



LATROBE CITY COUNCIL

AGENDA FOR THE COUNCIL MEETING

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL AND
VIA AUDIO-VISUAL LINK
AT 6.00PM ON
04 JULY 2022
CM580**

Please note:

Opinions expressed or statements made by participants are the opinions or statements of those individuals and do not imply any form of endorsement by Council.

By attending a Council Meeting via audio-visual link those present will be recorded or their image captured. When participating in the meeting, consent is automatically given for those participating to be recorded and have images captured.

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COUNCILLOR AND PUBLIC ATTENDANCE

PLEASE NOTE

PURSUANT TO SECTION 394 OF THE LOCAL GOVERNMENT ACT 2020, A COUNCILLOR MAY ATTEND THIS COUNCIL MEETING REMOTELY BY ELECTRONIC MEANS OF COMMUNICATION; AND

PURSUANT TO SECTION 395 OF THE LOCAL GOVERNMENT ACT 2020 THIS COUNCIL MEETING MAY BE CLOSED TO IN PERSON ATTENDANCE BY MEMBERS OF THE PUBLIC PROVIDED THE MEETING IS AVAILABLE THROUGH LIVE STREAM ON COUNCIL'S INTERNET SITE.

1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

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

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

2. THE PRAYER

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

3. APOLOGIES AND LEAVE OF ABSENCE

4. ADOPTION OF MINUTES

Proposed Resolution:

That Council confirm the minutes of the Council Meeting held on 6 June 2022.

5. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In accordance with the Council Meeting Policy, members of the public can lodge a question on notice before 12noon on the Friday before the Council meeting in order for the question to be answered at the meeting.

Public Speakers

An opportunity for members of the public to speak to an item on the agenda will be made available by necessary means. To participate, members of the public must have registered before 12noon on the day of the Council meeting.

6. DECLARATION OF INTERESTS

STRATEGIC ITEMS FOR DECISION

7. STRATEGIC ITEMS FOR DECISION

Agenda Item: 7.1

Agenda Item: Visitor Information Centre

Sponsor: General Manager, Community Health and Wellbeing

Proposed Resolution:

That Council receives and notes the information requested in the Notice of Motion 2022/02 regarding the benefits and disadvantages of having one or two Visitor Information Centres in certain localities in Latrobe City.

Executive Summary:

- At the 4 April 2022 Council Meeting, the following Notice of Motion was adopted: *That Council receives a report at the June 2022 Council meeting which considers the benefits and disadvantages of:*
 1. *Retaining only the (one) current visitor information service for the City; and*
 2. *Managing the operation of a single visitor information centre at either the east or western end of the municipality; and*
 3. *The option of having two centres servicing visitors to the east and west of the municipality.*
- Each of the above options have been analysed below with a summary table identifying the benefits and disadvantages in the supporting information below.
- On 25 February 2022, the Visitor Information Centre (VIC) moved to its new operation at the Gippsland Performing Arts Centre (GPAC) (as a requirement of the funding agreement with the State Government). This prominent new building offers staff and visitors with a range of modern amenities, conducive to providing a high standard of visitor information services.
- Post COVID-19, The Gippsland Destination Management Plan projects regional tourism growth from 2022 onwards for domestic travel. This growth outlook estimates a 17.6% increase of visitor expenditure across Gippsland.
- The option of moving the VIC to Gippsland Heritage Park in Moe (Old Gippstown) was considered by Council in 2017, with a decision made that a VIC outlet at that location would not be pursued because Old Gippstown is outside of the Moe CBD, and access for visitors to CBD services, such as cafes, banks and supermarkets is important.
- Whilst some nearby municipalities offer multiple visitor centres, they are geographically larger than Latrobe City and provide unique visitor services at each location. Operating two VICs in Latrobe with the same visitor service increases resources without a clear benefit to the experience of visitor centre users.

- Whilst there are some disadvantages for the current location, as identified in the supporting information, these are currently being addressed and are negligible in comparison to the benefits of the current offering and the disadvantages of the other options.
- The unbudgeted financial implications for a relocation or establishing a second VIC (estimated to be at least \$164,000 per annum excluding relocation/set up costs) is an important consideration.

Background:

VIC Satellite sites in Morwell & Moe

In addition to the VIC in Traralgon, Latrobe operates two satellite sites – one in Morwell (headquarters foyer) and one in Moe (Service Centre). In accordance with a previous Council decision (November 2017), these satellite sites take the form of a self-service (non-accredited) model with a brochure display and fixed phone with direct connection to the VIC in Traralgon. The satellite sites are managed by the VIC staff who regularly visit both sites to replenish brochures and ensure its visual appearance is kept professional and tidy. Based on previous data taken between February 2019 and June 2020, 4,821 brochures were taken from the Moe Service Centre and 1,515 from HQ in Morwell.

Community awareness of the satellite sites could be enhanced through a marketing campaign.

A limited supply of tourist brochures is also made available at the Latrobe Regional Gallery.

Accreditation

The current VIC has been accredited and is renewing accreditation at the GPAC location through the Quality Tourism Framework (QTF) administered by Victorian Tourism Industry Council (VTIC). Accreditation demonstrates our commitment to best practice visitor services and allows full use of the 'i' trademark symbol. The VIC is required to comply with several requirements including operating seven days a week, 363 days per year, to maintain full accreditation.

Volunteers

Six volunteers are currently engaged at the VIC in Traralgon, offering an important visitor service to our travellers.

Benchmarking and Trends

Some nearby local government areas, albeit geographically much larger ones, have more than one VIC. One of the differences to the Latrobe setting is that often the VIC locations have a different target audience as is set out below. From a visitor perspective, each VIC should offer unique information for the region.

- East Gippsland has a VIC in Bairnsdale (highway travellers) and Lakes Entrance (holiday makers) both are an accredited VIC.
- South Gippsland has a VIC at Foster (gate way to Wilson's Promontory) and a seasonal satellite VIC at Coal Creek, Korumburra.
- Wellington has two accredited VIC's in Maffra and Sale and a satellite VIC in Yarram.

- Bass Coast has accredited VICs in Inverloch (mainland visitors) and Newhaven (Phillip Island), and are in the process of determining what form Visitor Services will take in the forthcoming Cowes Centre.

While there is a move to provide more VIC services in a digital format, there is still demand for the provision of personal service. Some visitors expect to be able to self-serve via smartphones and other digital devices with some regions connecting people to information via digital signage and QR codes.

Advantages and Disadvantages Assessment

The table below summaries the advantages and disadvantages of the three options as outlined in the notice of motion.

VIC Service Options	Advantages	Disadvantages
Retain one VIC at the current location (GPAC)	<ul style="list-style-type: none"> - A modern facility for travellers and visitors to explore. - Retains compliance with the requirement for a Visitor Information Centre in the GPAC per the funding agreement between Regional Development Victoria and Latrobe City Council. - A prominent location that is conducive to providing a high standard of visitor information servicing for travellers. - Centrally located in Kay Street, Traralgon with nearby long vehicle parking, including access to the CBD and banking services, which many travellers utilise. - Fully accessible with wheelchair access, a soundproofed quiet room, accessible toilets and dedicated changing place bathroom. - Visitation to the new location (GPAC) has increased and the feedback is that the community has adjusted to the new location. - Majority of accommodation options are in Traralgon, providing greater visitation to a 	<ul style="list-style-type: none"> - Still requires better signage to ensure easy wayfinding. - Still requires better signage to ensure the VIC is obvious when entering the building (will be resolved with imminent signage and display cabinets). - Car parking can be challenging, particularly during school drop off and pick-up times (planned car parking improvements in Traralgon will assist this).

VIC Service Options	Advantages	Disadvantages
	<p>VIC located in Traralgon.</p> <ul style="list-style-type: none"> - The VIC staff has established a good working relationship with the Box Office staff at GPAC and are undertaking cross-training to better service our community. - The VIC staff, for the first time, has greater access to other LCC staff, lifting morale and a sense of inclusion to the wider organisation. - Most cost-effective option. - Greater tourism exposure and awareness to those community members who are purchasing tickets for a GPAC show. - VIC staff can continue to maintain satellite locations in Morwell and Moe for visitors. - Access to LCC existing infrastructure, including wi-fi, photocopiers etc. 	
<p>Operate a single VIC at either the east or western end of the municipality</p>	<ul style="list-style-type: none"> - A VIC at Moe would be advantageous for catching east bound travellers from Melbourne at the entry to Latrobe City. 	<ul style="list-style-type: none"> - Budget impost in leasing a new location, signage, infrastructure and equipment costs (if the VIC was moved). - Reputational risk for Council in changing VIC location so soon after its move to GPAC (if the VIC was moved). - Parking and accessibility issues would need to be considered including long vehicle parking in any new location. - A VIC located in the west will not capture west bound travellers given its CBD is off the highway.

VIC Service Options	Advantages	Disadvantages
		<ul style="list-style-type: none"> - If VIC was located outside of the CBD, visitors will not have access to CBD services, including cafes, banks, supermarkets etc.
Operate two VICs to the east and west of the municipality	<ul style="list-style-type: none"> - A VIC at Moe would be advantageous for catching east bound travellers from Melbourne at the entry to Latrobe City. 	<ul style="list-style-type: none"> - Need to double the number of staff and volunteers, impacting significantly on the budget. - Considerable budget impacts in relocating and setting up an additional VIC. - Need to find a suitable location in the west. - Parking and accessibility issues would need to be considered including long vehicle parking. - If located outside of the CBD, visitors will not have access to CBD services, including cafes, banks, supermarkets etc. - May not provide a suitable level of visitor experience if there is no difference in the offering at each location.

Issues:

Strategy Implications

The report aligns to the Council Plan 2021-2025 objectives and the Latrobe City Events & Tourism Strategy 2018-2022 including:

Connected:

Promote our role as Gippsland's Regional City to support economic growth and events programming, cultural events and recreation and sporting attractions.

Creative:

Promote economic growth and job creation through events and recreation related tourism capitalising on our arts, cultural and sporting facilities.

Communication

No communication is proposed as an outcome of this paper.

Communication would need to be undertaken with community and the tourism industry regarding any proposed changes to service locations.

Financial Implications

The current VIC service is managed through existing budget provisions. Any changes or augmenting of services will have a financial impact, which is not budgeted for.

The financial impost is considerable should Council decide to operate multiple VICs. The estimated costs to duplicate Visitor Information Centre services from a non-accredited shared service centre is at least \$164,000 per annum, this does not include relocation/set up costs. If a private location was sourced, additional costs would be incurred, including leasing, fit-out and operational costs.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Service Delivery Risk A VIC relocation will result in impacts to service delivery	4 (likely)	Maintain services at the current location to avoid any service delivery risks.
Financial Risk Cost of establishing and constructing a new VIC	5 (almost certain)	Maintain services at the current location to avoid any financial risks.
Reputational Risk Community sentiment to re-locating the VIC	4 (likely)	Communication with community and the tourism industry regarding any proposed changes to service locations.
Legal/Regulatory Risk Potential loss of accreditation	4 (likely)	Maintaining services at the current location will ensure accreditation is retained.
Service Delivery Risk A VIC relocation will result in impacts to service delivery	4 (likely)	Maintain services at the current location to avoid any service delivery risks.

* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

Legal and Compliance

Whilst there are no foreseen legal issues related to this report, there are however several requirements that accredited Visitor Information Centres must comply with and would require consideration should any changes be pursued.

Provision of a Visitor Information Centre in the GPAC building was included in the grant agreement between Regional Development Victoria and Council.

Community Implications

The local community would need to be consulted should the Council wish to undertake a further review of the VIC location.

The VIC has only recently moved to the new Gippsland Performing Arts Centre and the move has been highly publicised. Another move would send a message of uncertainty to the community.

Environmental Implications

There are no environmental implications associated with this report.

Consultation

No consultation has occurred.

Other

Nil.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

Supporting Documents:

Nil

Attachments

Nil

FUTURE USE OF THE FORMER MOE SERVICE CENTRE

PURPOSE

This report puts forward the recommendations of the Former Moe Service Centre Working Group regarding the future use of the facility.

EXECUTIVE SUMMARY

- The Former Moe Service Centre Working Group recommend that following an open EOI process that the 'Mid Gippsland Family History Group' be provided with space in the Centre and a further EOI process be undertaken to seek additional community use of the facility. The Working Group further recommends that if the EOI process fails to secure sufficient additional community use then an EOI for commercial use of the facility, in addition to any identified community use, be undertaken.
- The other options available to Council and considered by the Working Group were to seek a lease of the whole Centre at commercial rates, to undertake a statutory process to sell the Centre or to undertake an EOI process for a public-private partnership to redevelop the site.
- It is anticipated that there will be, at a minimum, a \$20,000 per year contribution required from Council to cover the operating costs of the Centre. Operating costs will also need to forecast annual increases of between 6% and 8% for utility costs. An upgrade of the toilet facilities is required in the future to meet accessibility requirements and these costs are not within budget.

OFFICER'S RECOMMENDATION

That Council endorses the recommendation of the Working Group to:

- 1. Delegate the CEO to enter into a peppercorn licence agreement with the Mid Gippsland Family History Group for a section of the Former Moe Service Centre for an initial period of 12 months;**
- 2. Undertake a further EOI process to seek community use of the remainder of the former Moe Service Centre; and**
- 3. If insufficient community use is identified through the EOI process, undertake an EOI process for commercial use of the remainder of the former Moe Service Centre.**

BACKGROUND

The future use of the former Moe Service Centre has been under consideration since the conclusion of the three year Moe Community Groups Hub trial. At the 7 June 2021 Ordinary Council Meeting, Council passed a resolution relating to the commercial leasing and/or sale of both the former Moe Service Centre and Library at 32 Kirk Street, Moe and 44 Albert Street, Moe.

Council further resolved at the 2 August 2021 Ordinary Council meeting that it advises the community that it is currently negotiating with an interested party for the lease of the former Moe Library and that no decision has been made regarding the future of the former Council Service Centre. The resolution also called for Expressions of Interest from community groups for the use of the former Service Centre and the establishment of a Working Group to consider the proposals received.

Expression of Interest Process

The Expression of Interest process was open for four weeks from 25 October 2021 to 21 November 2021. Advertising was delivered through social media channels Facebook and LinkedIn, the Latrobe Valley Express Council Noticeboard, distribution to community groups and community organisations through direct emails, the Community Groups Newsletter, the Latrobe City website, various internal and external stakeholders through email and printed copies in service centres.

A scheduled site inspection was held on Monday 8 November 2021 and three inspections for individual groups were also held throughout the application period. During this time, the building was viewed by four community groups and three community organisations. Two of the community groups who attended the inspections did not submit applications. Two organisations submitted and withdrew an application due to the building being unsuitable for their needs.

Council received a total of seven applications from community groups. An application was also received from a local business; however, this has not been considered as it is outside the scope of the EOI process. The Baw Baw Latrobe Local Learning and Employment Network withdrew their EOI prior to the Working Group meeting to consider the EOIs

Working Group Process

The Working Group met on 3 February 2022 to consider the EOIs and options for future use of the Centre. Further information was sought from a number of groups. Gippsland FM withdrew their EOI at this stage as, after further investigations, the site was not suitable for their use.

A subsequent Working Group meeting was held on 9 March 2022 to finalise the options on the future use of the Centre.

A further three groups (Gippsland League, Reclink Australia, and TCB Living to Thrive) withdrew their EOIs due to securing other premises.
A final Working Group meeting was held on 7 June 2022 to review the options and prepare a recommendation to Council.

ANALYSIS

Options for Future Use of the former Moe Service Centre

The options considered by the Working Group were:

Option 1: Retain the site for community use and conduct an additional Expression of Interest process

Pros:

Site retained for community use. Potential to accommodate additional groups in future. Opportunity to identify other community uses for the site.

Cons:

Identified community group has limited financial capacity and Council would be required to cover the estimated \$20,000 annual outgoings. There was limited interest in the first EOI process.

Option 2: Lease the building to a commercial tenant

Pros:

Site retained in Council ownership. Opportunity to recover costs associated with required building upgrades. Officers have received two enquiries from commercial tenants expressing an interest in leasing the building if available.

Cons:

Building not available for community use during the lease period.

Option 3: Sell the building

Pros:

Prime CBD site available for commercial use or development. Reduces Council's financial liability for required building maintenance and operational costs.

Cons:

Site is no longer in Council ownership. Potential community opposition. Limited ability for Council to influence future development and use of the site.

Option 4: Seek Expressions of Interest for a Public–Private Partnership to redevelop the site

Council could seek EOIs to undertake a multi-story mixed used site development. The development could incorporate ground floor retail space and upper-level social and affordable housing and potential for community use spaces.

Pros:

Council retains ownership of the site. Council can control future usage of the site. Delivers financial benefit to Council. Social and economic community benefits.

Cons:

Financial and reputational risk. Risk of underutilised retail space. Potential community opposition. Leaves the site vacant in the short term.

Recommended Future Use of the former Moe Service Centre

The Working Group recommend that the former Moe Service Centre be retained for community use.

Based on the EOIs received the Working Group recommend that the Mid Gippsland Family History Group be provided with a peppercorn licence for a section of the Centre. The group should be provided with exclusive use of the section, with the exact footprint to be negotiated with the group. The group would also have communal access to the former reception area, kitchen and toilet facilities.

Council will be required to cover the operating costs of the Centre including outgoings, building maintenance and insurance unless further tenants can be found to cover part or all of the costs of the Centre.

Officers recommend that the licence be entered into for an initial 12 month period to allow for the additional EOI process to be undertaken to inform the long term use of the facility.

Unsuccessful EOIs

Gippsland Ethnic Communities Council (GECC) has not been recommended as a suitable applicant due to options to access meeting room space at Moe Library and storage currently being offered at Latrobe Leisure Moe Newborough.

Next Steps

Due to the impending occupation of the former Moe Library by the proposed tenant the Mid Gippsland Family History Society need to relocate from the former Library in the near future. As a lease for the former Library has not been signed the CEO will not execute a lease until the Mid Gippsland Family History Society have been given opportunity to relocate.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY) Occupational Health and Safety (OHS) Risks in facility not managed effectively	3	Clear responsibilities outlined in licence agreement.
SERVICE DELIVERY One group's usage of the facility negatively impacts other group's usage of the facility Successful community groups dissatisfied with space offered Unsuccessful community group dissatisfied with outcome	4 3 4	Clear expectations on usage included in the lease and communicated to all user groups. Space offered to each group to align with needs identified through the EOI process. Priority given to groups with capacity to pay to ensure facility costs are recuperated. Officers to communicate decision making process and ensure group understands the alternative options that have been provided to them.
FINANCIAL Operational and maintenance costs not funded in the budget	5	Allocation from the 2021/22 Budget surplus to cover operational costs of the 2022/23 financial year and a budget allocation included in future budgets

RISK	LIKELIHOOD	TREATMENT
STRATEGIC (INC REPUTATIONAL) Appearance of underutilised Council facility	3	Ensure decision of Council and outcome of EOI process is communicated effectively nsure that decision to continue the Moe Community Groups Hub is communicated effectively.

CONSULTATION

The report outlines the EOI process that was utilised to inform this decision.

COMMUNICATION

If Council endorses the proposed resolution at the 4 July Ordinary Council Meeting officers will contact the successful and unsuccessful groups who submitted an EOI to inform them of the outcome. Further communication will be undertaken for the additional EOI process.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

APPENDICES: IMPACT ASSESSMENT

APPENDIX 1 IMPACT ASSESSMENT

Social

The provision of meeting and program space for community use will support social benefits for community members.

Cultural

No cultural impact has been identified.

Health

The provision of meeting and program space for community use supports health and wellbeing through social and community connection.

Environmental

No environmental impact has been identified.

Economic

The decision to utilise the site for community use is consistent with its former and current use. If the site was leased for commercial use, sold or developed this would provide economic benefit to the community.

Financial

The operational and maintenance costs of the Centre are not currently budgeted for.

Under the proposed resolution Council will be required to pay for the operational and maintenance costs of the Centre unless further tenants can be secured with the financial capacity to contribute to those costs.



The current identified costs of the facility indicative of the outgoings include:

- Outgoings including utilities - electricity, garbage collection, fire service levy, water rates and usage total approximately \$20,000 per annum.
- Building maintenance expected to range between \$4,000 and \$6,500 per annum, not including staffing costs.
- Maintenance to be scheduled approximately \$115,000.

Additional prior and anticipated costs include:

- Maintenance costs to Council – over the trial these were approximately \$105,000 which was the combined cost for the Service Centre and Library including roof and air conditioner replacements.
- Due to the age of the buildings, there are ongoing maintenance and capital renewal costs associated with the upkeep. These include an accessible toilet upgrade if the buildings are to comply with disability access standards.

