	Standard	Requirement
Front fence height	A20 and B32	1.0 metre

4.0 **Maximum building height requirement for a dwelling or residential building**

--/--/20--
Proposed
C105

None specified.

5.0 **Application requirements**

--/--/20--
Proposed
C105

None specified.

6.0 **Decision guidelines**

--/--/20--
Proposed
C105

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the design of new developments exceeding nine metres above natural surface level provides a stepped or graduated elevation treatment to the adjoining Neighbourhood Residential Zone.
- The front setback of a new building, which should not be set forward from an adjoining heritage building.
- Whether the new development reinforces the wide streets and dominant character of the area.
- The scale and design of the proposal against the Neighbourhood Character objectives of 21.06 and the recommendations of the *Latrobe City Housing Strategy 2017* and the *Latrobe City Council Urban Design Guidelines*.

--/20-
Proposed
C105

SCHEDULE 2 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ2**

BUSH GARDEN NEIGHBOURHOOD

1.0 Neighbourhood character objectives

--/20-
Proposed
C105

To conserve and enhance the character of the bush garden setting by ensuring the built form does not visually dominate the area.

To retain the spacious character of the area through generous front and side setbacks that support new and existing canopy trees.

To ensure building siting and massing responds to the topography of the area and that hard surfaces occupy a low proportion of the site area.

To ensure new development uses muted tones that blend with the environment.

To encourage no or low open style front fences.

2.0 Minimum subdivision area

--/20-
Proposed
C105

The minimum lot size for subdivision is 900 square metres.

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

--/20-
Proposed
C105

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	None specified
Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot	Permit required where fence is proposed to be constructed over 1.0 metre in height.

4.0 Requirements of Clause 54 and Clause 55

--/20-
Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	7.5 metres
Site coverage	A5 and B8	30 percent.
Permeability	A6 and B9	50 percent.
Landscaping	B13	One canopy tree in front setback None specified
Side and rear setbacks	A10 and B17	Minimum side setback of 2.0 metres on both side boundaries, for a distance of 10 metres from the front of the property.
Walls on boundaries	A11 and B18	No walls on side boundaries for a distance of 10 metres from the front of the property.
Private open space	A17	None specified.
	B28	None specified.

	Standard	Requirement
Front fence height	A20 and B32	1.0 metre

5.0 **Maximum building height requirement for a dwelling or residential building**

--/--/20-
Proposed
C105

None specified.

6.0 **Application requirements**

--/--/20-
Proposed
C105

None specified.

7.0 **Decision guidelines**

--/--/20-
Proposed
C105

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified [in Clause 32.09 and](#) elsewhere in the scheme, which must be considered, as appropriate, by the responsible authority:

- Whether the vegetation in the street setback will contribute to the preferred neighbourhood character and the public realm.
- Whether there is sufficient permeable space that is not encumbered by an easement to enable the planting of canopy trees.
- Whether the development provides for the retention and/or planting of trees, where these are part of the character of the neighbourhood.

--/20--
Proposed
C105

SCHEDULE 3 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ3**

LIFESTYLE SUBURBAN

1.0 Neighbourhood character objectives

--/20--
Proposed
C105

To maintain the open spacious setting of dwellings within large gardens containing substantial trees and shrubs in a semi-rural setting.

To retain deep front setbacks and long driveways.

To retain substantial side setbacks, and landscaping within setback areas.

To ensure buildings and hard surfaces occupy a low proportion of the site area.

To encourage no or low open style front fences.

2.0 Minimum subdivision area

--/20--
Proposed
C105

The minimum lot size for subdivisions is 1,500 square metres.

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

--/20--
Proposed
C105

Permit requirement for the construction or extension of one dwelling on a lot	None specified.
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Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot	None specified.
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4.0 Requirements of Clause 54 and Clause 55

--/20--

Proposed
C105

Minimum street setback	A3 and B6	7.5 metres.
Site coverage	A5 and B8	30 percent.
Permeability	A6 and B9	50 percent.
Landscaping	B13	One canopy tree in front setback
Side and rear setbacks	A10 and B17	Minimum 3.0 metre side setback.
Walls on boundaries	A11 and B18	None specified.
Private open space	A17	None specified.
	B28	None specified.
Front fence height	A20 and B32	1.0 metre.

5.0 Maximum building height requirement for a dwelling or residential building

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Proposed
C105

None specified.

6.0 Application requirements

--/--/20--
Proposed
C105

None specified.

7.0 Decision guidelines

--/--/20--
Proposed
C105

None specified.

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Proposed
C105

SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ4**.