Attachments

1   EOI Snapshot

7.2

Future use of the Former Moe Service Centre

1	EOI Snapshot	23
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Expression of Interest – 44 Albert Street Moe

Snapshot of Applicant Identified Needs

Applicant	Identified Needs
Mid Gippsland Family History Society	<p>Mid Gippsland Family History Society provide Family History Research for residents and visitors to Latrobe City. There are 28 members with 4-5 people who regularly attend the weekly research group.</p> <p>Expected hours of face-to-face operation (as they were before COVID-19 restrictions):</p> <ul style="list-style-type: none"> • 1.00 pm to 4.00 pm every Wednesday for research (except for the Christmas break). • 2.00 pm to 4.00 pm on the 4th Thursday of the month for general meetings (except December). • Access to the collection by appointment outside these times (rare). • As needed, they hold events, workshops, and seminars at other times. <p>Need continuous secure occupancy to keep library and equipment available for use.</p>
Gippsland Ethnic Communities Council	<p>Current hours of operation to be confirmed due to returning post COVID-19 lockdowns. Monthly face-to-face and hybrid teleconference will most likely resume (on a Sunday). Individual meetings with others and working in an office at other times (at times during the week).</p>

Expression of Interest – 44 Albert Street Moe | Page 2

Withdrawn / Not considered Expressions of Interest	
Baw Baw Latrobe LLEN	<p>Baw Baw Latrobe Local Learning and Employment Network (LLEN) are currently located in Baw Baw Shire Council and are considering options as a relocation may be required in the future. The LLEN applied but withdrew after their Board felt that the space was not currently fit for purpose for their needs and the associated upgrade costs were not within their budget.</p> <p>Baw Baw Latrobe LLEN are looking to create a youth hub to include a range of services and collaborate with providers such as Headspace, Skills and Jobs Centre, etc. The building will also be a base and able to organise appointments for other services, as there are not any youth services operating in Moe at present. This model differs from Latrobe Youth Space, which is not classed as a service hub, but a place for young people to activate and choose what happens in the space.</p> <p>The overall structure and rooms required would depend on the options available, with the organisation open to operate as a lead tenant or individual leases.</p>
Gippsland FM	<p>The facility would be accessed by volunteers and staff from 6.00 am to midnight most days. 24-hour access would be required by technical staff in the event of technical issues.</p> <p>The space would be required for broadcasting and recording studios, administrative functions, training, and other meetings. The station aims to connect our community through the provision of its services, and this includes providing facilities and equipment for the purpose of educational and community access programs.</p> <p>Relocation costs would be around \$90,000 - \$120,000, therefore they are looking for a minimum 10-year lease to make the costs worthwhile.</p> <p>Gippsland FM's current home is not ideal due to accessibility, lack of a shop front and concern that the lease may not be continued in the future. Gippsland FM have also looked at the former Gippsland Performing Arts building, but the size and length of lease were not suitable for their requirements.</p>
Gippsland League	<p>The association would operate Monday - Friday during office hours in the venue with some weekend work. Meetings are often after hours and would require the use of the facility during these times. The sports are seasonal and as such the hours of operation are highly flexible and dynamic.</p>

Expression of Interest – 44 Albert Street Moe | Page 3

	<p>The facility would be used as the association's office and headquarters and be the base of operations for volunteers and employees. It would be utilised for member club and community group meetings for the business of the association.</p> <p>The board consists of eight (8) members and the business operations setup will include 4-5 staff which are a mix of volunteers and employed staff.</p>
Reclink Australia	Reclink operate 9.00 am - 5.00 pm during the week (Monday-Friday) with a variety of programs on offer each day. Reclink would be looking to utilise this space as office space for three staff members to enable them to offer all their programs in/around the Moe and Latrobe City community including walking groups, a bowls program, and various arts programs.
TCB – Living to Thrive	Currently operating Mondays 9.00 am – 2.00 pm, planning to expand to three days per week in the new year and workshop days.
Clearview Radiology	Clearview Radiology have expressed interest in purchasing or leasing the building to maximise the benefit to the local community by increasing medical facilities and services to the municipality.

TRARALGON RECREATION RESERVE AND SHOWGROUNDS MASTERPLAN

PURPOSE

This report details feedback received through community consultation of the Draft Traralgon Recreation Reserve & Showgrounds Masterplan and recommends Council endorsement of the plan.

EXECUTIVE SUMMARY

- The Draft Traralgon Recreation Reserve and Showgrounds Masterplan has undergone a number of versions and community consultation activities since it was initially drafted in 2014.
- The current Draft Masterplan (Attachment 1 - Masterplan) has considered all feedback received since 2014, as well as the most recent engagement activities resulting from the June 2021 Traralgon flood event.
- Feedback received through the most recent consultation activities (April 2022) has been overwhelmingly positive from surrounding landowners, the general public, as well as the many active user groups of the reserve (Attachment 2 – Consultation Feedback).
- This Masterplan is not a detailed design or plan, nor does it commit Council to fund the various opportunities identified within a set timeframe.

OFFICER'S RECOMMENDATION

That Council endorse the Traralgon Recreation Reserve and Showgrounds Masterplan.

BACKGROUND

This Draft Masterplan was initially developed following extensive community and stakeholder engagement activities in 2014, 2015 and again in 2020, before the June 2021 Traralgon flood event changed the future vision for a number of stakeholders/user groups within the reserve.

The June 2021 flood event has ultimately led to the development of the Draft Glenview Park Masterplan, which as part of the 'Traralgon Flood Recovery Project', accommodates a number of the stakeholders/user groups whose future vision is now focused on being outside of the Traralgon floodplain and Traralgon Recreation Reserve and Showgrounds.

Feedback received through previous community consultation activities led to a number of changes to the previous draft plan, addressing a majority of the surrounding landowners and user group concerns.

Key issues raised in previous consultation activities in 2014, 2015 and again in 2020 included:

- Amenity impacts of proposed landscaping, fencing requirements and footpath locations on neighbouring property owners;
- Land use conflicts between sporting groups and community groups within the reserve; and
- The prioritisation applied to the range of projects identified.

These key issues have either been addressed and clarified through the amendments to the plan itself or as a result of the June 2021 Flood event, which subsequently changed the future intentions of a number of community groups.

Feedback received through the most recent consultation activities (April 2022) were overwhelmingly positive from all stakeholders (Attachment 2 – Consultation Feedback), with the majority of outstanding concerns now resolved.

Key issues raised in the most recent consultation activities (April 2022) included:

- Subsequent impacts on netball as a result of the 'Multi-Use Pavilion' project;
- Need to construct the Multi-Use Pavilion ASAP for the sporting clubs; and
- Need to make the old BMX Track useable again.

These key issues have either been addressed through small changes to the plan following consultation or will be addressed as a result of funding opportunities Council is currently advocating for.

Some other elements of the plan include the need to undertake further work. For example, common feedback relates to storm water management and drainage

throughout the reserve, which requires further investigation before a project can be specified. It is noted that the identification of the need for further investigation on the plan has satisfied those who have raised this concern.

Overall, Council officers believe the vast majority of concerns raised over the past eight years in relation to this Masterplan have now been either resolved, whether that be through the changes to the Draft Masterplan itself or through the user groups focusing their future towards Glenview Park.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
SERVICE DELIVERY Funding availability from Council or external funding partners for implementation.	Possible	<ul style="list-style-type: none"> • Clear and strong advocacy to external funding bodies; and • Clear and constant communication with user groups about funding and budget processes.
STRATEGIC Community expectations that the entire Masterplan will be funded and delivered by Council immediately.	Likely	<ul style="list-style-type: none"> • Communicate clearly with the community and user groups about the Masterplan; and • Ensure each project delivers a beneficial outcome for the community and the user groups.
STRATEGIC Not having a Masterplan endorsed by Council for the site, could lead to funding opportunities being missed due to having a lack of strategic justification.	Possible	<ul style="list-style-type: none"> • Council endorse the Masterplan.

CONSULTATION

The Draft Traralgon Recreation Reserve and Showground Masterplan have been subject to a number of consultation activities since 2014.

The last consultation activities in April 2022 included the following activities:

- Community Noticeboard of two editions of the Latrobe Valley Express;
- Posts of Council's social media channels;
- Media release and subsequent article in the Latrobe Valley Express;
- Letters sent to all neighbouring land owners and occupiers;
- Emails sent to all user groups;
- Website and 'Have Your Say' page;
- Open house session; and
- Numerous meetings and phone calls.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

Social

There are only positive social implications resulting from this Masterplan. All projects identified on the plan will benefit user groups as well as the community of Traralgon and the wider Latrobe City.

Cultural

There are only positive cultural implications resulting from this Masterplan. All projects identified on the plan will benefit user groups as well as the community of Traralgon and the wider Latrobe City.

Health

There are only positive health implications resulting from this Masterplan. All projects identified on the plan will benefit user groups as well as the community of Traralgon and the wider Latrobe City.

Environmental

There are no known environmental implications of the Masterplan itself and the environmental implications occurring as a result of the identified projects, will be investigated when undertaking the project.

Financial

- A Masterplan is not a detailed design or plan, nor does it commit Council to fund the opportunities identified within a set timeframe.

- The Masterplan provides a clear direction for Council and the community should Council or external funds become available for particular types of projects identified within the plan.
- Financial implications will result if and when funding opportunities become available requiring Council contributions or when funding is sought through Council's budget processes.
- Attachment 1 provides estimated costs of each project opportunity identified on the plan and also indicates which projects are currently fully or partly funded.

At this stage, there are no additional financial implications on Council resulting from this report and Masterplan.

Attachments

1.   DRAFT Traralgon Recreation Reserve and Showgrounds Masterplan

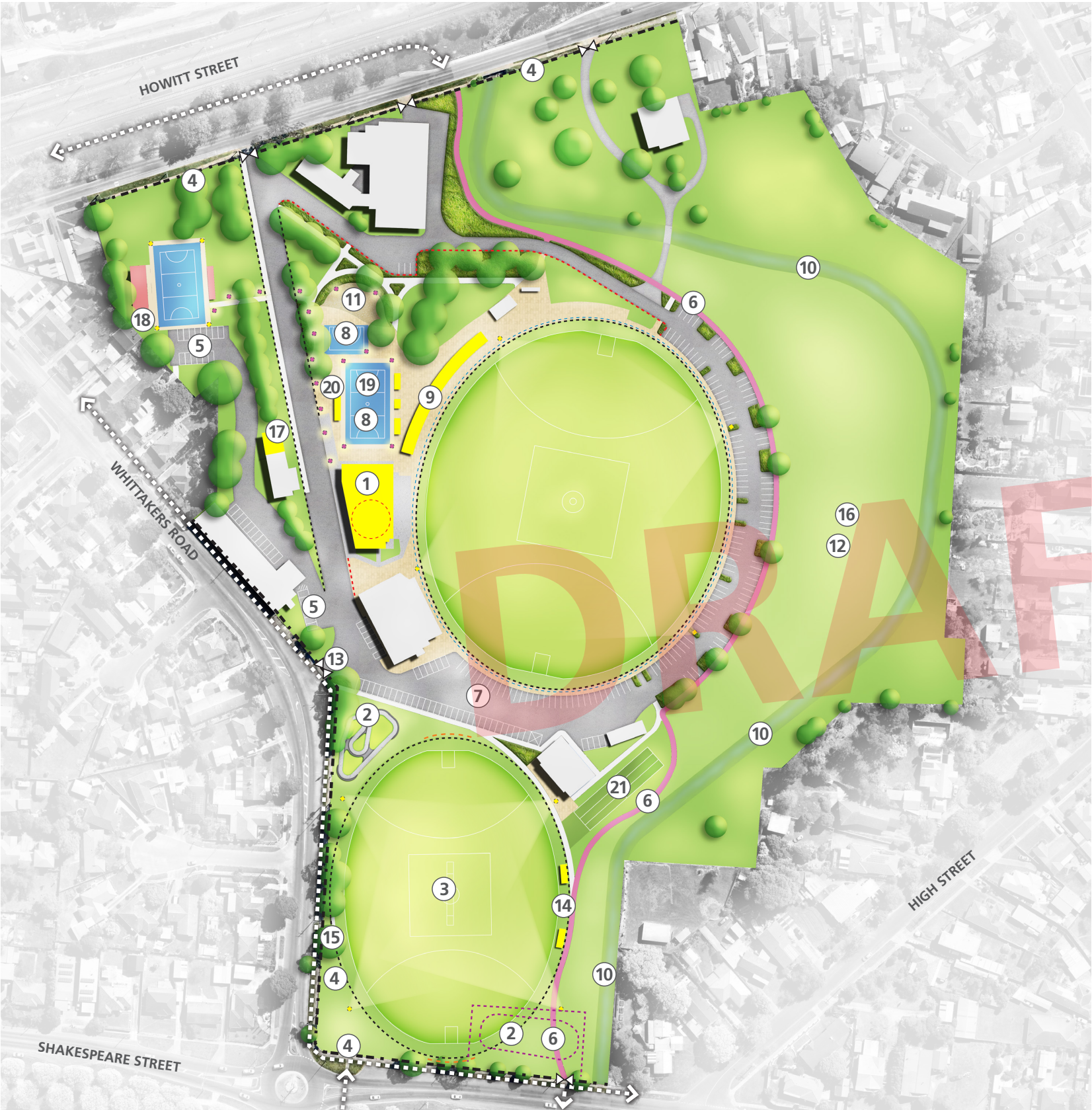
2. Consultation Feedback (Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. personal matters

7.3

Traralgon Recreation Reserve and Showgrounds Masterplan

1	DRAFT Traralgon Recreation Reserve and Showgrounds Masterplan.....	32
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LEGEND

●

Existing trees

○

Trees for removal

■

Asphalt road paving

—

Proposed shared path

■

Proposed vehicle exclusion zone

■

Proposed building

Proposed ball stop netting

Proposed low fencing

Proposed high steel panel fencing

Proposed vehicular exclusion fencing

⌵

Proposed access gate

Proposed seats

●

Existing lighting

●

Proposed lighting

→

Existing pathways

- PROJECTS
- 1

Construct new multi-use pavilion and changerooms

2

Remove old BMX track and construct new pump track
- 3
- Realign and extend Old Trafford Oval

4

5

6

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ESTIMATED PROJECT COST (JULY 2022)

1	\$6.5 million	8	\$250,000	15	\$20,000
2	\$150,000	9	\$100,000 - \$500,000	16	\$0
3	\$80,000	10	TBC based on investigations	17	Private development
4	\$350,000	11	\$100,000	18	\$5,000
5	\$250,000	12	\$50,000	19	\$100,000
6	\$350,000	13	\$20,000	20	\$10,000 - \$50,000
7	\$20,000	14	\$50,000	21	\$150,000 - \$250,000

Traralgon Recreation Reserve & Showgrounds

Master Plan



KERNOT HALL UPGRADE - PRESENTATION OF FINAL DESIGN

PURPOSE

The purpose of this report is to seek Council's endorsement of the final preliminary design for upgrades to Kernot Hall Morwell prior to proceeding to final detailed design and construction drawings for the project.

EXECUTIVE SUMMARY

On 23 September 2020, Latrobe City Council entered into an agreement with the Victorian Government to borrow \$2.5 million through the Community Infrastructure Loans Scheme to finance upgrades to Kernot Hall. The agreement requires Council to complete the project by 23 September 2023. After Council's endorsement of the scope of works in October 2021, consultant architects were engaged by Council to develop the final design to commence construction of stage one of the Kernot Hall upgrades.

OFFICER'S RECOMMENDATION

That Council endorses the preliminary design for upgrades to Kernot Hall including:

- Project 2 – Internal general upgrading works - \$956,549
- Project 3 – Internal Electrical works - \$410,458
- Project 4 – Internal Mechanical Services works - \$72,540
- Project 5 - Internal Fire Services - \$21,762
- Project 6 – New disabled access to Stage - \$285,515
- Project 7 – New Kitchen Access to connect to foyer - \$203,473
- Project 8 – Works to existing toilets - \$161,038
- Project 9 – New extension to women's toilet - \$241,411
- Project 10 – New fire escape door to chair store - \$14,508

BACKGROUND

On 23 September 2020, Latrobe City Council entered into an agreement with the Victorian Government to secure \$2.5 million through the Community Infrastructure Loans Scheme to finance upgrades to Kernot Hall.

The agreement with the Victorian Government requires Council to commence repayments for this loan once the loan has been drawn down on. The first draw down of funds will occur in July 2022. The agreement also requires Council to complete the project by 23 September 2023.

Latrobe City Council has 15 months remaining under the agreement to finalise the design drawings, advertise a tender, and enter into a contract for the construction activities of the project prior to the construction deadline of 23 September 2023.

The *Latrobe Convention Centre Business Case Final report* was presented to the Ordinary Council Meeting on 5 November 2018. At this meeting Council resolved the following:

That Council:

1. *Notes the Latrobe Convention Centre Business Case Final Report;*
2. *Adopts the recommendations, in principle, made by the Latrobe Convention Centre Business Case Project Reference Group to:*
 - a) *Provide Kernot Hall with an upgrade, so as to improve its functionality and assist with the attraction of user groups; and*
 - b) *Undertake a program to market the venue; and target and track meeting, conference and exhibition business won and lost over the next 3-5 years, so as to more accurately determine the demand for such activity;*
3. *Requests concept designs and associated costings be developed utilising unspent funds from the project brief, so as to facilitate a range of upgrade options for Kernot Hall;*
4. *Provides costed concept designs to Council at a future meeting; and*
5. *Writes to each member of the Latrobe Convention Centre Business Case Project Reference Group, advising them of the resolution and thanking them for their contribution to the project.*

Following Council's decision, AEC Group Ltd were engaged to complete the business case and master plan for upgrades to Kernot Hall. The final AEC report recommended that alterations, additions, and modifications that would increase the functionality and amenity of Kernot Hall and that the project be delivered in a two-staged approach.

The two-staged approach is as follows:

Stage One:

Upgrades include internal refurbishments to the bathrooms, improvements to access and amenity and improved access from the existing kitchen to the foyer/bar area.

Stage Two:

Creation of a new northern entry point facing the lake and addition of a drop-off bay, covered canopy and paved plaza entrance to the new main entry, as well as construction of new meeting rooms and breakout areas.

There are 13 separate projects identified in both stages of the Kernot Hall master plan. The estimated cost of delivering both stages is \$5,670,369 based on a revised cost plan (October 2021) for the project.

Following a review of all the thirteen individual projects, it was recommended that the following projects are delivered with the current funding of \$2.5 million:

- Project 2 – Internal general upgrading works - \$956,549
- Project 3 – Internal Electrical works - \$410,458
- Project 4 – Internal Mechanical Services works - \$72,540
- Project 5 - Internal Fire Services - \$21,762
- Project 6 – New disabled access to Stage - \$285,515
- Project 7 – New Kitchen Access to connect to foyer - \$203,473
- Project 8 – Works to existing toilets - \$161,038
- Project 9 – New extension to women's toilet - \$241,411
- Project 10 – New fire escape door to chair store - \$14,508

The projects that were nominated represent the most cost-effective way to improve the usability and functionality of Kernot Hall for all users.

At the 4 October 2021 Ordinary Council meeting, Council resolved:

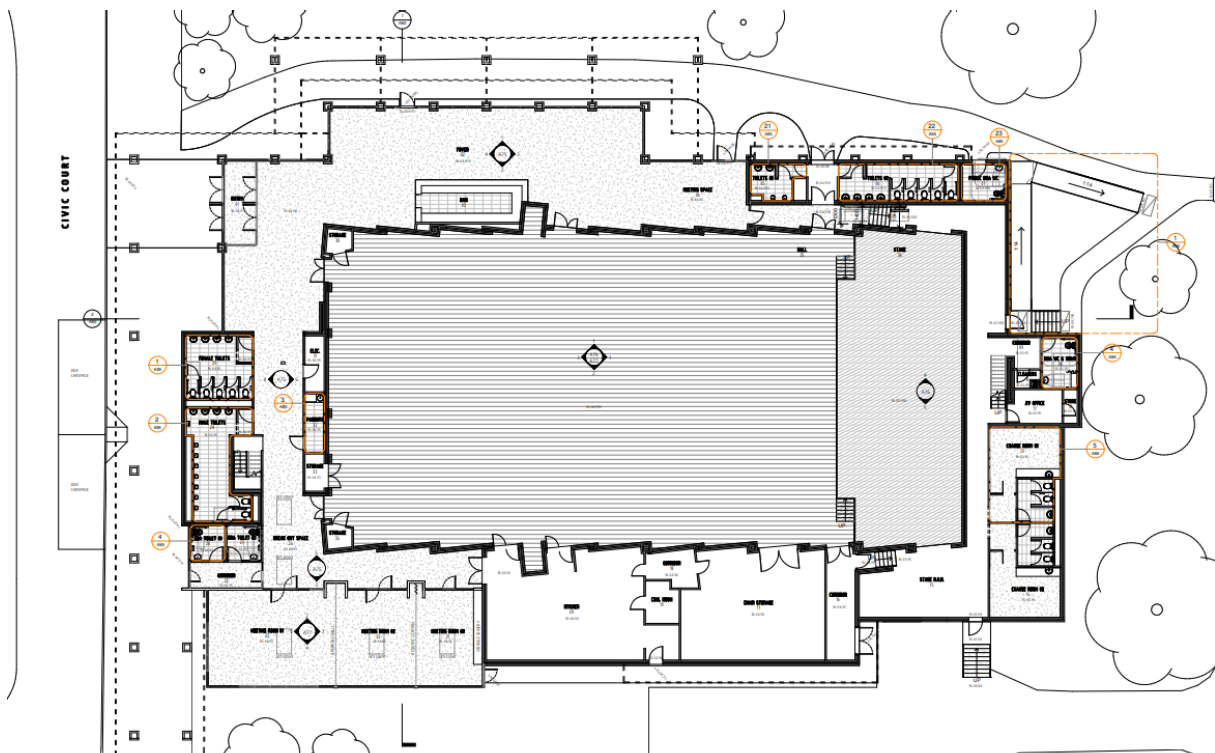
That Council:

1. *Endorses the following projects to be delivered as part of the stage one works to upgrade Kernot Hall:*
 - *Project 2 – Internal general upgrading works;*
 - *Project 3 – Internal Electrical works;*
 - *Project 4 – Internal Mechanical Services works;*
 - *Project 5 - Internal Fire Services;*
 - *Project 6 – New disabled access to Stage;*
 - *Project 7 – New Kitchen Access to connect to foyer;*
 - *Project 8 – Works to existing toilets;*
 - *Project 9 – New extension to women's toilet; and*
 - *Project 10 – New fire escape door to chair store.*
2. *Defers commencement of the following projects until such time as sufficient funding is secured to deliver them in their entirety:*
 - *Project 1 - Upgrade of the north and western facades and rendering of the building*

- constructing additional meeting spaces to accommodate for multiple community groups,
- creating an interior link from the existing catering kitchen to the western foyer and bar area; and
- installing DDA accessibility to the stage area.

It is important to note that the current external public toilet at Kernot Hall has been retained in the preliminary concept plan. The AEC master plan originally removed this to construct DDA compliant access to the upstairs amenity and stage area, however Antarctica has designed a different access which will not impact the current public toilet.

Image 2 – Preliminary Design



The preliminary concept design incorporates all nine projects included in stage one of the Kernot Hall upgrade endorsed by Council at the 4 October 2021 Ordinary Council meeting as well as project 12 from stage two of the Kernot Hall Upgrade.

Project 12 is the extension that includes three additional community meeting rooms. It makes sense to include this element in stage 1 as the space will be needed to create the required link or passageway to connect the kitchen to the foyer/bar area.

The architects are currently obtaining a cost plan for the draft concept design which will provide Council with further information about the total cost of the construction.

The building industry is currently experiencing significant increases in building material and labour costs, as well as significant supply chain issues with the supply of all building materials. Along with the increases in building costs, Council is currently experiencing challenges in engaging suitably qualified contractors to undertake building works. This is due to high number of building projects that are underway in Latrobe City, include both residential and commercial projects.

A detailed cost plan will provide information about the expected cost of the project and whether project 12 can be included within the current scope of the Kernot Hall Upgrade project

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)	Not Likely	Not applicable
SERVICE DELIVERY Not meeting timelines to acquit the funds on time	Possible	<ul style="list-style-type: none"> Complete the project utilising a clear Project Management approach
FINANCIAL Inadequate funds to complete the project	Possible	<ul style="list-style-type: none"> Work within clear budget requirements Value manage the project scope as required.
STRATEGIC The community won't find the changes acceptable	Unlikely	<ul style="list-style-type: none"> Provision of regular project updates to the community Provision of regular project updates to Councillors as stakeholders.

CONSULTATION

Development of the original business case activity and resultant master plan concept designs were overseen by the *Latrobe Convention Centre Business Case Project Reference Group*.

The concept master plan developed by AEC Group was endorsed by Council at the Ordinary Council meeting held on 5 November 2018.

Further engagement and consultation have been undertaken with the Arts & Events team to ensure that potential and existing user groups of Kernot Hall are catered for with the proposed upgrades.

COMMUNICATION

Development of the original business case activity and the subsequent concept designs was overseen by a Project Reference Group comprising two Councillors and a variety of local community members and subject-matter experts. This group has since been disbanded in accordance with their terms of reference.

Council has decided to forego a Project Reference Group for this phase of the project, instead considering all Councillors as stakeholders required to be kept informed

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

Social

The final preliminary concept design reflects the need to keep the building's amenities functional and useable by a wide range of users and stakeholders.

Cultural

The preliminary concept design that has been developed has been sympathetic to cultural and historical values of Kernot Hall to the community of Latrobe City. The consultant architect has ensured that the integrity of the building and its original design elements are retained, whilst ensuring the necessary upgrade and improvement of public amenities within the building.

Health

The upgrades proposed to Kernot Hall through the preliminary design directly address many historical access issues experienced by user of the facility. The design proposes significant upgrade and amenity improvements to Kernot Hall which directly address historical DDA and accessibility issues. There are two additional accessible toilets, the addition of ambulant toilets in the bathrooms, a DDA compliant ramp to the rear of the building and a small personal lift to gain access to the stage area.

Environmental

There are no environmental impacts as a result of this report.

Economic

Currently the report template does not explicitly call for economic analysis as distinct from financial analysis. This section has been added in recognition of council's role as provider of enabling infrastructure supporting private and public investment and our more limited role in the social safety net system.

Financial

\$2.5 million has been allocated via the Community Infrastructure Loans Scheme to fund this project.

Council had an additional \$236,300 which is an approved carry forward from 2020/21 financial year for the Kernot Hall project. These funds have been utilised for the cost of the detailed design and construction drawings to date

Attachments

1 [!\[\]\(7bc43b319a082987e20f7bf78f4bab80_img.jpg\) Kernot Hall Concept Plan](#)

7.4

Kernot Hall Upgrade - Presentation of Final Design

1	Kernot Hall Concept Plan.....	41
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Kernot Hall Concept Report



ANTARCTICA:ARCHITECTS

May 26th 2022

Kernot Hall Conceptual Framework

LANDSCAPE: kernot hall & morwell natural landmarks

On the footsteps of Kernot Hall is Kernot Lake and it’s surrounding gardens which forms a natural backdrop and setting to this project.

This setting we aim to tie into the building to enhance and connect the Kernot Hall to the Kernot Lake; emphasising the civic asset that these two landmarks hold.

Further afield from Kernot Hall, Morwell finds it’s self in the heart of the Gippsland region that holds cultural heritage significance in natural places such as Morwell River Falls and the Crinigan Road Bushland Reserve.



Kernot Lake

Kernot Lake

Crinigan Road Bushland Reserve

The Kernot Hall’s main Foyer is North facing and overlooks the grounds of the Kernot Lake. This is an opportunity to connect the building to the parklands for light, outlooks and events.

MODERN HERITAGE: local memory & community significance

Kernot Hall holds architectural and cultural significance to it’s region. The building is a civic landmark which ties into the greater master planning of the Kernot Lake and nearby civic buildings.

These characteristics of the building along with the locally made bricks which were originally sourced and left raw should celebrated.

There are many examples of hall refurbishments which have been carried out in a successful and considerate way. For instance a recently completed refurbishment of the Broadmeadows Town Hall which is a similar era building to that of Kernot Hall and also shares a cultural significance to the local area’s community through the memory of past events and celebrations held in the hall.



Kernot Hall

Northcote Town Hall

Broadmeadows Town Hall

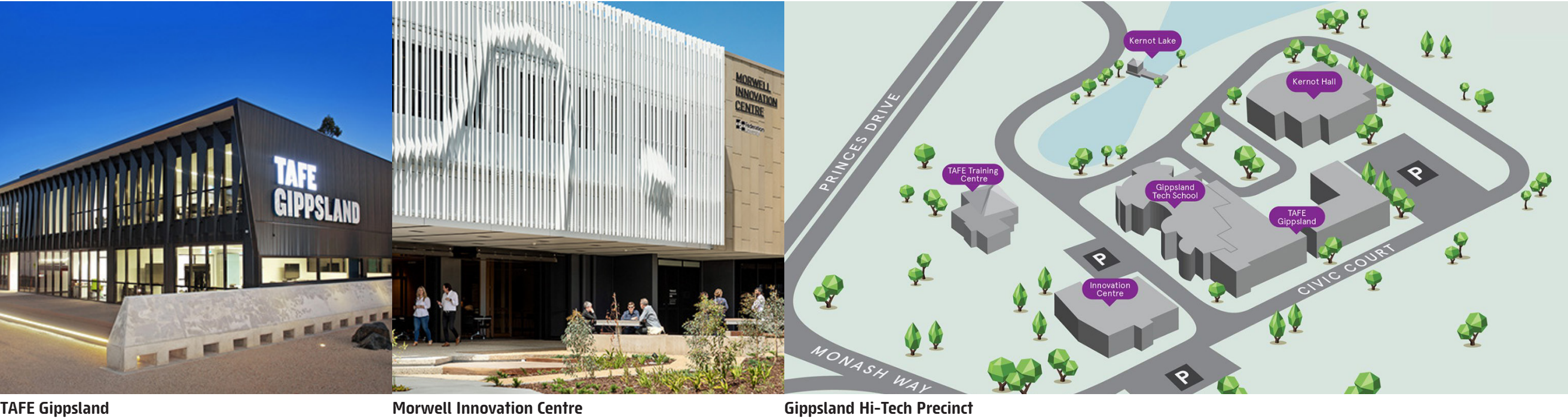
Williamstown Town Hall

The Kernot Hall’s charm and original character should be considered and not lost through the refurbishment of the project. The hall’s significance to the local community and the memories associated with the building need to be retained when breathing new life into the building through it’s refurbishment.

CAMPUS: a part of the Gippsland Hi-Tech precinct

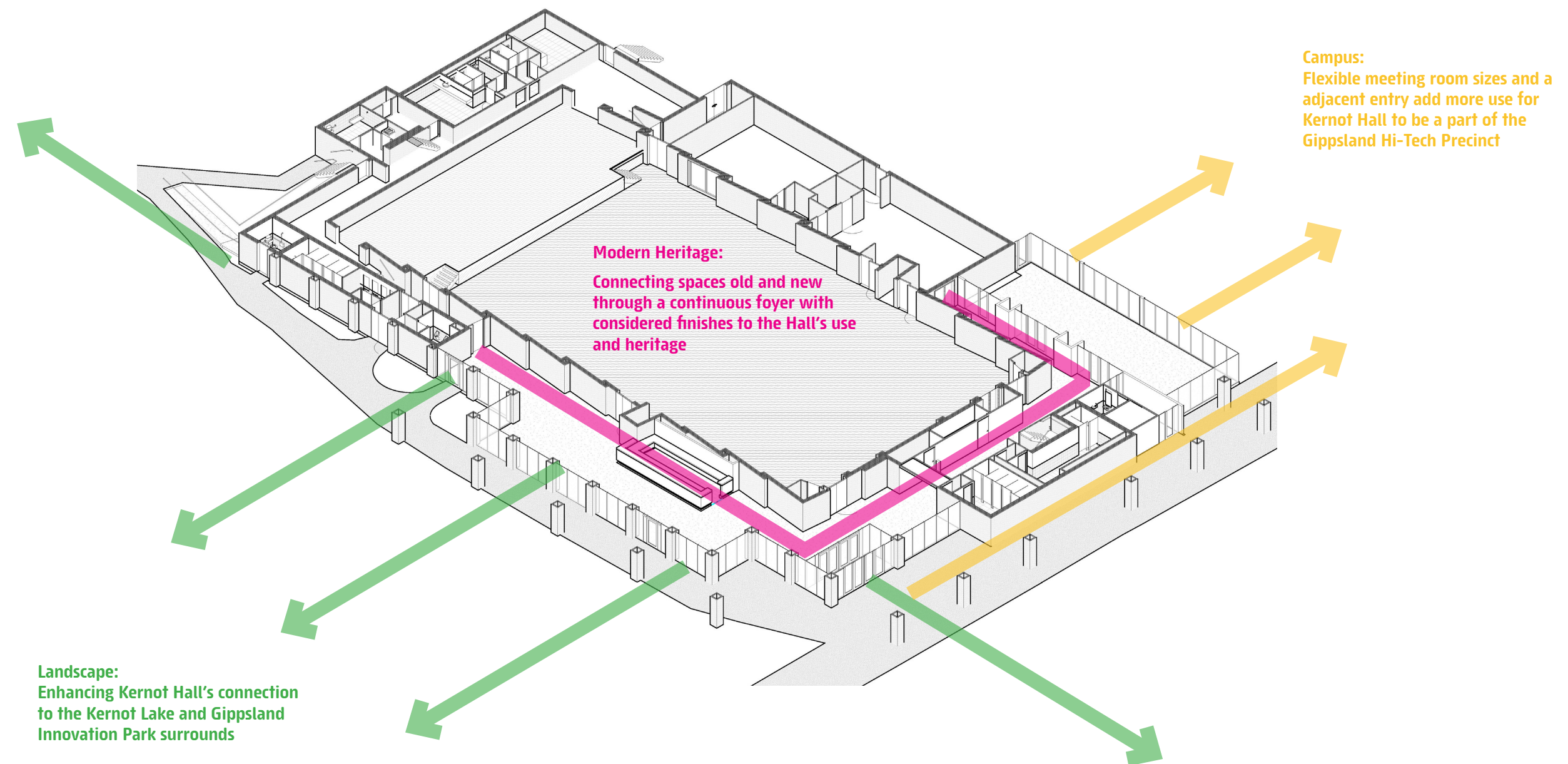
Kernot Hall’s position within the current and future community of Morwell is changing. No longer a civic hub, the Gippsland Innovation Park nearby Kernot Hall now house a new TAFE building, Gippsland Tech School and Morwell Innovation Centre.

Kernot Hall’s refurbishment should facilitate a connection visually and programmatically to these adjacent facilities. The refurbishment should leverage on the events and people who will be in the vicinity to further enhance the use and relevance of Kernot Hall in the future.



Kernot Hall has a history of holding performances, gigs, events and expos. This refurbishment project should enhance these uses while also facilitating Kernot Hall’s use by the now adjacent Gippsland Hi-Tech Precinct.

Landscape, Nostalgia, Campus



material palette

The material palette focuses on enhancing a visual connection to the adjacent parkland and lake while honoring the character of finishes that exist within the heritage fabric of the building. Finishes will also be chosen in regards to their longevity and hard wearing nature in a public building.



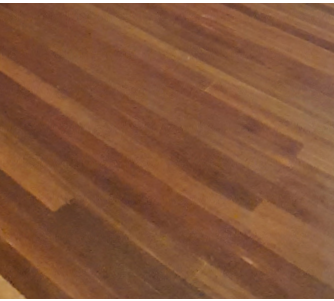
Acoustic timber ceiling & wall linings
Blackbutt acoustic plywood