REGIONAL SUBURBS

1.0

Neighbourhood Character Objectives

--/20--
Proposed
C105

To reinforce a spacious regional suburban character of existing and new neighbourhoods by providing generous front and side building setbacks and landscaped front setbacks with canopy trees.

To minimise the prominence of buildings within the streetscape by recessing upper levels of buildings and siting garages and carports behind the front façade.

To ensure new development appropriately responds to the *Latrobe City Urban Design Guidelines* and where adjacent to Heritage Overlay land, the *Heritage Victoria Guidelines* (as amended).

Minimum subdivision area

None specified.

2.0

Permit requirement for the construction or extension of one dwelling on a lot

--/20--
Proposed
C105

Requirement	
Permit requirement for the construction or extension of one dwelling on a lot	Yes <u>on lots less than 500m²</u>
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified

3.0

Requirements of Clause 54 and Clause 55

--/20--
Proposed
C105

	Standard	Requirement
Minimum street setback	A3 and B6	5.5 metres for carports and garages.
Site coverage	A5 and B8	50 percent.
Permeability	A6 and B9	None specified
Landscaping	B13	One canopy tree in front setback per dwelling facing the street.
Side and rear setbacks	A10 and B17	Combined setback of no less than 3 metres.
Walls on boundaries	A11 and B18	No wall on one boundary for a distance of ten metres from the front boundary.
Private open space	A17	None specified.
	B28	None specified
Front fence height	A20 and B32	None specified

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Proposed
C105

Maximum building height requirement for a dwelling or residential building

--/20--
Proposed
C105

None Specified.

6.0

Application requirements

--/20--
Proposed
C105

None specified.

7.0

Decision guidelines

--/20--
Proposed
C105

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme, which must be considered, as appropriate, by the responsible authority:

- Whether the development provides for appropriate setbacks and landscaping.
- Whether the proposed development or subdivision appropriately responds to the *Latrobe City Urban Design Guidelines* (as amended).

15/09/2008
VC49
Proposed
C105

SCHEDULE 1 TO CLAUSE 35.03 THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ1**

1.0 Subdivision and other requirements

15/09/2008
VC49
Proposed
C105

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land	<u>2.0-4 hectares</u>
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land	<u>2.0-4 hectares</u>
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	
Minimum setback from a road (metres).	None specified	
Minimum setback from a boundary (metres).	None specified	
Minimum setback from a dwelling not in the same ownership (metres).	None specified	
Permit requirement for earthworks		Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	None specified	
Earthworks which increase the discharge of saline groundwater.	None specified	

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15/09/2008
VC49
Proposed
C105

SCHEDULE 2 TO ~~CLAUSE 35.03~~ THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ2**

1.0 Subdivision and other requirements

15/09/2008
VC49
Proposed
C105

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land	<u>4.4</u> hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land	<u>4.4</u> hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	
Minimum setback from a road (metres).	None specified	
Minimum setback from a boundary (metres).	None specified	
Minimum setback from a dwelling not in the same ownership (metres).	None specified	

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	None specified
Earthworks which increase the discharge of saline groundwater.	None specified

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15/09/2008
VC49
Proposed
C105

SCHEDULE 3 TO CLAUSE 35.03 THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ3**

1.0 Subdivision and other requirements

15/09/2008
VC49
Proposed
C105

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land	<u>62</u> hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land	<u>62</u> hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	
Minimum setback from a road (metres).	None specified	
Minimum setback from a boundary (metres).	None specified	
Minimum setback from a dwelling not in the same ownership (metres).	None specified	

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	None specified
Earthworks which increase the discharge of saline groundwater.	None specified

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Proposed
C105

SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as **FZ1**.

1.0 Subdivision and other requirements

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Proposed
C105

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	80 Hectares
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	100 hectares
Maximum area for which no permit is required to use land for timber production (hectares)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1	100 metres
	A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

LATROBE PLANNING SCHEME

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

SCHEDULE 2 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as **FZ2**.

MIXED-USE FARMING

1.0 Subdivision and other requirements

	LAND	AREA/DIMENSIONS/DISTANCE
Minimum subdivision area (hectares).	All land	40 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land	40 hectares
Maximum area for which no permit is required to use land for timber production (hectares).	None specified	
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	
Minimum setback from a road (metres).	A road zone category 1 or land in a public acquisition overlay to be acquired for a road, category 1	100 metres
	A road zone category 2 or land in a public acquisition overlay to be acquired for a road, category 2	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres

Minimum setback from a dwelling not in the same ownership (metres).

Any dwelling not in the same ownership

~~400~~ 50 metres

Permit requirement for earthworks

Land

Earthworks which change the rate of flow or the discharge point of water across a property boundary.