Timber ceiling linings
Blackbutt acoustic plywood



Existing brick - Cleaned



Existing Hall flooring



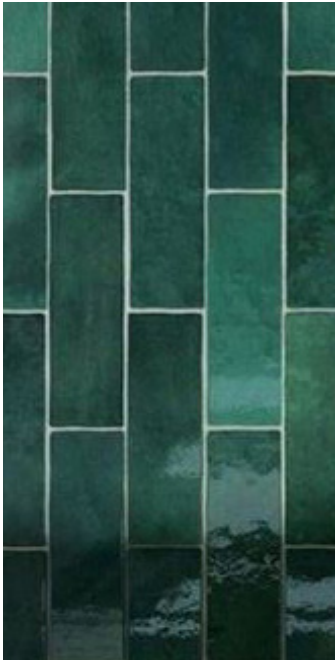
Painted brick white



Carpet - Foyer & Corridor
GH Chrysler



Floor Tiles - Wet Areas
Manetti Arrotato da crudo



Wall Tiles - Wet Areas
Paloma Moss Green



Wall Tiles - Wet Areas
Paloma Colonial Blue

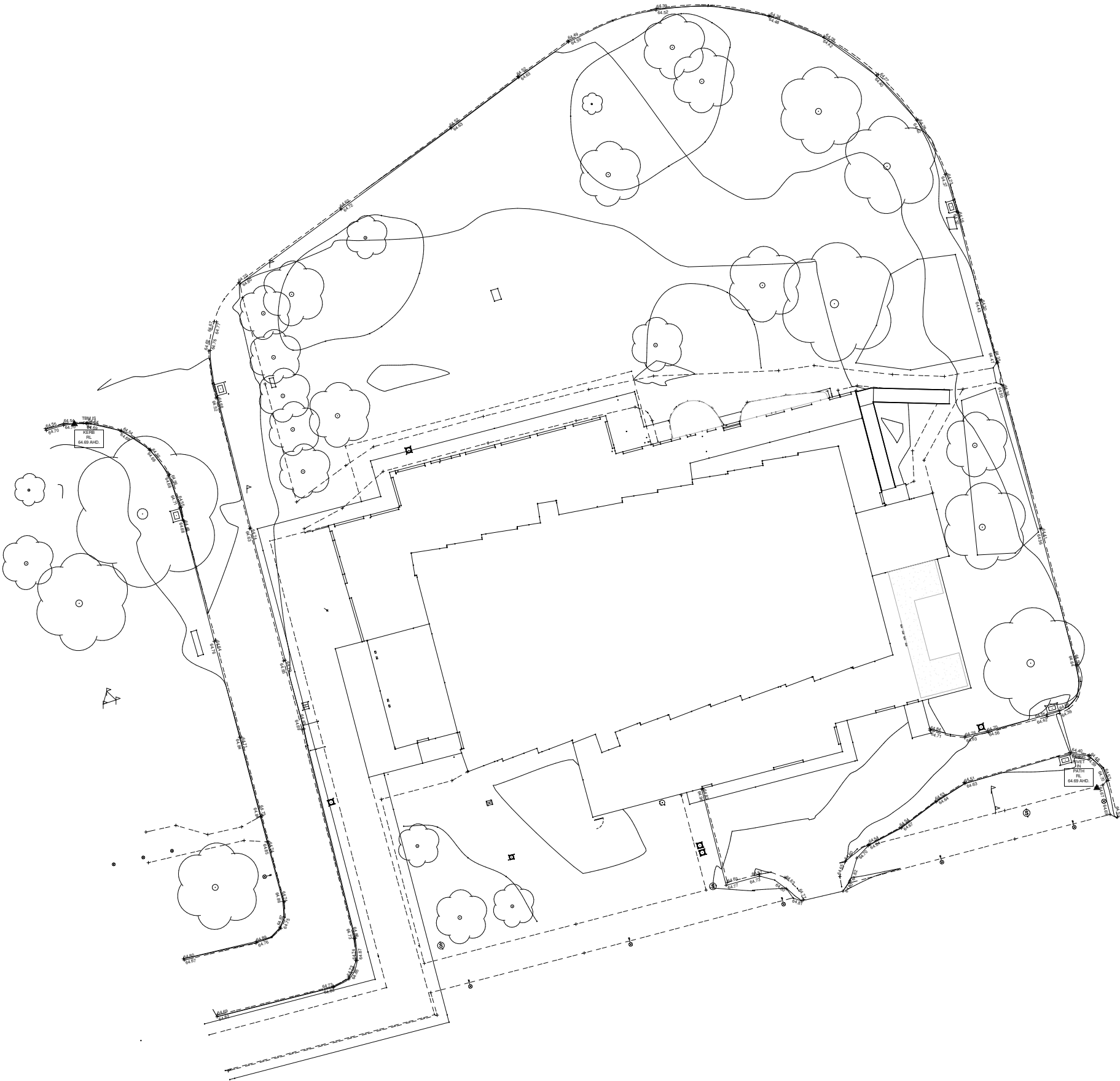
Kernot Hall

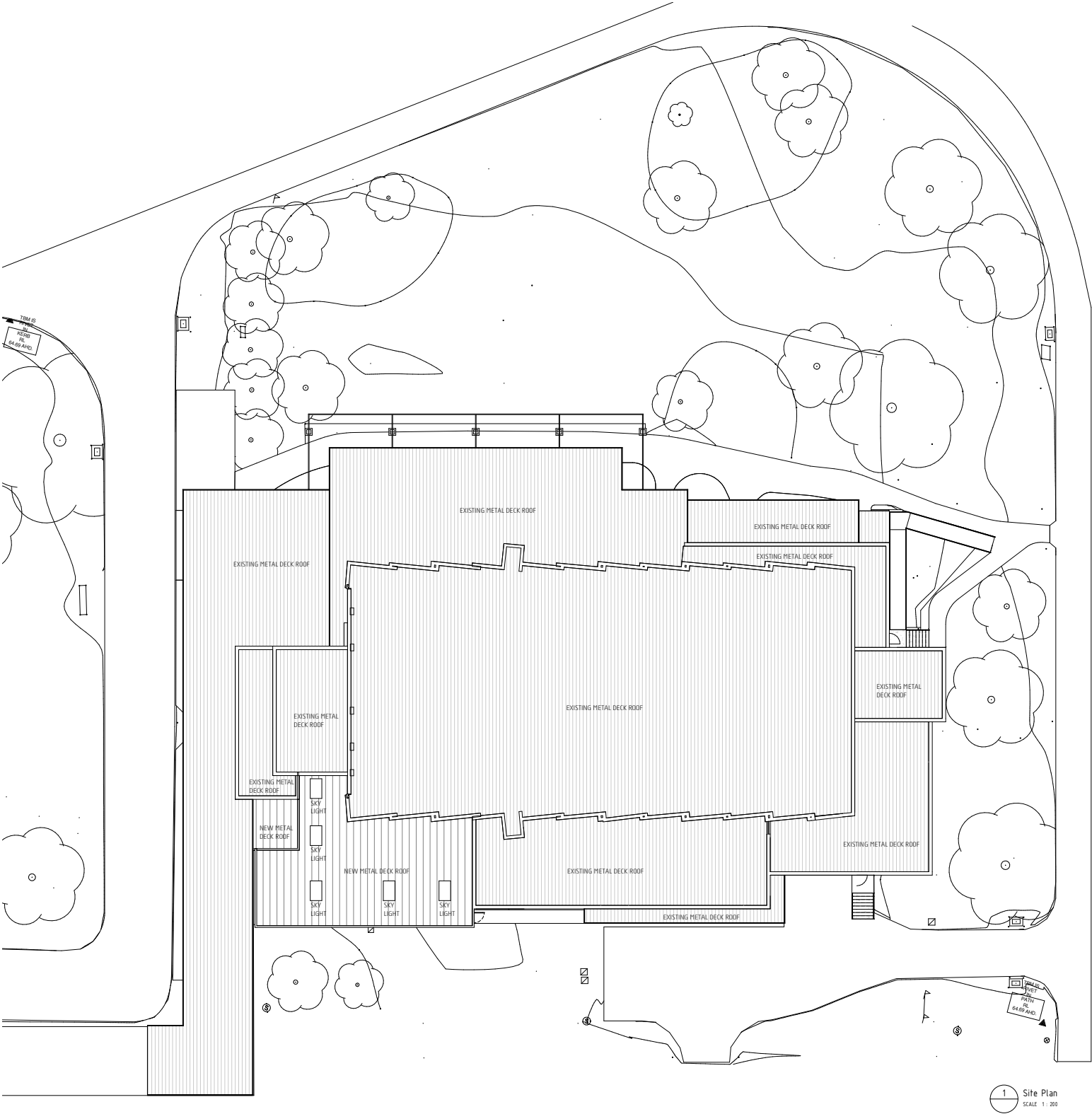
Architectural Concept Design Drawings

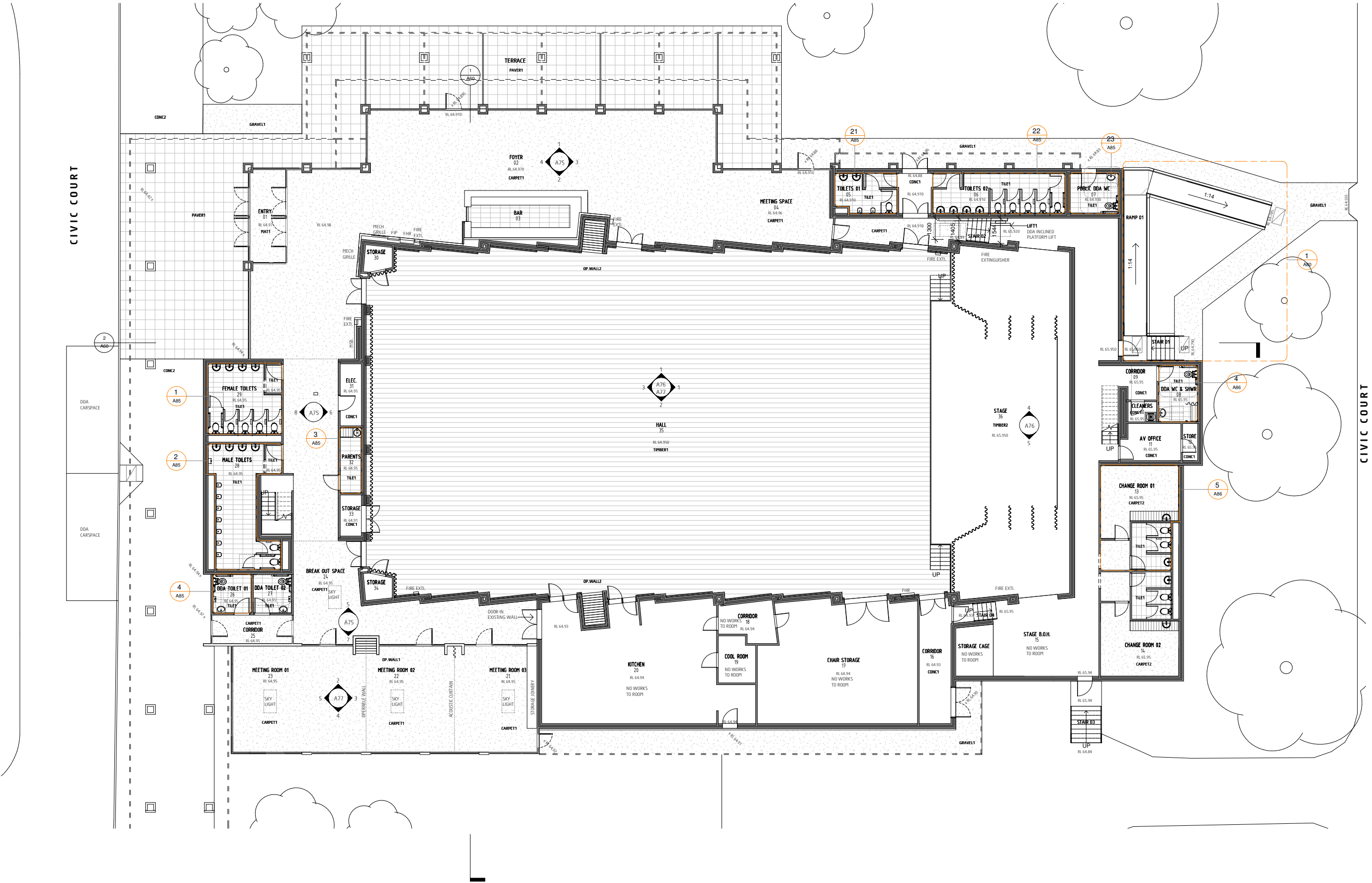
DRAWING LIST

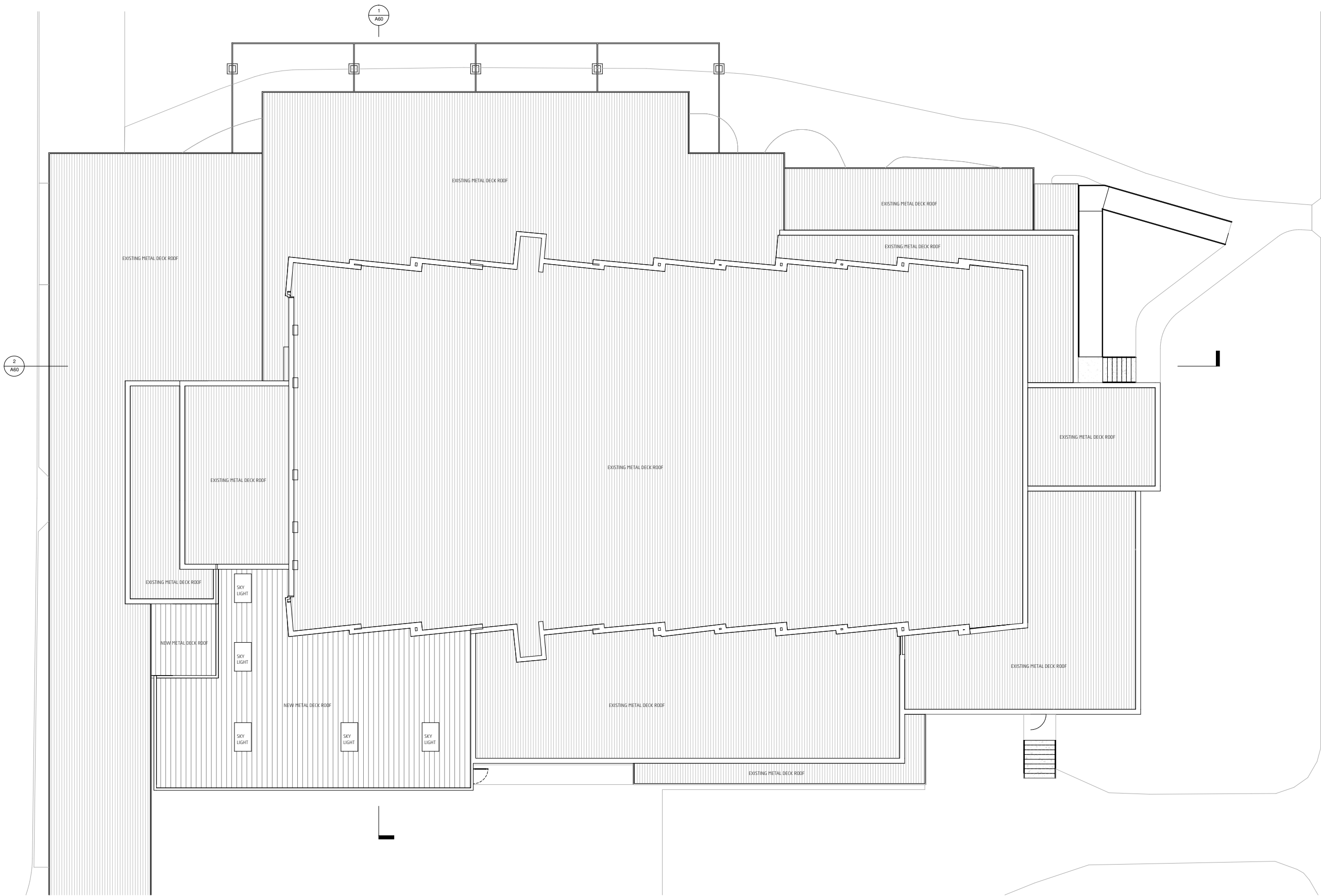
ARCHITECTURE

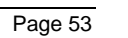
- A00 - DRAWING SCHEDULE & LOCATION PLAN
A01 - EXISTING & DEMOLITION PLAN
A02 - EXISTING & DEMOLITION RCP
A05 - SITE PLAN - PROPOSED
- A10 - GROUND FLOOR PLAN
A12 - ROOF PLAN
A20 - GROUND FLOOR RCP
- A50 - ELEVATIONS
A60 - SECTIONS - AA & BB
- A75 - INTERNAL ELEVATIONS
A76 - INTERNAL ELEVATIONS
A75 - INTERNAL ELEVATIONS
- A80 - STAIR, LIFT, PLANTER DETAILS
A85 - WET AREA LAYOUTS
A86 - WET AREA LAYOUTS & JOINERY
- SCH01 - MATERIAL SCHEDULE
SCH02 - DOOR SCHEDULE
SCH03 - WINDOW SCHEDULE
SCH04 - FURNITURE & FIXTURES SCHEDULE
SCH05 - LOOSE FURNITURE SCHEDULE
SCH06 - COATINGS & SEALANTS SCHEDULE
SCH07 - SIGNAGE SCHEDULE
- SPEC01 - ARCHITECTURAL SPECIFICATION

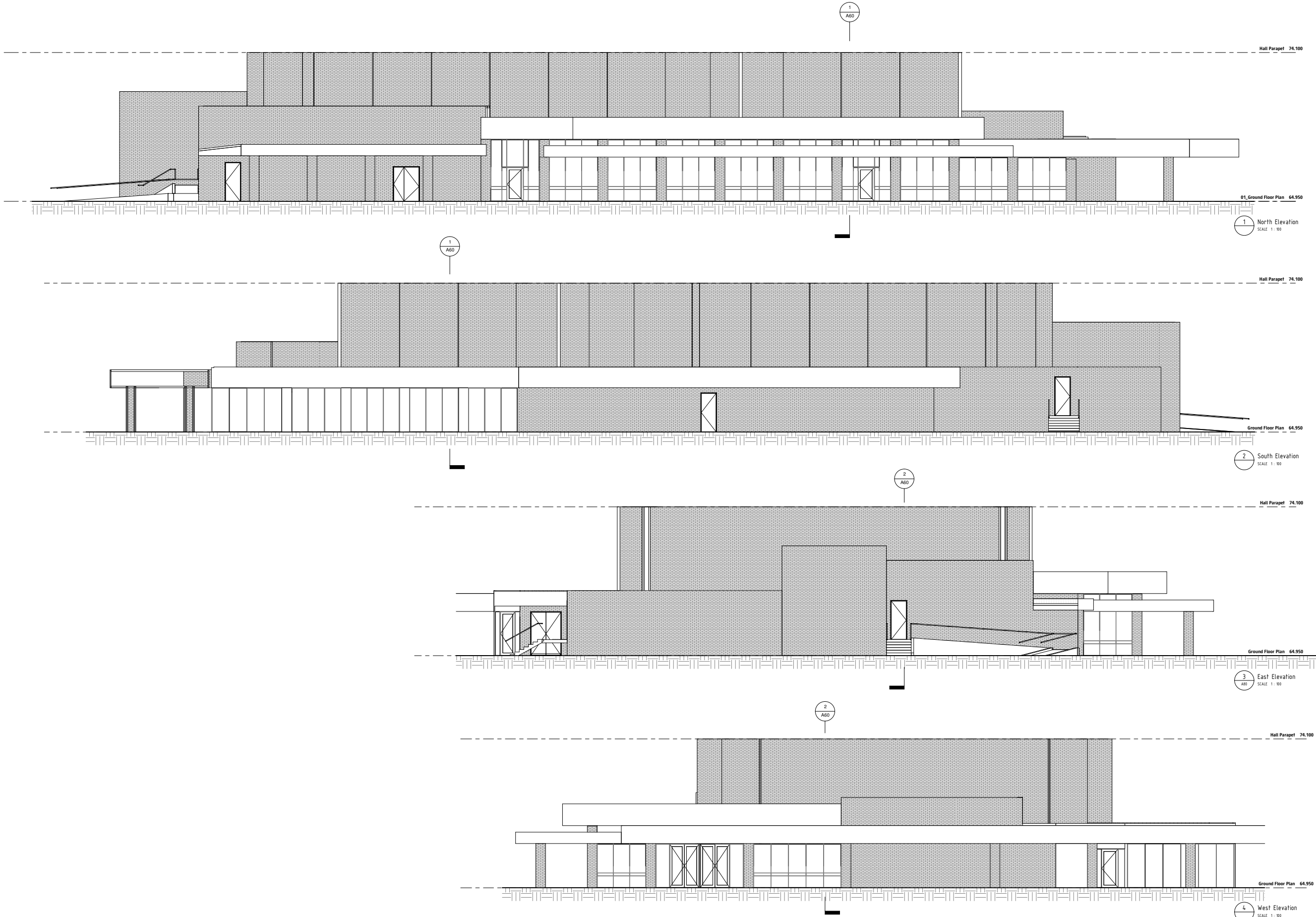


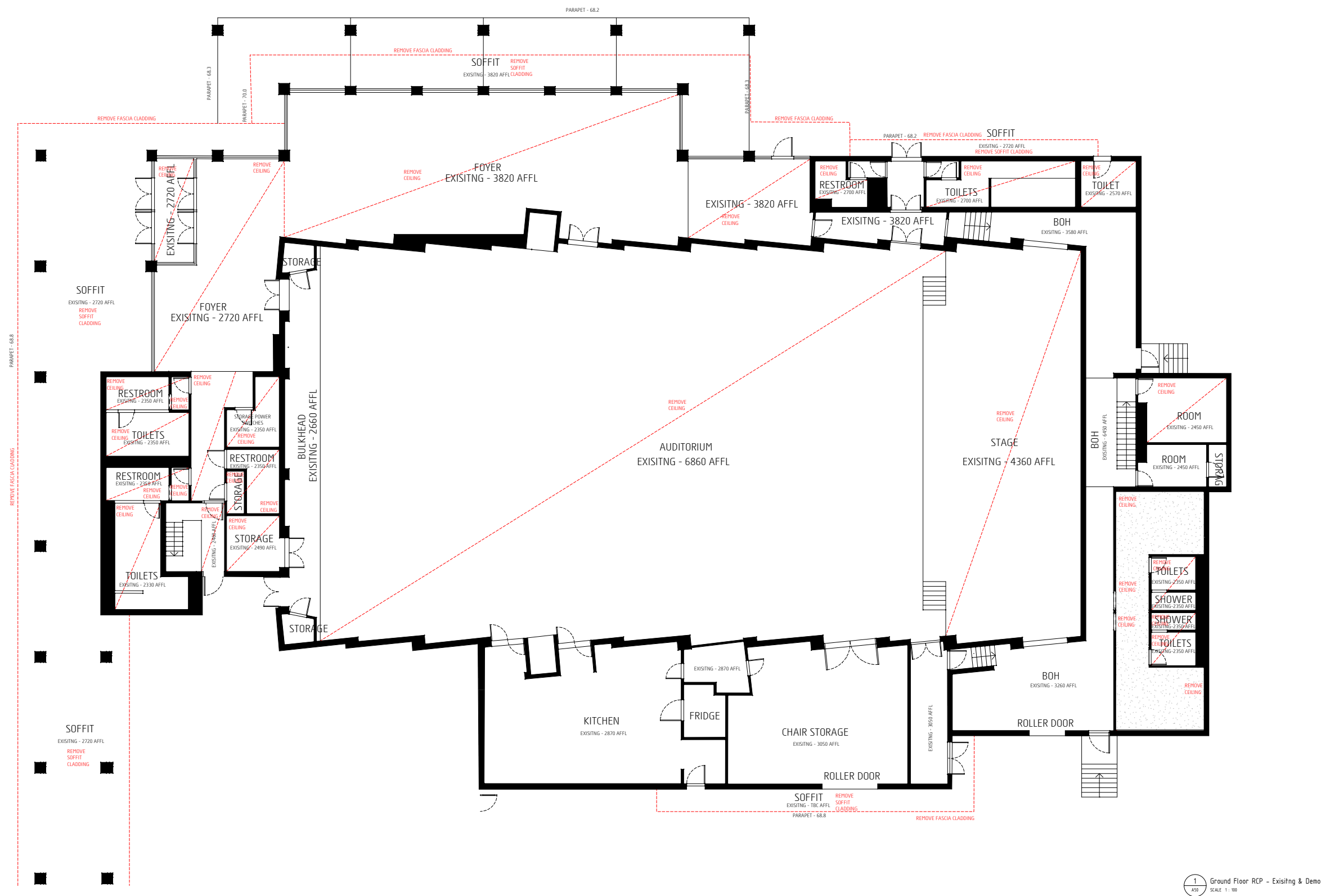












project facilities brief - concept design

The project facilities area brief and associated works as we understand them from meetings and discussions with the PCG are as follows:

Foyer

- New carpet;
- New ceiling;
- New wall linings in select locations;
- New lighting;
- New finishes to Bar front and sides

Hall

- New acoustic suspended ceiling;
- New acoustic wall lining;
- New lighting;
- No new works to store areas;
- Minor refurbishment works to stage.

New Extension

- New breakout space and connection to existing kitchen;
- New Accessible WC’s
- New Entry
- New Meeting Rooms

External

- Façade cleaning and maintenance;
- New soffit and fascia cladding.
- Minor pavement and landscaping works

Kitchen

- Connection to new breakout space;
- No new internal kitchen works.

Amenities Refurbished

Public DDA WC

- New finishes.

Male WC

- Refurbish existing, new finishes & fixtures throughout.

Female WC

- Refurbish existing, new finishes & fixtures throughout.

New Baby Change

- Refurbish existing DDA WC to accommodate baby change facility.

Toilets to North of building

- Refurbish existing, new finishes & fixtures throughout.

Back of House

- Store 1 - no new works;
- Store 2 - no new works;
- Female Change Room - Refurbish existing, new finishes & fixtures throughout.
- Male Change Room - Refurbish existing, new finishes & fixtures throughout.
- DDA WC & Shower - New DDA shower and WC fittings, fixtures and finishes in existing building

External Access Ramp

- Demolish external stair;
- New disabled access ramp;
- Improvements to fire escape.

Internal Access Lift

- Inclined Platform Lift to back of house stair

Circulation, plant

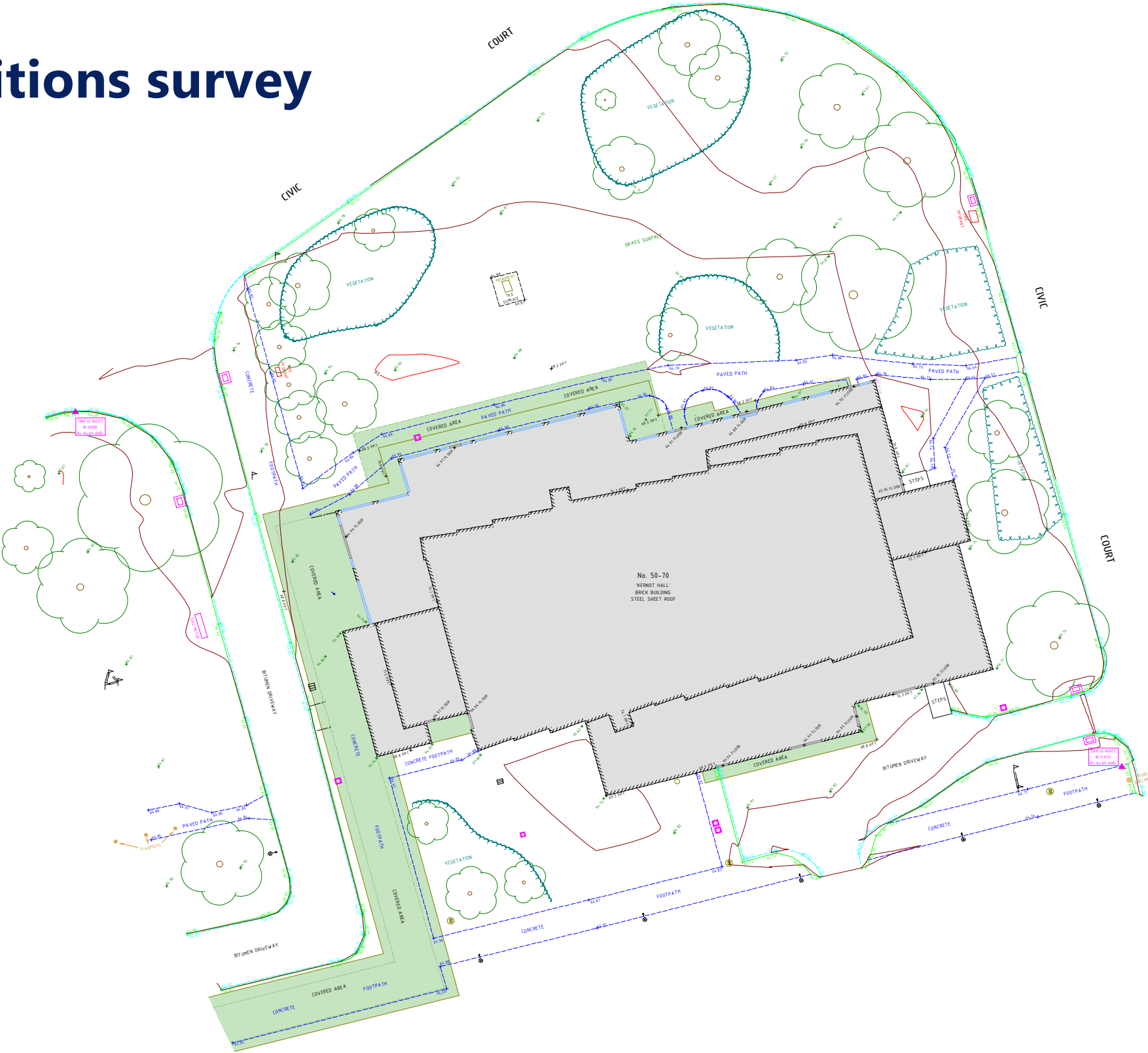
- no new works.

Kernot Hall

Land Surveyor Drawings

existing conditions survey

Features & Levels Survey Plan





7.4 Maribyrnong Street Footcrazy 3011
Phone 9689 1000 Fax 9689 1002
admin@farrengroup.com.au

NOTATIONS

- THIS IS NOT A RE-ESTABLISHMENT SURVEY
- TITLE BOUNDARIES HAVE NOT BEEN SURVEYED
- LEVELS ARE TO AND FROM MANNINGVILLE TO 2M WITH STATED R.L. 80.55m
- AND VISE CONE OBSERVATIONS USING RTK SOLUTIONS PROVIDED BY OPINET™
- THESE ARE DATA TO BE NOTED ON PLAN
- THESE SPECIES, TRUNK & POSITIONS ARE APPROXIMATE ONLY
- SOME FEATURES HAVE BEEN DERIVED FROM PHOTOGRAPHY
- CONTOUR INTERVAL: 0.2m

FEATURES & LEVELS PLAN
ADDRESS: 50-70 PRINCES DRIVE, MORWELL 3840
(KERNOT HALL)

VERSION: 01 REF: J12651 DA SURVEY DATE: 17.03.2022

LEGEND

- LIGHT POLE
- GRATED PIT
- JUNCTION PIT
- SIDE ENTRY PIT
- SIGN
- SEWER PIT
- TREE / TRUNK
- UNCLASSIFIED PIT
- ▲ TEMPORARY BENCH MARK
- DOOR
- WINDOW
- + PPT PARAPET
- + U.G. UNDERSIDE OF GUTTER
- BACK OF CONCRETE KERB
- INVERT OF CONCRETE KERB
- + 44.73 NATURAL SURFACE

SCALE

1.5 0 3 6

LENGTHS ARE IN METRES

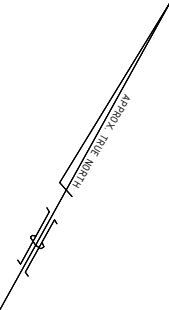
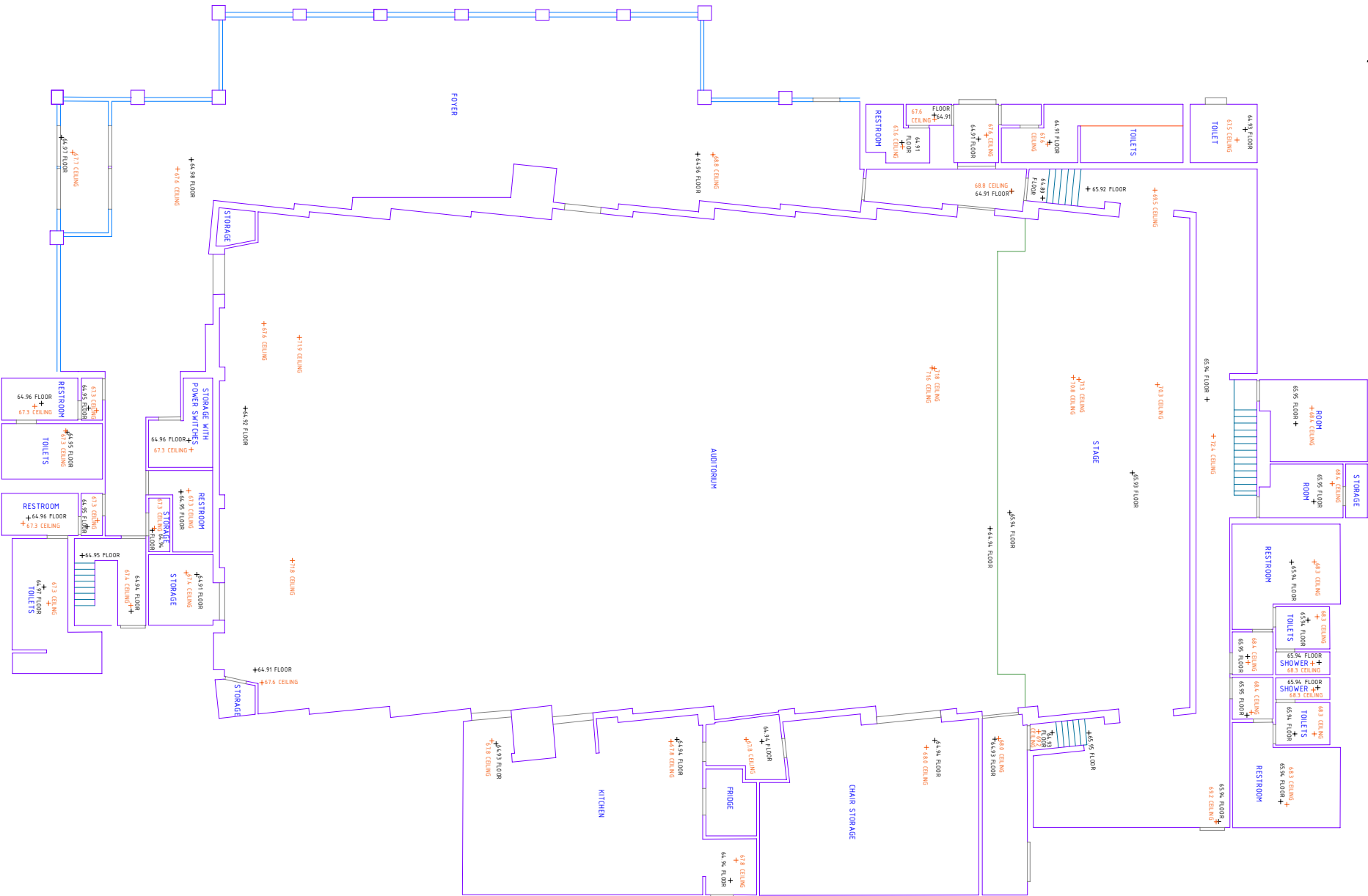
ORIGINAL SHEET SIZE A0 SCALE 1:150


Kernot Hall

ANTARCTICA:ARCHITECTS

existing conditions survey

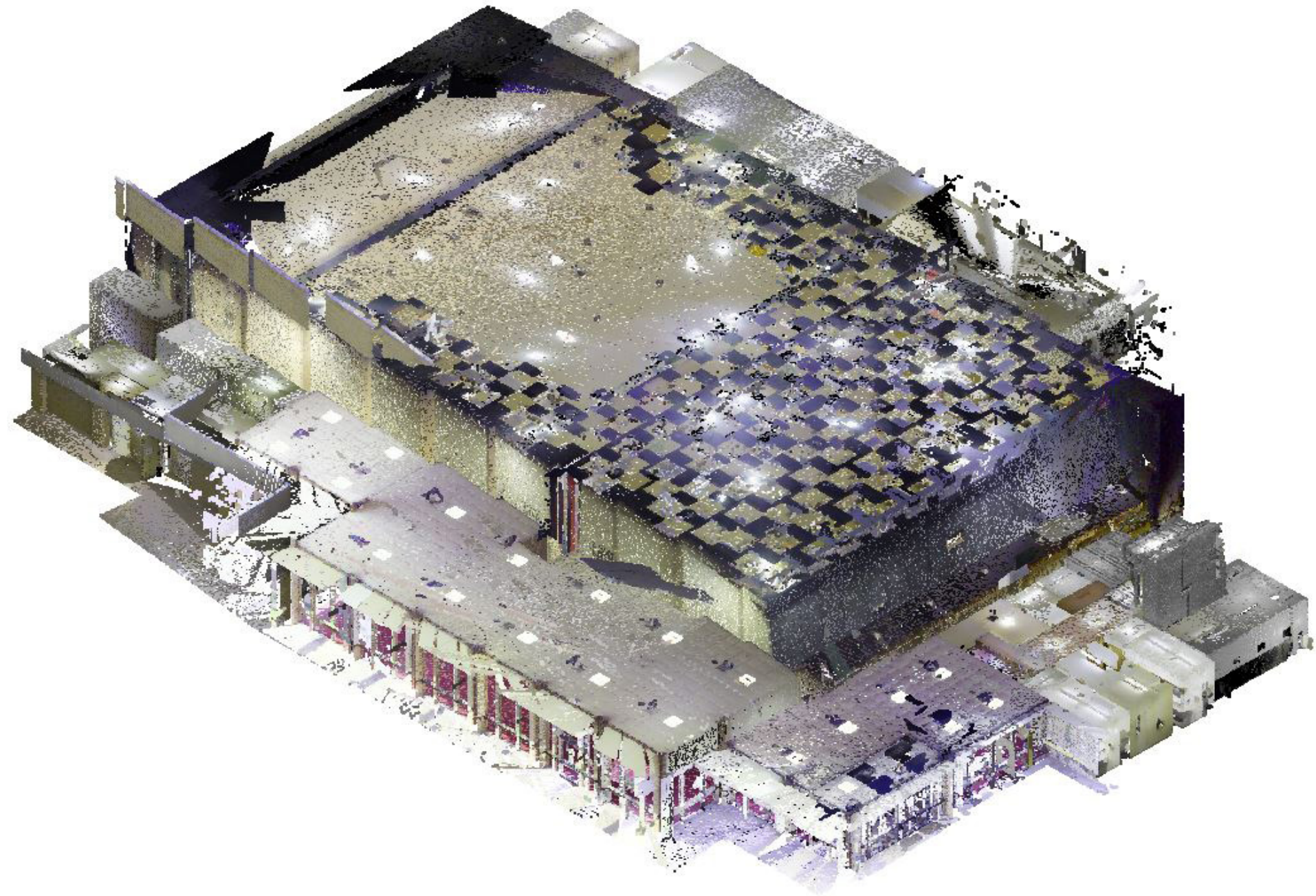
Survey Floor Plan



<div><p>FarrenGroup Creating New Boundaries</p><p>74 Marlborough Street Footscray 3011 Phone 9689 1000 Fax 9689 1002 admin@farrengroup.com.au</p></div> <div>LAND SURVEYING - TOWN PLANNING - HYDROGRAPHIC MAPPING</div>	<div>NOTATIONS</div> <div>- LEVELS ARE TO AHD VIDE MARYVALE PM 334 WITH STATED RL. 60.55m</div>	<div>FLOOR PLAN</div> <div>ADDRESS : KERNOT HALL, 50-70 PRINCES DRIVE, MORWELL 3840</div>	<div>LEGEND</div> <div><div><div>↑ FLOOR</div><div>FLOOR HEIGHT (AHD.)</div></div><div><div>↑ CEILING</div><div>CEILING HEIGHT (AHD.)</div></div></div>	<div><div><div>SCALE</div><div><div>1024</div><div>LENGTHS ARE IN METRES</div></div></div><div><div>ORIGINAL</div><div>SHEET SIZE A1</div><div>SCALE 1:100</div></div></div>
		<div>REF: J12651 DL</div> <div>VERSION : 01</div> <div>DATE OF SURVEY: 17/03/2022</div>		

existing conditions survey

Point Cloud Scan



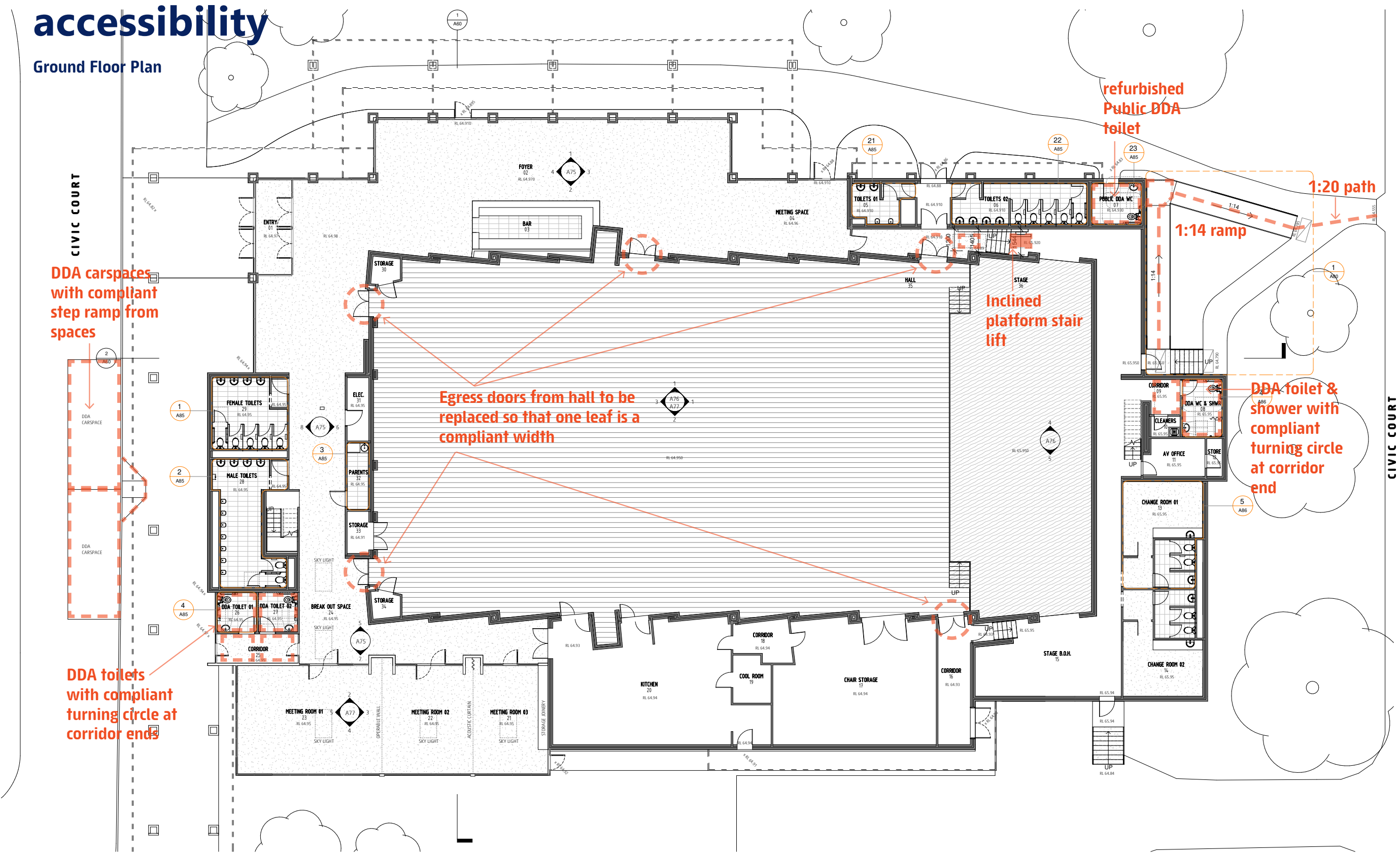
Kernot Hall

ANTARCTICA:ARCHITECTS

21

Kernot Hall

Appendix Information



site visit photos



Exterior overall photos



Exterior close up photos



Interior front of house photos

site visit photos - services & structure



Kernot Hall

ANTARCTICA:ARCHITECTS

(03)9639 6879 : WWW.ANTARC.COM.AU : OFFICE@ANTARC.COM.AU : 41 A'BECKETT ST, MELBOURNE VIC 3000



GLENVIEW PARK MASTERPLAN

PURPOSE

This report details feedback received through community consultation of the Draft Glenview Park Masterplan and recommends Council endorsement of the plan.

EXECUTIVE SUMMARY

- The Draft Glenview Park Masterplan has been created as a result of an ongoing desire to activate the underutilised site.
- The June 2021 Traralgon Flood event and the need/want from a number of community groups to find a new home outside of the Traralgon Recreation Reserve and Showgrounds elevated Glenview Park to the top of Council's strategic planning priority list.
- The Draft Masterplan (Attachment 1 – Draft Masterplan) has considered feedback received from the community. It is not a detailed design, nor does it commit Council to fund the various opportunities identified within any timeframe.
- Feedback received through the April 2022 formal consultation activities has been overwhelmingly positive from surrounding land owners, the general public, as well as the many user groups who currently use Glenview Park and those that wish to use Glenview Park in the future.
- Through the process of developing this Draft Masterplan, it has become evident that additional work is now required to address existing lease arrangements at Glenview Park in order to provide the opportunity for more community groups to utilise a number of existing Council owned buildings at the site. A review of all existing lease and licenses will now be undertaken.

OFFICER'S RECOMMENDATION

That Council endorse the Glenview Park Masterplan.

BACKGROUND

The Draft Masterplan has been developed following the June 2021 Traralgon flood event which has led to a number of community groups needing and wanting to find future homes outside of the Traralgon Recreation Reserve and Showgrounds due to the ongoing impacts these groups experience each time the reserve floods.

The primary intent of the Draft Masterplan is to create a 'community hub' and 'outdoor event's space', which as the name suggests is a venue/site where a lot of community-based activities, groups and events are based.

Although the June 2021 flood event and the need to relocate a number of community groups has been the driving factor in creating this draft Masterplan, the idea of activating Glenview Park and bringing many community groups to the site has been suggested many times over the years.

As such, what is being proposed through this project was not a surprise to the existing user groups and stakeholders or the surrounding land owners. Which is likely why the feedback received through community consultation activities was generally positive (Attachment 2 – Consultation Feedback), with the majority of outstanding concerns now resolved.

The key issues raised included:

- The need to preserve the primary functions of the current users of the site (Latrobe Valley Racing Club, Traralgon Greyhound Racing Club, Traralgon Croquet Club, Ravens Equestrian Club and Traralgon Social Motorcycle Club);
- Traffic management in and out of the venue once the use of the site is intensified; and
- Providing suitable spaces for the number of community groups within Latrobe City that are currently without a home at all, in temporary arrangements or would like to move to a 'community hub' with likeminded people and groups.

It is noted that through this Masterplan process, it has become evident that in order to create a more vibrant 'community hub' at Glenview Park that additional work is now required to address the existing lease arrangements, to provide the opportunity for more community groups to utilise a number of existing Council owned buildings at the site.

This work will also investigate matters such as future lease/license arrangements, committee of management (or similar) structure, operational matters now and into the future, maintenance responsibilities and funding opportunities.

These matters are however separate to those considered through the Masterplan and discussions relating to these matters can continue after the Masterplan is endorsed.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
SERVICE DELIVERY Funding availability from Council or external funding partners for implementation.	3 (Possible)	<ul style="list-style-type: none"> • Clear and strong advocacy to external funding bodies; and • Clear and constant communication with user groups about funding and budget processes.
STRATEGIC Community expectations that the entire Masterplan will be funded and delivered by Council immediately.	4 (Likely)	<ul style="list-style-type: none"> • Communicate clearly with the community and user groups about the Masterplan; and • Ensure each project delivers a beneficial outcome for the community and the user groups.
STRATEGIC Not having a Masterplan endorsed by Council for the site, could lead to funding opportunities being missed due to having a lack of strategic justification.	3 (Possible)	<ul style="list-style-type: none"> • Council to endorse the Masterplan.

CONSULTATION

Community Consultation activities in April 2022 included the following:

- Community Noticeboard of two editions of the Latrobe Valley Express;
- Posts of Council's Social Media channels;
- Media Release and subsequent article in the Latrobe Valley Express;
- Letters sent to all neighbouring land owners and occupiers;
- Emails sent to all user groups;
- Website and Have Your Say page;
- Open House session; and
- Numerous meetings and phone calls.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

Social

There are only positive social implications resulting from this Masterplan. All projects identified on the plan will benefit user groups as well as the community of Traralgon and the wider Latrobe City.

Cultural

There are only positive cultural implications resulting from this Masterplan. All projects identified on the plan will benefit user groups as well as the community of Traralgon and the wider Latrobe City.

Health

There are only positive health implications resulting from this Masterplan. All projects identified on the plan will benefit user groups as well as the community of Traralgon and the wider Latrobe City.

Environmental

There are no known environmental implications of the Masterplan itself and the environmental implications occurring as a result of the identified projects, will be investigated when undertaking the project.