None specified

Earthworks which increase the discharge of saline groundwater.

None specified

02/02/2012
G58
Proposed
C105

SCHEDULE 6 TO THE CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO6**

RESIDENTIAL GROWTH AREAS

1.0

02/02/2012
C58

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly development of the general area affected by the Development Plan Overlay.

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2.0

02/02/2012
C58

Conditions and requirements for permits

Except for a permit granted before a development plan has been approved in accordance with Clause 1.0 of the schedule, a permit must contain the following condition:

- Prior to the commencement of any development, the owner(s) of the land must enter into an agreement under section 173 of the *Planning & Environment Act 1987*. The agreement must provide for infrastructure contributions to be paid prior to the issue of a statement of compliance in respect of the subdivision of land. The agreement must require the payment of infrastructure contributions for:-
 - The acquisition of any land required for a road reserve for a road that Council proposes to be funded by the contributions agreement. Where that road is proposed to be wider than what presently exists, the infrastructure payment required must only relate to the additional width of the required road reserve. The contributions must be in the proportions set out in the development contributions tables in the approved development plan.
 - The construction of any road that Council proposes is to be funded by the contributions agreement. If widening is to an existing road, then the infrastructure payment required must only relate to the difference between a road comprising the existing pavement width and a road comprising a widened pavement and associated facilities in the proportions set out in the development contributions tables in the approved development plan.
 - The design and construction of stormwater drainage infrastructure including main drainage, wetlands, and retarding basins as described in the approved development plan.
 - The improvement of public open space identified in the approved development plan.
 - The acquisition of land for public open space in the proportions set out in the development contributions tables in the approved development plan.
 - The acquisition of land for stormwater drainage purposes in the proportions set out in the development contributions tables in the approved development plan.
 - Infrastructure associated with the proposed bus route.
 - Traffic calming treatments.
 - The walking and cycling network including safe crossing points on the abutting arterial roads (excluding footpaths along roads).

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The agreement must be prepared at the cost of the owner(s) and be to the satisfaction of the responsible authority.

Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to essential services, community facilities, open space and roads.
- The potential for future re-subdivision.
- The interface between proposed and existing nearby developments, to reduce the chance of conflicting developments.
- The need to minimise access points to designated Category 1 Roads.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing and staging of the development of the land.
- The consistency of the proposed development with the approved development plan.
- The consistency of the proposed development with adopted structure plans, where relevant.

3.0

Requirements for development plan

02/02/2012
C66
Proposed
C105

A development plan must be prepared to the satisfaction of the responsible authority.

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A single Development Plan must be prepared for the whole of the land to which this schedule applies.

The Development Plan must be informed by a detailed site analysis of the natural, cultural and strategic context of the site to the satisfaction of the Responsible Authority.

The plan must show:

Land use and subdivision

- The proposed boundaries of the development area, and provide the strategic justification for those boundaries.
- The overall subdivision of the area, including where possible, the proposed lot layout, sizes and density of lots which provide opportunities for a diverse range of housing types.
- For land within 200 metres of a proposed Neighbourhood or Local Activity Centre, opportunity for medium density residential development, including townhouses and unit development. These areas should have good access to public transport or key transport/ pedestrian routes and public open space.
- The subdivision layout, which must demonstrate alignment with the *Latrobe City Urban Design Guidelines* (as amended).
- The overall subdivision of the area, including intended land use, land zoning and the size and density of allotments.
- Street networks that support building frontages with two way surveillance.
- An accessible and integrated network of walking and cycling routes for safe and convenient travel to adjoining communities (including existing and future areas included in the DPO), local destinations or points of local interest, activity centres, community hubs, open spaces and public transport.
- The provision of any commercial facilities and the extent to which these can be co-located with community and public transport facilities to provide centres with a mix of land uses and develop vibrant, active, clustered and more walkable neighbourhood destinations.

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Waterways

- A buffer zone of 30 metres each side of the waterways designated under the Water Act 1989 or a buffer based on a study which identifies the flood or drainage extent must be set aside for ecological purposes.

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Infrastructure Services

- An integrated stormwater management plan that incorporates water sensitive urban design techniques which provides for the protection of natural systems, integration of stormwater treatment into the landscape, improved water quality, and reduction and mitigation of run-off and peak flows, including consideration of downstream impacts.
- Provision of a road network providing a high degree of connectivity and external and internal permeability.
- The pattern and location of the major arterial road network of the area including the location and details of any required:
 - road widening
 - intersections
 - access points
 - pedestrian crossings or safe refuges
 - cycle lanes
 - bus lanes and stops
- The pattern and location of any internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points in accordance with *Latrobe City Bicycle Plan 2007-2010*, (as amended).
- In consultation with relevant agencies and authorities, provision of public transport stops where appropriate within easy walking distance to residential dwellings and key destinations. Stops should also be located near active areas where possible.
- Road reserves must be designed to discourage parking on road verges and protect street tree planting.