Financial

- A Masterplan is not a detailed design or plan, nor does it commit Council to fund the opportunities identified within a set timeframe.
- The Masterplan provides a clear direction for Council and the community should Council or external funds become available for particular types of projects identified within the plan.
- Financial implications will result if and when funding opportunities become available requiring Council contributions or when funding is sought through Council's budget processes.
- Attachment 1 provides estimated costs of each project opportunity identified on the plan.

At this stage, there are no additional financial implications on Council resulting from this report and Masterplan.

Attachments

1.  DRAFT Glenview Park Masterplan

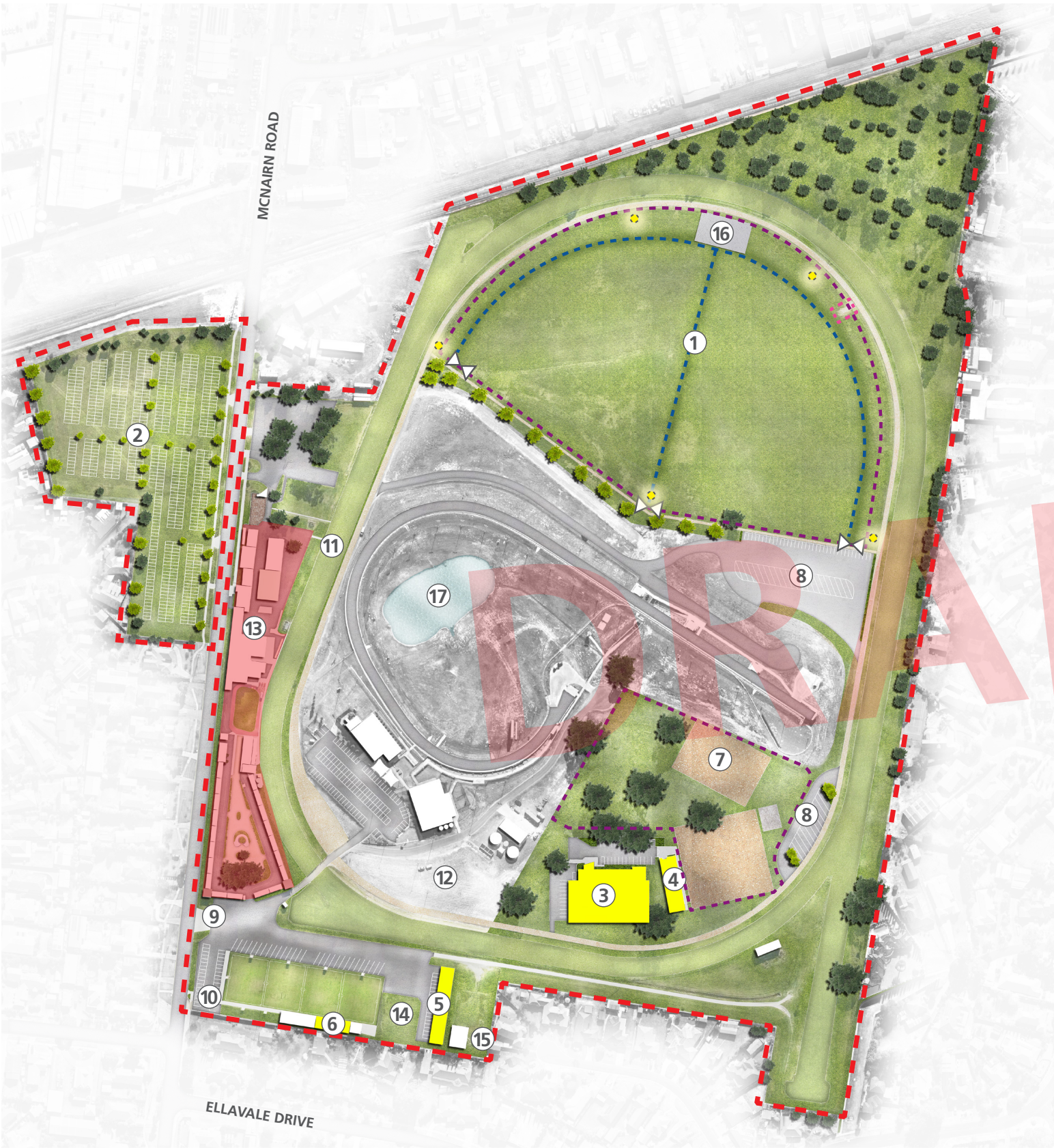
2. Consultation Feedback (Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. personal matters

7.5

Glenview Park Masterplan

1	DRAFT Glenview Park Masterplan	72
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LEGEND

Council owned land
(Glenview Park)

Existing trees

Proposed Tress

Existing Building

Proposed building

Proposed lighting

Existing ambulance bay

Low chain mesh fence

Drainage swales

Entrance gate

Proposed structure

- PROJECTS
- 1

Outdoor event space:

• Surface flattening required
 - o Improve drainage; and
 - o Provide a natural amphitheatre

• Provide sewer connection for events

• Provide power supply for large events

• Provide fencing around area for security

• Provide access roads and car parking for event holders

• Provide all weather walkways throughout

• Provide hardstand areas for large vehicles (enjoyment rides etc) and equipment (stage, lighting etc)

2

External carparking area:

• Formalise 1000 carparks

• Install grass stabilising matting (I.e. SurePave) to retain grass surface and make all weather

• Install car park line markers to delineate carparks and access roads

3

Community Hub

• Indoor Sports Stadium

• Mens Shed

• Meeting Rooms

• Offices

• Commercial Kitchen

4

Community Pavilion

• Open meeting and display space for community groups

5

Community Warehouses

• Multiple industrial style warehouse buildings for community groups
 - o Workshops/meeting spaces/equipment storage

6

Traralgon Croquet Club – Building Extension

• Undercover viewing/seating area and storage shed extension

7

Additional Equestrian Arena

8

Long bay parking areas

9

Widen access road to allow for two way traffic (trucks and trailers)

10

Extend carparking area

11

Relocatable bridge over race track
 - To provide access to event space

12

Potential future carpark

13

Review current lease/license arrangements
 - Look to intensify the use of these buildings and land by additional community groups

14

Potential croquet extension or additional community group buildings
 - Dependant on requirement/need

15

Potential storage shed development site

16

Structure to support stage
 - Consider potential of under stage for storage/office/toilets

17

Investigate water saving opportunities for all users
 - For irrigation and dust suppression

ESTIMATED PROJECT COST (JULY 2022)

1	\$1,000,000	6	\$75,000	11	\$50,000	16	\$100,000 - \$300,000
2	\$1,000,000	7	\$150,000	12	Private Development	17	TBC based on investigations
3	\$3.5 Million	8	\$250,000	13	\$0		
4	\$1,000,000	9	\$50,000	14	\$250,000 - \$500,000		
5	\$500,000	10	\$15,000	15	\$100,000 - \$250,000		

Agenda Item: 7.6

**Agenda Item: Amendment C126 (Toongabbie Structure Plan) -
Consideration of Submissions**

Sponsor: General Manager, Regional City Planning and Assets

Proposed Resolution:

That Council:

- 1. Having considered all written submissions received to Amendment C126 requests the Minister for Planning establish a planning panel to consider submissions to Amendment C126 and prepare a report; and**
- 2. Advise those persons who made written submissions to Amendment C126 of Council's decision.**

Executive Summary:

- The draft Toongabbie Structure Plan Report and background documents were endorsed for exhibition by Council on 6 July 2020.
- Amendment C126 was placed on exhibition from 24 June 2021 to 6 August 2021.
- During exhibition, a total of 12 written submissions were received, including five objections that cannot be resolved.
- Key issues raised in relation to the outstanding submissions are:
 - Requesting to be rezoned from Farming Zone (FZ) to Low Density Residential Zone (LDRZ).
 - Requesting to be identified as First Stage Rural Residential in the Toongabbie Structure Plan.
 - Concerns that the land supply and demand analysis for the LDRZ is not accurate.
 - Concerns from the Environment Protection Authority (EPA) that the General Store should have an Environmental Audit Overlay (EAO) placed on it due to contamination concerns from the petrol station, to guide potential future land uses.
 - Concerns from the CFA regarding bushfire risk in Toongabbie.
- There have been delays in the progression of the amendment, this is due to officers trying to resolve concerns raised by submitters, in particular the CFA.
- It is considered that the Panel process will provide the opportunity to progress the amendment and obtain third party advice as to how outstanding matters may be resolved.

- There are five submissions which request changes or object to the amendment in its current form which have not been able to be resolved. Therefore, Council must request that the Minister for Planning appoint a Planning Panel to consider all submissions to progress the Amendment to the next stage.

Background:

At the 6 July 2020 Council Meeting, Council resolved that Council:

1. *Endorses the draft Toongabbie Structure Plan Report (Attachment 1) and background documents (Attachment 2) for public exhibition as a part of a planning scheme amendment; and*
2. *Requests authorisation from the Minister for Planning to prepare and exhibit the draft Toongabbie Structure Plan, background reports and related proposed amendment documents to the Latrobe Planning Scheme.*

The Amendment proposes to:

- Implement the Toongabbie Structure Plan 2020 into the Latrobe Planning Scheme, including:
 - Rezoning residential land close to the town centre to support higher density development, on appropriate serviceable properties.
 - Rezone some Farming Zone land to Low Density Residential Zone.
 - Correct split zoning at the Toongabbie Primary School.
 - Rezone some land adjacent to waterways to Public Conservation and Resource Zone reflective of its biodiversity.
 - Amend areas covered by the Land Subject to Inundation Overlay and introduce the Floodway Overlay, in areas identified within the Floodplain Mapping for the Toongabbie Township (WGCMA, 2016).

A request for Authorisation to the Minister for Planning was lodged on 24 December 2020. Following the approval of Authorisation on 28 January 2021, Amendment C126 was placed on exhibition from 24 June to 6 August 2021. There have been delays in the progression of the amendment, this is due to officers trying to resolve concerns raised by submitters, in particular the CFA.

Detail regarding the exhibition process and outcomes are provided in the communication and consultation sections below.

Twelve written submissions (see Attachment 1) were received, including:

- 4 submissions supporting the amendment;
- 2 submissions supporting the amendment with minor changes that can be made as post-exhibition changes;
- 5 submissions objecting to the amendment, requesting changes which cannot be resolved;

- 1 submission objecting to the amendment that has now been satisfied, and the objection formally withdrawn

Key issues raised in relation to the outstanding submissions are:

- Requesting to be rezoned from Farming Zone (FZ) to Low Density Residential Zone (LDRZ).
- Requesting to be identified as First Stage Rural Residential in the Toongabbie Structure Plan.
- Concerns that the land supply and demand analysis for the LDRZ is not accurate.
- Concerns from the Environment Protection Authority (EPA) that the General Store should have an Environmental Audit Overlay (EAO) placed on it due to contamination concerns from the petrol station, to guide potential future land uses.
- Concerns from the CFA regarding bushfire growth risk in Toongabbie.

The complete summary of issues raised in the submissions and the Officer response is outlined in the Summary of Submissions Table (see Attachment 2).

In response to the submissions received, changes are proposed to the draft Planning Scheme documents and are detailed in the post exhibition changes table (see Attachment 3).

Further discussions have been held with some submitters, including providing proposed changes to the Amendment for their consideration. The proposed changes that have been made are minor in nature and do not change the intent and purpose of the Amendment.

Under the *Planning and Environment Act 1987* (the Act), Council must consider all submissions received to the Amendment. As there are outstanding submissions that cannot be resolved, Council must request a planning panel to consider all submission or abandon the amendment.

It is proposed to consider submissions and progress Amendment C126 to the next stage by requesting a planning panel if outstanding submissions cannot be resolved.

Issues:

Latrobe City Council Plan 2021-2025

Healthy

- *Delivery of the objectives in Living Well Latrobe, our community's Municipal Public Health and Wellbeing Plan by promoting community safety, mental and physical health and activity, incorporating active design principles in open space, neighbourhood design and supporting community resilience.*
- *Ensure health and wellbeing planning to the centre of council planning in promoting safe communities, positive mental and physical health programs, resilience and connection to natural and built environments.*
- *Support community preparedness aligned to growing responsibilities for Local Government in emergency management systems, response and recovery.*

Connected

- *Facilitate appropriate urban growth, industry diversification, liveability and connectivity throughout Latrobe City.*

Amendment C126 and the *Toongabbie Structure Plan (2020)* provides strategic directions for how the town of Toongabbie will grow, look and feel in the next 15 to 20 years and how these directions can be achieved.

Living Well Latrobe 2022-25 – Our Community’s Municipal Public Health and Wellbeing Plan

This amendment will have a positive impact on future land use planning when considering risk in relation to flooding, by applying appropriate overlays to govern suitable and safe development in these areas.

Communication

Due to the overlap of Amendment C127 (*Bushfire and Rural Rezoning’s*) and Amendment C126 (*Toongabbie Structure Plan*), the Amendments are being run concurrently, with community consultation also occurring simultaneously. As part of the exhibition of the Amendments, the following activities were undertaken:

- 287 key stakeholder, agency, authority and minister notification emails were sent;
- 400 direct notification packages were posted to directly affected landowners within the Toongabbie postcode;
- Notice placed in the Government Gazette on 24 June 2021;
- Notices placed in the Latrobe Valley Express on 24 June 2021;
- Website and Have Your Say page placed on Latrobe City Council’s website, including an interactive mapping tool showing the changes proposed by the amendment;
- Social media posts on Facebook, Twitter and LinkedIn;
- 30 minute appearance of Acting Manager Regional City Planning on Gippsland FM radio on 26 June 2021;
- Face-to-face 1:1 meeting held in Toongabbie on 30 June 2021,
- Due to lockdown restrictions, virtual 1:1 sessions were offered throughout the remainder of the exhibition period in place of the 20 July 2021 Toongabbie in person session that had to be moved to zoom meetings instead; and
- Information placed at service centre and libraries in Morwell, Moe, Traralgon and Churchill.

Financial Implications

The prescribed fees for Planning Scheme Amendments are detailed in the *Planning and Environment (Fees) Regulations 2016*. The costs associated with this stage of the Planning Scheme Amendment include the fee for the Panel Report (varies from \$15,345.60-\$40,986.80), fees for any expert witnesses engaged by Council and the fee for the Minister’s approval (\$488.50) of an amendment if the amendment is adopted by Council.

Funds were allocated in the 2021/2022 Strategic Planning budget and are required to be carried over in the proposed Strategic Planning BAU budget for 2022/2023 to enable the Planning Scheme Amendment to proceed.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Strategic Risk Delay in finalisation of the Amendment may result in under/over development in areas proposed to be rezoned, resulting in long term inconsistent planning outcomes in such areas, e.g. smaller minimum lot sizes allowed in the residential areas, proposed to increase to a larger minimum lot size in the proposed new residential zone.	3 (possible)	Planning Permits in these areas to be referred to the Strategic Planning Team for comment, as the Amendment is seriously entertained and must be considered in the permit assessment.

* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

Legal and Compliance

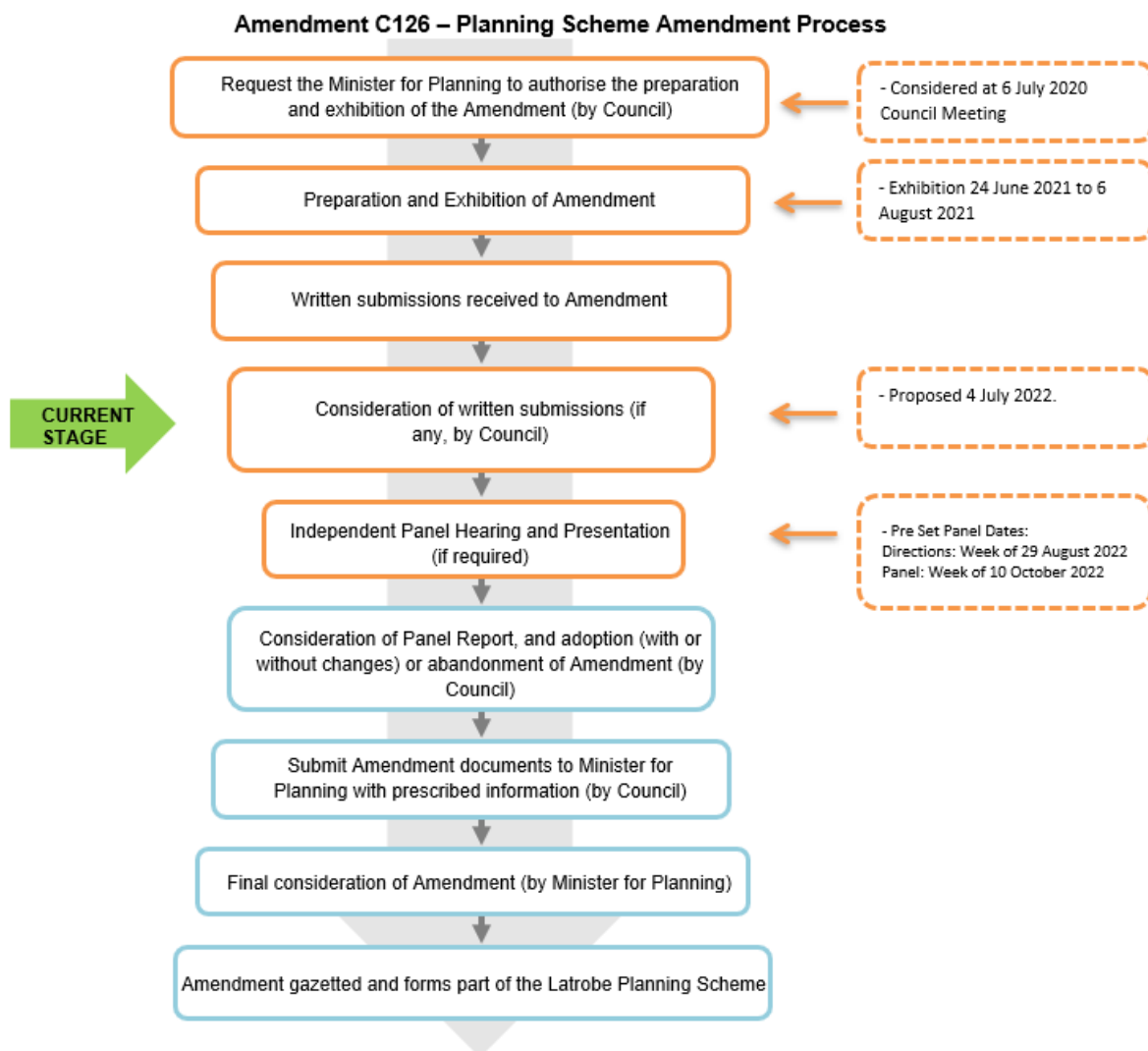
In accordance with the Act, the municipal Council, as a planning authority, has a number of duties and powers when considering a Planning Scheme Amendment. These duties and powers are listed at Section 12 of the Act which states the Planning Authority must have regard to:

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

Amendment C126 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12.

Community Implications

The Planning Scheme Amendment process is shown in the figure below and provides an indication of the current stage.



A total of 12 submissions were received to amendment C126. Two submissions supported the amendment and/or requested minor changes. The changes requested in these submissions do not change the intent of the amendment and have therefore been made. Six other submissions requested numerous changes, some of which have been deemed appropriate, and have been included as post-exhibition changes. However, as all changes requested in five of these submissions were not made, these submissions will continue as unresolved objections.

Where changes have been made to Amendment documentation, including administrative, and in response to submission requests, details of these changes can be found in Attachment 3.

Other submission points and requests for changes can be viewed in the Summary of Submissions Table at Attachment 2. Responses to the reason for accepting or declining changes proposed is detailed in this table.

Environmental Implications

All known environmental implications have been identified through the preparation of the Flora and Fauna Assessment, Bushfire Risk Assessment and Potentially Contaminated Land Assessment.

Consultation

As a result of the exhibition process, Council officers:

- Received 12 written submissions;
- Held 35, 1:1 information sessions with key stakeholders (both virtual and face-to-face, depending on applicable COVID restrictions in place at the time);
- Received 43 landowner / key stakeholder phone enquiries;
- Received two queries for the WGCMA for the proposed flood overlays;
- Received 115 hits (including 86 unique page views) on 'Have Your Say' and Amendment C126 website pages.




Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

Supporting Documents:

Nil

Attachments

1.  Attachment 1 - Submissions
2.  Attachment 2 - Summary of Submissions
3.  Attachment 3 - Post Exhibition Edits Table

7.6

Amendment C126 (Toongabbie Structure Plan) - Consideration of Submissions

1	Attachment 1 - Submissions.....	81
2	Attachment 2 - Summary of Submissions.....	110
3	Attachment 3 - Post Exhibition Edits Table.....	133

Attachment 1

This document has been copied and made available for the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose.

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**Attention:** Strategic Planning

30 June 2021

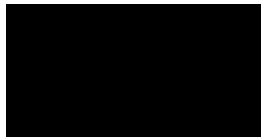
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Dear Sir/Madam,

Thank you for the opportunity to review and provide comment on proposed Latrobe City Council Planning Scheme amendments C126 (Toongabbie Structure Plan) and C127 (Bushfire and Rural Rezoning).

Wellington Shire Council has no objection to the proposed amendments.

Yours Sincerely,



Strategic Planner
Wellington Shire Council

Attachment 2

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From: latrobe-vic.noreply@govcms.gov.au <latrobe-vic.noreply@govcms.gov.au>

Sent: Thursday, 1 July 2021 10:12 AM

To: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>

Cc: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>

Subject: Have Your Say on Amendment C126 Submission

Submitted on Thu, 2021-07-01 10:11

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details



Your Submission

My submission is

I fully support the amendment.

My property is suitable for the recommendations in the amendment.

I have received numerous enquires from people in search of small acreage in the Toongabbie area. There is obviously a great shortage of properties of this nature.

This document has been copied and made available for the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose.

By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Attachment 3

From: [REDACTED] (DELWP)
Sent: Tue, 20 Jul 2021 13:04:32 +1000
To: Latrobe Central Email
Subject: OFFICIAL: Attention Strategic Planning Manager
Attachments: SP476572dpr Latrobe Planning Scheme Am C126 20 July 2021.pdf

Please find attached the Department's submission in relation to the exhibition of Am C126latr to the Latrobe Planning Scheme.

Kind regards

[REDACTED]

[REDACTED] | Acting Planning Approvals Program Manager
Land and Built Environment | Gippsland Regional Directorate
Forest, Fire and Regions | Department of Environment, Land, Water and Planning
574 Main Street Bairnsdale 3875
M: [REDACTED]



We acknowledge Victorian Traditional Owners and their Elders past and present as the original custodians of Victoria's land and waters and commit to genuinely partnering with them and Victoria's Aboriginal community to progress their aspirations.

If you like to provide feedback on your experience with the Land and Built Environment team, please use the QR Code or Link below to our customer satisfaction survey



<https://www.surveymonkey.com/r/LBEFeedback>

OFFICIAL



Department of Environment, Land, Water & Planning

71 Hotham Street
Traralgon Victoria 3844
Telephone: +61 3 [REDACTED]
www.delwp.vic.gov.au

20 July 2021

Steven Piasente
Chief Executive Officer
Latrobe City Council
141 Commercial Road
MORWELL VIC 3840

By email: latrobe@latrobe.vic.gov.au

Our ref: SP476572
Your ref: Am C126

Dear Mr Piasente

PROPOSAL: AMENDMENT C126 TO THE LATROBE PLANNING SCHEME
PROPOSER: LATROBE CITY COUNCIL
ADDRESS: TOONGABBIE STRUCTURE PLAN

Thank you for your correspondence received 24 June 2021 consistent with section 19 of the *Planning and Environment Act 1987*.

Council has given the Department of Environment, Land, Water and Planning (DELWP) notice of a proposed planning scheme amendment that seeks to implement the findings of the Toongabbie Structure Plan report, background reports and the recommendations from the West Gippsland Catchment Management Authority 2016 Flood Study for Toongabbie into the Latrobe Planning Scheme.

DELWP has considered the above application and **does not oppose** the amendment.

The attached supporting information provides further general advice in relation to proposed Amendment C126latr to the Latrobe Planning Scheme.

If you have any queries, or require clarification please contact gippsland.planning@delwp.vic.gov.au.

[REDACTED]
[REDACTED]
[REDACTED]
Acting Planning Approvals Program Manager
Gippsland Region

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



OFFICIAL

Supporting InformationContext

The Amendment proposes the following changes to the Scheme:

- amend Clause 11.01-1L (Local Areas) and amend Clause 12.01-1L (Protection of Biodiversity) to include the Toongabbie Structure Plan, insert key strategies and policy documents for Toongabbie;
- amend Clause 16.01-1L (Housing supply) to include the amended Toongabbie Housing Framework Plan;
- update the title of Schedule 4 to Clause 32.08 General Residential Zone from 'District Town' to 'District and Small Town';
- insert a new Schedule 5 to Clause 32.09 Neighbourhood Residential Zone; and update the background reports listed in the schedule to Clause 72.08.

The Amendment also proposes to make a number of associated rezonings to the Toongabbie township:

1. rezone residential land from Neighbourhood Residential Zone Schedule 4 to Neighbourhood Residential Zone Schedule 5
 - a. 52 Ries Street (CA 1A Section A Toongabbie)
 - b. 49-57 Heywood Street (CA 1B Section A Toongabbie)
 - c. 23-33 Heywood Street (L 2 PS 330744)
 - d. 21 Heywood Street (L1 PS 330744)
 - e. 81 Main Street (L1 PS 711191)
 - f. 79 Main Street ((L2 PS 711191);
2. 77 Main Street (CA 2 Section 29 Toongabbie) from Neighbourhood Residential Zone – Schedule 4 to Low Density Residential Zone;
3. rezone King Street Toongabbie (CA 2 Section 3A Toongabbie and CA 4 Section 3A Toongabbie) from split zoned Farming Zone – Schedule 1 and Neighbourhood Residential Zone – Schedule 4 to Low Density Residential Zone;
4. rezone 19-29 Hower Street (CA 11 Section 9 Toongabbie) and 9-17 Hower Street (CA 5 Section 14 Toongabbie) from Farming Zone – Schedule 1 to Low Density Residential Zone;
5. correct the split zoning at 15-25 Victoria Street from Public Use Zone – Schedule 2 and Neighbourhood Residential Zone – Schedule 4 to Public Use Zone – Schedule 2;
6. rezone land at 15 Cowen Street (only L1 LP 116911), 17 Cowen Street (L2 LP 116911), 11 Victoria Street (CA 6 Section 17 Toongabbie), 12 Victoria Street (CA 6 Section 16 Toongabbie), 8 Victoria Street (CA 4 Section 16 Toongabbie), 6 Victoria Street (L 1 PS 423649), 4 Victoria Street (L 2 PS 423649), 2 Victoria Street (CA 10 Section 16 Toongabbie) and 1-5 Goodwin Street (L3 PS 423649) from Neighbourhood Residential Zone – Schedule 4 to General Residential Zone – Schedule 4; and



OFFICIAL

7. rezone Main Street Toongabbie (CA 85A Toongabbie), Traralgon-Maffra Road (CA 9A Section A Toongabbie), Traralgon-Maffra Road (CA 32C Toongabbie), Russells Road (CA 5A Section 3A Toongabbie), Russells Road (CA 5 Section 3A Toongabbie), Humphrey Road (CA 2004 Toongabbie) and Hower Street (CA 2005, CA 2006 Toongabbie) from Farming Zone - Schedule 1 to Public Conservation and Resource Zone (PCRZ).

General comments and advice

- DELWP commends the strategic background work undertaken to support the introduction of the new local policy in relation to local biodiversity values, particularly in relation to native vegetation at sites such as roadsides and the Toongabbie Cemetery.
- DELWP notes that parcels of Crown land adjacent to the waterways are proposed to be rezoned to a public use zone. The strategic justification articulated in the Explanatory Report being to protect the natural environment and natural processes along the Rosedale and Toongabbie creek frontages.

It is noted that the strategic supporting studies recognise that there has been no detailed study of these waterways. The response has been recommendations for further strategic work (recommendations 4 and 7 of Table 12 *Landscape and environment actions*).

The affected Crown lands are under legitimate licence. Any future strategy must address the Crown interests.

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From:



Subject:

RE: LATROBE PLANNING SCHEME AMENDMENT, C126 (TOONGABBIE STRUCTURE PLAN), & AMENDMENT C127 (BUSHFIRE AND RURAL REZONINGS) – NOTICE OF PREPARATION OF AN AMENDMENT

Date:

Thursday, 22 July 2021 6:56:03 PM

Attachments:

[image002.png](#)
[image003.png](#)

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Attachment 4

Hi Ellie –

Good day! I have reviewed the amendment and can confirm that there is no impact to Telstra Fixed Access network. Thanks!

Regards,



W www.telstra.com

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Attachment 5

From: [Latrobe City Council](#)
To: [Latrobe Central Email](#)
Cc: [Miriam Turner](#)
Subject: Have Your Say on Amendment C126 Submission
Date: Monday, 2 August 2021 9:39:17 AM

Submitted on Mon, 2021-08-02 09:39

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]

Your Submission

My submission is

Good Morning,

I am writing to object to the changing of my properties zoning. Changing from Farming to a Low Density Residential affects the use of our property and affects the very reason why we purchased it at the start of the year.

We currently have a multitude of farm animals and ones that wouldn't be allowed on a low density residential property like roosters, more than 2 dogs, sheep and horses. The roosters wouldn't even be allowed on a rural living zone.

My partner and I moved here for a lifestyle change and to enjoy our animals. He is a retired war veteran on a military pension who suffers for various mental health issues and the ability to be surrounded by animals helps his mental health.

If we changed to residential then we would be constantly visited by council staff trying to get us to remove our animals and it will impact our lives and cause massive stress.

I understand the reasoning behind it as looking at future plans the council wish to change the zoning of the properties along Guyatts Rd that backs our property to residential in the future. However we can not subdivide our property due to the size, the fact that we have lease land running through it due to flooding risks and that the small parcel that could be is again a flooding risk due to the Toongabbie Creek. All of which were apparent due to the floods in June.

We ask that our zoning is left as farming, due to the fact that it was purchased only in March for that sole reason and that in changing will impact our lifestyle and lives considerably with no actual benefit to us. If we were advised at the time that it would be potentially be changed less than 6 months later then we never would have purchased it.

Kind regards

[REDACTED]

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Attachment 6

Good morning

Could you please acknowledge receipt of this correspondence via email.

Regards,

ed in Victoria for Quality ISO 9001, Safety AS/NZS 4801 and Environment ISO 14001

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For more information please visit www.emergingit.com.au

Beveridge Williams

Our Reference: 2101713

4 August 2021

The Chief Executive Officer
Latrobe City Council
PO Box 264
MORWELL VIC 3840

ACN 006 197 235
ABN 38 006 197 235

Traralgon Office
Suite 8, Level 1
81-89 Hotham Street
Traralgon VIC 3844
Tel: (03) 5176 0374

beveridgewilliams.com.au

Via email: latrobe@latrobe.vic.gov.au

Attention: Kristy Crawford, Acting Co-ordinator Statutory Planning

Dear Kristy

**RE: AMENDMENT C126 TO THE LATROBE PLANNING SCHEME
TOONGABBIE STRUCTURE PLAN**

I refer to the above matter and advise that Beveridge Williams & Co. Pty. Ltd. acts on behalf of [REDACTED]

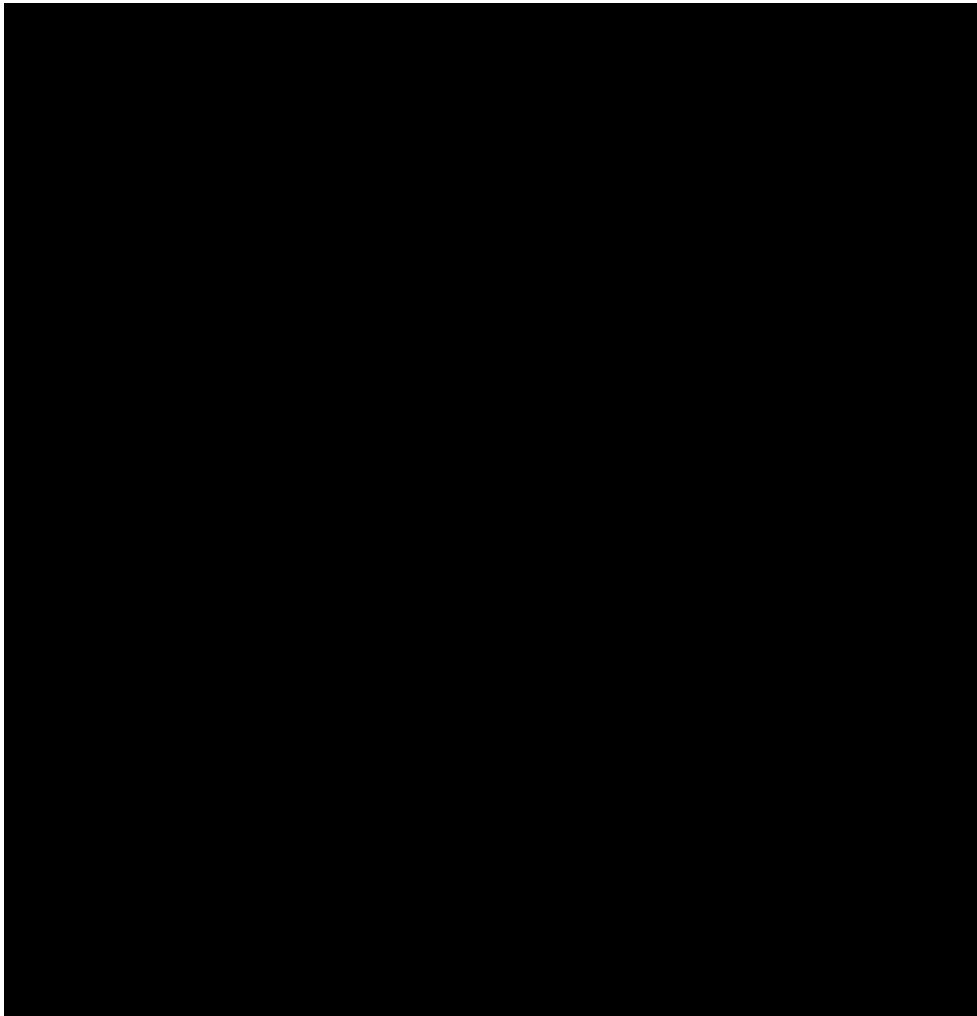
Our client is the owner and occupier of land at [REDACTED]. The land is contained in [REDACTED] and has the following characteristics:

- Area of 1.91 hectares in a trapezoidal shape;
- Abuttal to three constructed roads - Sparks Lane along its west boundary, Campbell Street along its south boundary and Gilbert Street along its north boundary;
- Located directly opposite an established conventional residential area on the west side of Sparks Lane;
- Used for low density residential purposes and developed with a single storey dwelling, ancillary shed/garage, driveway and associated infrastructure generally clustered together near the southern boundary;
- Accessed from Sparks Lane via an existing gravel crossover and driveway;
- Serviced with reticulated electricity, water, sewer and telecommunications;
- Zoned Farming under the Latrobe Planning Scheme;
- Not affected by any overlays under the Latrobe Planning Scheme;
- Not within an area of Cultural Heritage Sensitivity;
- Predominantly cleared of vegetation;
- Relatively flat topography;

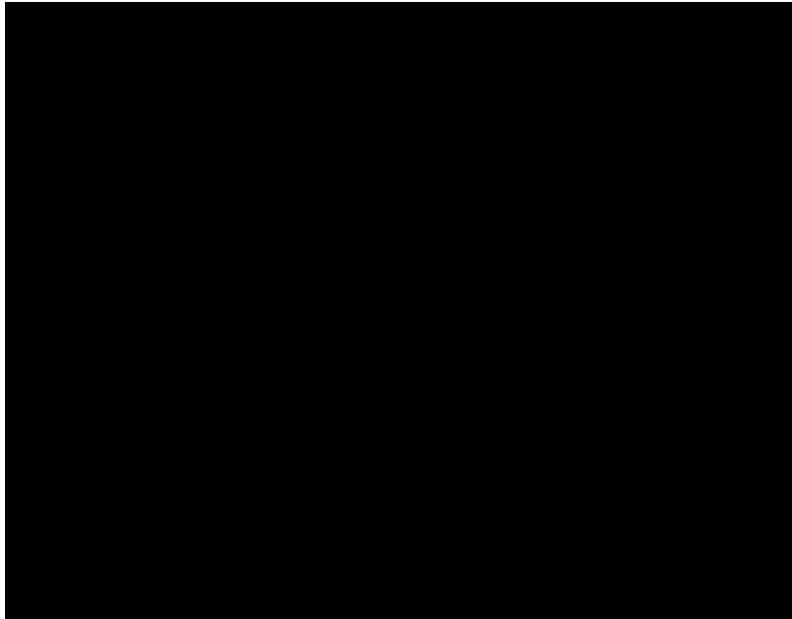


- Not traversed by any declared watercourses, water bodies or associated buffers;
- Located on a school bus route; and,
- A short walking distance from Toonbabbie's town centre, primary school, local activity centre and public recreational facilities.

Figure 1 displays the site in context with the surrounding properties.



Our client's land has been included in the 'Second Stage Low Density Residential' precinct on the exhibited Toongabbie Structure Plan (TSP). This precinct includes fifteen other existing allotments which have abutments to Sparks Lane, Campbell Street, Gilbert Street, Main Street (Traralgon-Maffra Road). An extract of the TSP with our client's land identified is provided in Figure 2.



A review of the TSP supporting documentation (including the Latrobe Rural Living Strategy 2021, as exhibited with the concurrent Amendment C127), indicates that our client's property is ideally positioned for low density residential development, based on the site characteristics previously outlined and the following:

- It will not be affected by a proposed Bushfire Management Overlay, Land Subject to Inundation Overlay or Floodway Overlay;
- It is classified as having low biodiversity value; and,
- Is not subject to a Native Title Claim.

The Land Supply and Demand Analysis includes Low Density Residential zoned land within the overall residential land assessment. Based on a high growth scenario to 2036, an estimated 32 LDRZ lots need to be provided within Toongabbie to address anticipated demand (equating to 12.8 hectares of land, assuming 4,000m² minimum lot size). Currently, there is no LDRZ land within Toongabbie, so Amendment C136 proposes to address this by rezoning selected parcels (totalling 13 hectares) within Ries/Haywood Streets, Hower Street, King Street and Main Street to cater for demand over the next 15 years.

The Land Supply and Demand Analysis assumes that 30% of the residential land demand over the next 15 years will be for lots within the LDRZ, which is '*representative of the average rate of development within Toongabbie*'. We question this statement and how this percentage has been extrapolated, given that there is currently no LDRZ land within the town? We submit that it is highly likely that there is a latent demand for LDRZ land in Toongabbie and the demand analysis is understated, given the current lack of supply. We question whether the rezoning of selected properties totalling 12.8 hectares as part of Amendment C126 will adequately address any latent demand, particularly since the release of land to the market is dependent on each of those existing landowners' subdivision intentions and other factors that cannot be controlled (such as the length of time to complete a subdivision through to titles issuing).



Although Amendment C126 seeks to create greater housing choice and diversity within Toongabbie, it appears that the extent of land to be rezoned to LDRZ in the short term is limited in its scope and does not provide adequate alternatives should the owners of that land choose to not develop, or the subdivided lot supply is absorbed quickly following its release to the market.

Our client's property is provided with ideal locational and physical characteristics to allow it to be subdivided into multiple low density residential lots without the need for road construction, augmentation of reticulated infrastructure or other significant works. Hence, subdivision of this property is not dependent upon the rezoning and development of other land within the surrounding precinct. Furthermore, it is arguably in a more convenient location than most of the exhibited 'First stage Low Density Residential' properties, as it will not result in the need for future residents to either cross or walk along the Toongabbie-Maffra Road (a main road) to access the activity centre and primary school.

If rezoned to LDRZ, our client is prepared to subdivide her land now and could lodge a planning permit application as soon as Amendment C126 is gazetted. To facilitate this, it is requested that:

- **The Toongabbie Structure Plan be amended to include the land at [REDACTED] within a 'First Stage Low Density Residential' precinct; and,**
- **That the land at [REDACTED] be rezoned from Farming Zone to Low Density Residential Zone.**

If the rezoning is not supported by Council as part of Amendment C126, then our client requests that her land be included in the 'First Stage Low Density Residential' precinct to enable a proponent-led rezoning to occur following gazettal of the amendment.

We would be pleased to meet with Council officers to discuss this further.

Should you require any additional information, please do not hesitate to contact the undersigned on [REDACTED]

Yours sincerely,

A large black rectangular box redacting the signature of the undersigned.

Enc. Copy of title

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From: [REDACTED] (DOT)
Sent: Wed, 04 Aug 2021 10:37:46 +1000
To: Latrobe Central Email
Subject: Attention: Strategic Planning
Attachments: Latrobe PSA C126 - Toongabbie Structure Plan - DoT submission.pdf

Attachment 7

To Strategic Planning,

Please find attached a copy of the Department of Transport submission to Latrobe Planning Scheme Amendment C126 - Toongabbie Structure Plan.

If you have any questions or require any additional information please don't hesitate to contact me.

Kind Regards

[REDACTED]
Senior Transport Planner | Transport Services - Gippsland
Department of Transport
120 Kay Street
Traralgon, VIC 3844, DX 219 286

[REDACTED]



I work Monday, Tuesdays and Wednesdays.



Department of Transport

120 Kay Street
Traralgon, VIC 3844 Australia
Telephone: +61 [REDACTED]
www.transport.vic.gov.au
DX 219286

Ref: DOC/21/111451

Latrobe City Council
Attention: Strategic Planning Department
PO Box 264
MORWELL VIC 3840

To the Strategic Planning Department,

LATROBE PSA C126 – TOONGABBIE STRUCTURE PLAN

I am writing in response to the exhibition of Latrobe Planning Scheme Amendment C126 which seeks to implement the findings of the Toongabbie Structure Plan Report, background reports and recommendations from the West Gippsland Catchment Management Authority 2016 Flood Study for Toongabbie into the Latrobe Planning Scheme.

The Department of Transport has no objections to the proposed amendment.