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Open Space

- A landscape concept plan for all open space areas, indicating the location of plantings, pathways, shade, shelter and seating at activity areas as well as at intervals along pathways.
- The location and size of the proposed open spaces that cater for a range of user groups and provide a variety of functions that perform both an active and passive role for recreation, as appropriate.
- Public open spaces, should be located in close proximity to identified medium-higher density development.
- Public open spaces designed to provide:
 - Public spaces of a minimum of 0.5 hectares within a 500 metre walking distance of all residents in accordance with *Latrobe City Public Open Space Plan 2007*, (as amended).
 - The inclusion of pedestrian and cycle paths and play equipment, that encourage active recreational opportunities.

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- Opportunities for visual surveillance to promote safety of users, through encouraging active frontages, using buildings to frame public spaces and locating open spaces within or adjacent to activity centres where possible.

Community Hubs and Meeting Places

- In consultation with relevant agencies and authorities, the provision of appropriate community facilities, including schools, pre-schools, maternal child health centres, senior citizen centres and general community centres within a walkable range of 400-800 metres across large subdivisions.
- Provision for access and social interaction, particularly where this encourages physical activity. For example:
 - Consider the need for public amenities, including toilets and bicycle parking at key destinations in accordance with the *Latrobe City Public Toilet Strategy 2006* (as amended) and *Latrobe City Bicycle Plan 2007-2010* (as amended).
 - The pattern and location of pedestrian and bicycle paths should provide safe and practical access to and from community hubs and meeting places.
 - Spaces should be designed to accommodate community events and cultural programs including local arts activities and other festivals.

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Flora and Fauna

- In consultation with relevant agencies and authorities, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Growling Grass Frog (*Litoria raniformis*) and Dwarf Galaxias (*Galaxiella pusilla*), and measures required to protect the identified species.
- An assessment of any native vegetation to be removed having regard to *Victoria's Native Vegetation Management: A Framework for Action*, including how it is proposed to protect and manage any appropriate native vegetation.
- Regard must be had to the *West Gippsland Native Vegetation Plan 2003*.
- Any management plan should take into account that the Strzelecki Bioregion is one of Victoria's most fragmented Bioregions and address this as a consideration.

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Cultural Heritage

- A cultural heritage assessment including how cultural heritage values will be managed.

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Process and Outcomes

The development plan should be prepared with an appropriate level of community participation as determined by the responsible authority

An implementation plan must be submitted as part of the development plan, indicating the proposed staging of the development.

The approved development plan may be amended to the satisfaction of the responsible authority.

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Development Contributions

The Development Plan must include:

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- Development contributions tables including an equalisation table which identifies the proportion of each lot which is to be provided for road purposes, open space and stormwater drainage purposes. Once the Development Plan is approved incorporating the development contributions tables, the Development Plan (and the various tables) must not be amended without specific consideration of the impacts that changes to the Development Plan and the various tables will have on the ability of Council to deliver the road, public open space and stormwater infrastructure.
- A clause which explains how the equalisation of land and contributions for the various items of infrastructure is to operate.

The approved Development Plan may be amended to the satisfaction of the responsible authority.

4.0 Decision guidelines for development plan

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Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- Latrobe City Healthy Urban Design Good Practice Guideline: Meeting Healthy by Design® Objectives, April 2008 (as amended);
- Victoria's Native Vegetation Management: A Framework for Action 2002
- Latrobe Healthy by Design® – Background and Issues Report (Beca Pty Ltd, December 2007);
- National Heart Foundation of Australia (Victorian Division) 2004, Healthy by Design: a planners' guide to environments for active living®, National Heart Foundation of Australia (Victorian Division);
- Rescode (Clause 56) – Rescode only applies to residential zones, the Mixed Use Zone and the Township Zone;
- Latrobe City Public Open Space Plan 2007 (as amended);
- Latrobe City Bicycle Plan 2007-2010 (as amended);
- Latrobe City Public Toilet Strategy 2006 (as amended);
- Latrobe Structure Plans Volumes 1-5 (Beca Pty Ltd, 2007);
- Latrobe City Urban Design Guidelines (as amended);
- Latrobe City Housing Strategy 2017.

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Attachment 11 - Post Exhibition Land Use Strategies

All Land Use Strategies have been removed until further updates can take place as identified during the Planning Panel process, for all proposed post-exhibition changes please refer to Attachment 9.