We stand by our submission to the Toongabbie – Infrastructure and Servicing assessment dated 16/03/2020 and offer the following:

Shared Pathways

The Toongabbie Structure Plan shows a shared pathway adjacent to Traralgon-Maffra Road and within other road reserves. The background report for the structure plan identifies that much of the towns high value habitat (EPBC Act and FFG Act listed) is located within roadside verges. VCAT decision *Holner Pty Ltd v Baw Baw SC [2020] VCAT 890* observed that significant vegetation within the road reserve was an obstacle to provision of a pathway and required the adjoining development to provide land for the path (refer paragraphs 50 & 65). Perhaps this should be considered in Toongabbie and the structure plan amended to support this possibility.

Protection of Biodiversity

Department of Transport supports efforts to protect remnant vegetation and support the amendments to Clause 12.01-1L Protection of Biodiversity, however we would like to know more about how this protection will be provided. How is it different from the other protections provided under the planning scheme and what additional controls or requirements are likely to be associated with this update?

Yours sincerely

[REDACTED]

[REDACTED]
Manager Transport Integration Gippsland
29 / 07 / 2021



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Attachment 8

From: [REDACTED] **Sent:**

Wednesday, 4 August 2021 4:25 PM

To: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>

Cc: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>

Subject: WGCMA response for Amendment C126 Toongabbie Vic 3856 Our ref: WGCMA-F-2019-00123

OFFICIAL

Dear Strategic,

Response issued for Amendment C126 Toongabbie Vic 3856.

Your Ref: Amendment C126

Regards

Planning Administration

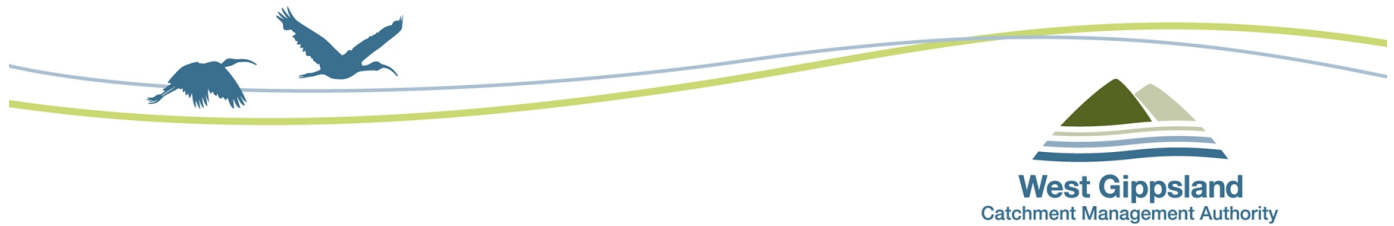
West & East Gippsland Catchment Management Authority
16 Hotham Street (PO Box 1374), Traralgon 3844
For any queries, please contact;
Office Phone: 1300 094 262

www.wgcma.vic.gov.au Stay informed, [sign up to our mailing list](#).



West Gippsland Catchment Management Authority, 16 Hotham Street Traralgon and
Corner Young
& Bair Streets Leongatha | PO Box 1374 Traralgon 3844 | 1300 094 262 for standard
call cost | westgippy@wgcm.vic.gov.au | www.wgcma.vic.gov.au

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WGCMA Ref: WGCMA-F-2019-00123
Document No: 03
Council Ref: Amendment C126
Date: 04 August 2021

OFFICIAL

Miriam Turner
Strategic Planning Officer
Latrobe City Council
PO Box 264
Morwell Vic 3840

Dear Miriam,

Regarding: Planning Scheme Amendment - Amendment C126

Property Street: Amendment C126 Toongabbie Vic 3856

Thank you for your correspondence received at the West Gippsland Catchment Management Authority ('the Authority') on 24 June 2021 in relation to Amendment C126 Toongabbie. The Authority understands that the Amendment implements the findings of the Toongabbie Structure Plan report and the Toongabbie Flood Study.

The Authority has reviewed the Amendment C126 documentation and does not object to the proposed amendments to the Latrobe Planning Scheme.

Should you have any queries, please do not hesitate to contact [REDACTED] on 1300 094 262 or email planning@wgcma.vic.gov.au. To assist the Authority in handling any enquiries please quote **WGCMA-F-2019-00123** in your correspondence with us.

Yours sincerely,

[REDACTED]
Statutory Planning Manager

The information contained in this correspondence is subject to the disclaimers and definitions attached.

Definitions and Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority

2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.

3. **AEP** as Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

4. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.

5. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100 year ARI flood will occur on average once every 100 years.

6. Nominal Flood Protection Level – is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.

7. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.

8. This letter has been prepared for the sole use by the party to whom it is addressed and no responsibility is accepted by the Authority with regard to any third party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.

9. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.

10. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.

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From: [REDACTED]
Sent: Friday, 6 August 2021 11:30 AM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Cc: [REDACTED]
Subject: Latrobe Planning Scheme Amendment - C126 and C127

Good Morning Kristy,

Further to your chat with [REDACTED] this morning, I write to you on behalf of [REDACTED] in relation to land she owns at [REDACTED]

It is our client's desire for the aforementioned land to be considered in the Toongabbie Structure Plan and as such, [REDACTED] does not support the proposed C126 and C127 amendments in their current form.

We ask that this email be treated as our first submission, with a subsequent proposal intended to be submitted to Council for consideration in due course.

Thanks and regards,

[REDACTED]

[REDACTED]

M: [REDACTED]

[REDACTED]



ur patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Fire Prevention and Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

Attachment 10

CFA Ref: 27000-73438-110841
Council Ref: Amendment C127

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6 August 2021

Strategic Planning
Latrobe City
PO BOX 264
MORWELL VIC 3840

Dear Strategic Planning,

SUBMISSION TO PLANNING SCHEME AMENDMENT

Proposal: Planning Scheme Amendment C126 Latrobe

Thank you for providing CFA with the opportunity to comment on the Amendment C126 to the Latrobe Planning Scheme.

CFA has reviewed the associated amendment material and provides the following information for consideration:

Landscape Bushfire Considerations:

The town is located within 1km of areas where extreme fire behaviour is likely. The area to the west is dominated by rugged terrain and extensive areas of forest vegetation where long fire runs moving towards Toongabbie township from the west and south west are possible. Fire scenarios include fires running quickly from these heavily vegetated areas along road sides and through grasslands towards the township. Significant fires that have potential to cause neighbourhood scale destruction through the township are possible. High levels of ember attack are also likely during large fires.

There is no certainty that operational fire fighting will be available during a fire event. CFA is concerned that the fire scenarios and landscape risk assessment provided in the bushfire risk assessment report (Fire Risk Consultants / Town Planning Co, July 2020) underplays potential fire behaviour and relies heavily on assumptions that fire authority interventions are likely.

Alternative Locations for Development and Growth

Council has not provided any assessment of policy under Clause 13.02-1S that requires alternative locations for development to be considered. CFA has formed the view that based on the proposed structure plan and other information that supports the amendment that an insufficient response to bushfire has been provided to justify further growth.

This is particularly relevant, where a significant number of larger townships are available as growth areas. CFA recommends further justification be provided that supports why Toongabbie should encourage more development.

Safer Areas, Access and the Road Network

Whilst there are access and egress options, it is less clear how the township is justified for growth given the distance from larger townships.

It is unclear how the policy satisfied safer area requirements.

The Bushfire Interface

Given the level of surrounding bushfire risk in the landscape and the likely fire behaviour, the future development or growth of the Toongabbie township is inextricably linked to ensuring that an appropriate design response to the main bushfire interfaces is mandated. For example, creating large areas of managed vegetation or hard surfaces, minimising road side vegetation on the highest risk aspects, creating a hardened development edge to reduce the likelihood of a fire running through the community.

Toongabbie is a very difficult location to determine suitability for growth when considering to location and risk. The decision hinges on the ability to harden the settlement edges and try and minimise the potential for a fire to penetrate the boundaries of the township.

At this stage, the proposal has not incorporated the appropriate design or policy within the structure plan or planning ordinances that would lead to a level of bushfire responsive design that could be considered appropriate.

There are some positive elements of the proposal, when read in combination with policy contained within the proposed Amendment C127 to the Latrobe Planning Scheme. CFA has considered these policy outcomes in its review of the proposal. These elements include:

- Increasing construction standards to provide a more resilient building form;
- Requiring areas of defendable space (although it is uncertain how these will be implemented);
- Requiring a water supply (although this could be improved by requiring a large amount of water to be provided to the fire authority on land over 1000sqm)
- Discouraging certain uses in some areas (although this could be improved);
- Shifting development to the eastern side of the township (however, no policy addresses the west which makes hardening the edge difficult).

CFA is also of the view that the proposed policy that addresses these items could be further developed in terms of clarity and functionality. In addition, the links between the structure plan and DPO under C127 could also be improved.

Vegetation Management and Bushfire Risk

Vegetation management is a key area of concern for this amendment. It is unclear how vegetation within the township will be managed over time.

A specific concern is around how vegetation on large sites will be managed in the long term and implemented on an ongoing basis, particularly in locations where rural residential zones are considered. These sites are likely to be of a size greater than the area of required defendable space, over time vegetation can accumulate and create bushfire risks to existing and future residents and the wider community.

It is unclear how the amendment looks to address this issue.

Other Policy Considerations

Before proceeding further, CFA recommends that a specific response to Clause 13.02-1S be prepared that provides an assessment of the amendment against relevant policies. For example how does the proposal respond to landscape considerations, safer area policy, radiant heat benchmarks, ensure that risk is not increased etc.

If you wish to discuss this matter in more detail, please do not hesitate to contact Jude Kennedy (Manager Community Safety) on [REDACTED] or Anne Coxon (Land Use Planning Team Manager) on [REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]
Land Use Planning Team Manager
CFA Fire Prevention and Preparedness

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Attachment 11

From: [REDACTED]
Cc: [Latrobe Central Email](#); [Miriam Turner](#); [Kristy Crawford](#)
Subject: RE: LATROBE PLANNING SCHEME AMENDMENT, C126 (TOONGABBIE STRUCTURE PLAN), & AMENDMENT C127 (BUSHFIRE AND RURAL REZONINGS) – NOTICE OF PREPARATION OF AN AMENDMENT
Date: Friday, 6 August 2021 3:34:31 PM
Attachments: [image002.png](#)
[image005.png](#)
[Final Signed Response Latrobe C126 & C127_20210805.pdf](#)

Attention: Strategic Planning

Good afternoon,

Please see attached for EPA's response to abovementioned planning scheme amendments.

Please feel free to contact me should you have any questions.
Have a great weekend.

Many thanks,

[REDACTED]
Senior Planning Officer
Major Projects & Planning



Environment Protection Authority Victoria
Southern Metropolitan Office - Dandenong
☎ 1300 372 842 (1300 EPA VIC) | E monika.zuscak@epa.vic.gov.au | www.epa.vic.gov.au

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5 August 2021

Miriam Turner
Strategic Planner
Latrobe City Council
141 Commercial Road
Morwell Vic 3840



Our Ref: REQ001019

Dear Miriam,

RE: Latrobe Planning Scheme Amendments C126 (Toongabbie Structure Plan) and C127 (Bushfire and Rural Rezoning)

Thank you for the opportunity to provide a response in relation to the exhibited Planning Scheme Amendments C126 and C127, referred to the Environment Protection Authority (EPA) on 24 June 2021.

EPA Previous Advice

EPA previously provided advice in relation to the amendments (EPA Ref 5011473) specific to the 'Draft Potentially Contaminated Land Report – Toongabbie Study Area'. EPA raised concerns in regard to:

- Generally, the assignment of risk rankings and the appropriate levels of further environmental assessment recommended in the report.
- The rationale for downgrading of sites in risk ranking from medium to low.
- How Council is considering the site at [REDACTED]
- The absence of any mention of 'medium' risk categorised sites within the Toongabbie Structure Plan.

Further, EPA provided advice on the draft Development Plan Overlay.

Importantly, it should be noted that this advice was provided on the basis of the *Environment Protection Act 1970* and did not consider the changes that would apply in accordance with the *Environment Protection Act 2017* and subsequent policy post 1 July 2021.

Ministerial Direction No 19

EPA's previous comments were requested after a request for authorisation from the Minister for Amendment C126 and therefore previous comments were not provided as a response to Ministerial Direction No. 19.

Environment Protection Authority Victoria
GPO Box 4395, Melbourne VIC 3001 DX210082
1300 372 842 (1300 EPA VIC) www.epa.vic.gov.au



Our Understanding of the Proposal

EPA understands that Council prepared the 'Draft Potentially Contaminated Land Report – Toongabbie Study Area' (the Report), which was intended to inform both proposed Planning Scheme Amendment C126 and C127 (dated 16 June 2020).

EPA highlights that the Report is not included in the exhibited documents, however it is cited on page 43 of the exhibited Toongabbie Structure Plan. It is unclear whether the report has been used to inform the draft amendment documentation and further, if EPA's previous comments on the Report have been incorporated.

The Report relates to properties to be rezoned from the Farming Zone (FZ) to the Rural Residential Zone (RRZ) and Low Density Residential Zone (LDRZ) through both planning scheme amendments. Additionally, the amendments will update the Toongabbie Structure Plan and introduce the recommendations of the Latrobe City Municipality Bushfire Risk Assessment 2020 and draft Latrobe City Rural Living Strategy 2020.

We understand the draft Structure Plan identifies land to be rezoned from Farming Zone-Schedule 1 (FZ1) to Rural Living Zone (RLZ) through the amendments. The surrounding land uses and zoning consist predominantly of farmland and rural residential development with one rural living precinct to the north of the study area.

In providing the following comments, EPA have reviewed the following documents:

- Draft Explanatory Report C126;
- Draft Explanatory Report C127;
- Toongabbie Structure Plan prepared by *Latrobe City Council* dated July 2020;
- Background Reports, Toongabbie Structure Plan prepared by *Latrobe City Council* dated June 2020; and
- Draft Development Plan Overlay – Schedule 10 (DPO10)

EPA Current Advice

Whilst we understand that this site is not proposed to be rezoned, Council have correctly identified the site as having a high potential for contamination. This is because the site has been used as a service station/fuel storage, and in accordance with *Planning Practice Note 30 – Potentially Contaminated Land* (DELWP, 2021)(PPN30), this use carries a high potential for contamination. As the site is currently zoned to allow sensitive uses, EPA recommended that an Environmental Audit Overlay (EAO) be applied to the site, given there are currently no triggers for environmental assessment of the land in a situation where a proponent may demolish the existing development and construct a single dwelling.

Whilst Council have sought to require an environmental audit for this site in the draft Structure Plan, this is not an enforceable planning control. In fact, Council would be relying on any future landowner or occupier of the site to review the structure plan before changing the use of the site, or redeveloping the site for sensitive use, and undertaking the audit on a voluntary basis.

Sites with a 'medium' potential for contamination

EPA previously raised concerns regarding:

- The rationale for downgrading of sites in risk ranking from medium to low; and
- The absence of any mention of 'medium' risk categorised sites within the Toongabbie Structure Plan.

EPA's previous comments regarding the 'medium' risk sites remain relevant if the Report is being relied upon to inform the amendments, noting it is not included in the amendment documentation.

In addition, PPN30 2021 has updated the type of assessment required where sites are identified as having a medium potential for contamination and a sensitive use may be carried out on the land.

As such, the content included in DPO10 should be updated to reflect current approach as set out in PPN30. Additionally, the term 'medium' should not be used as a 'capture all' for sites to require further assessment. PPN30 2021 steps out the process for assessing a planning proposal for potentially contaminated land. These steps should be undertaken to identify potentially contaminated sites and to inform any further assessment needed.

Ministerial Direction No 1

The draft Explanatory Report for both amendments state that they are consistent with Ministerial Direction No. 1 (MD1). EPA note that neither of the Explanatory Reports identifies MD1 is satisfied, and this should be addressed.

Summary and Recommendation

In reviewing the exhibited documents, EPA wish to highlight that:

- The Report does not form part of the exhibited documents;
- Council should review and become familiar with PPN30 2021 and consider any changes in accordance with the *Environment Protection Act 2017* and subsequent policy post 1 July 2021;
- Advice previously provided in relation to [REDACTED] is still relevant; and
- The wording in the draft DPO10 requires updating in accordance with PPN30 2021.

EPA welcomes further engagement with Council in regard to planning scheme amendments. If our assessment is not aligned with your view of the environmental risks, or if the proposal is amended, please contact Planning Officer [REDACTED] on 1300 EPA VIC (1300 372 842).

Yours sincerely,

[REDACTED]

[REDACTED]

Planning Team Lead – Strategic
Major Projects and Planning
Environment Protection Authority Victoria

Attachment 12

From: [REDACTED]
Sent: Friday, 20 August 2021 9:18 AM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>; Miriam Turner
<Miriam.Turner@latrobe.vic.gov.au>
Cc: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>
Subject: Submission to Amendment C126 and C127

Hi Please find my Submission to Amendments C126 and C127.

Thank you for the understanding and accepting my late submission due to reasons discussed with you.

Any Questions please contact me

Kind regards

[REDACTED]

**Submission to Amendment C126- Toongabbie Structure Plan
Submission to Amendment C127- Bushfire and Rural Rezoning**

Our view on both these amendments is OBJECTION.

Personal Reasons:

We bought our property in 2006 because we wanted a rural country life with acres to have cattle and to raise our children with a country lifestyle. We do not agree with the Amendment C126 taking Toongabbie from "District Town" to "District and Small Town" and we do not want the Amendment of C127 which allows the area to be rezoned Rural Living which allows subdivisions to happen if this goes ahead and we want to live our dream of country farming land we are forced to look for properties that allow us to have the life we want for our family but there is lack of properties for us to re-home in a location suitable or price affordable.

In Amendment C126 it shows our property [REDACTED] to be rezoned in the First Stage Future Rural Living. This should not be allowed as our property was only subdivided approximately 16 yrs ago with the purpose of staying Rural Farming. The smallest properties could only be around 20 acres to keep the Rural Farming life and look of the Toongabbie country township.

We have firearm licenses for vermin control on property which enable us to pursue our hobbies of duck and rabbit hunting which we have a Victoria Game License for if rezoned to Rural living this will make the requirement to hold a gun license limited and without gun licenses we will be unable to continue our hobbies or family traditions.

The new Animal limit which goes with the rezoning is unfair as we have already over the capacity animal stock and we would have to sell or euthanise our animals or pay for an excessive permit to keep them.

The affordability of having Rural living Shire Rates is way too high for people that do not wish to subdivide and keep their current amount of land. We feel also that because of this cost we will be forced to subdivide and the costs of this e.g. Permits, building of fences and roads, access to power and water will be too high for people, especially us, to be able to complete.

Reasons against the rezoning of Afflecks road:

The way property houses are situated along Afflecks Road makes it very hard to have road access to subdivided land therefore lots of roads would need to be added and this will make it more a town area not rural living.

Along the north side of Afflecks road is Wellington shire which is zoned Farming it has large farms that at times can have a herd of 100 or more cows. Large Cattle trucks and Tractors

frequent up and down the road, also they Fertilise on regular bases to cut hay which can cover everyone's land and smells quite bad at times. At the moment with the south side of Afflecks Rd still being zoned farming and being able to do this kind of large farming it doesn't really affect anyone I would think if if Latrobe rezone the south side of Afflecks road and subdivision happens and more homes are around this would be a conflict with residual areas.

Maintenance of Afflecks road is completed by The Wellington Shire and quite frankly it doesn't happen enough the road is always rough with corrugations and potholes sometimes very large that fill with water and become dangerous as the speed limit is 100 km and cars fly down the road. I believe that because there are only 4 houses and large farms Wellington shire do not think Afflecks Road warrants maintenance on a regular schedule and with the rezoning of this area on the south side (Latrobe shire) will result in more properties and more traffic which will become very dangerous.

Infrastructure along Afflecks road is non existent apart from gravel/dirt roads there is large overgrown nature strips with no water drainage, footpaths, or lighting, with children walking/riding to bus stop every morning and afternoon I feel this is quite dangerous and with expected more traffic with subdivision it'll be even worse.

Reasons concerning Toongabbie Township:

Town Infrastructure- With the rezoning in Toongabbie there will obviously be a higher population this will change the dynamics of our small town more traffic more noise which is not what most people that move to country towns want. Where will there be more parks, the more nature walking paths, the lovely tree areas to keep the country feel of toongabbie?

We only have a general store which at times is flat out busy with the small population we have! With the rezoning and likely subdivision, higher population how will this cope is the next stage a large town supermarket.

If this rezoning does go ahead I would like Latrobe shire to at least consider changing a section of Afflecks road outlined in the amendment C126 as First Stage Rural Living and keep it as farming and I would like to be contacted to at least have a discussion about where it should be.

Kind Regards

[REDACTED]

**SUMMARY OF SUBMISSIONS & PLANNING COMMENT TO:
[C126 – TOONGABBIE STRUCTURE PLAN]**

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
1	Wellington Shire Council	N/A	Support	Wellington Shire has no objection to the proposed amendment.	Noted	No	30 June 2021
2	[REDACTED]	[REDACTED]	Support	Supports the proposal to rezone her property from Farming Zone Schedule 1 (FZ1) to Rural Living Zone Schedule 1 (RLZ1), and states that there is a demand for this type of land in the town.	Noted	No	1 July 2021
3	DELWP	N/A	Support with changes	<p>DELWP do not oppose the amendment, but provide general advice for consideration:</p> <ul style="list-style-type: none"> DELWP notes that parcels of Crown land adjacent to waterways are proposed to be rezoned to a public use zone. The strategic justification articulated in the Explanatory Report being to protect the natural environment and natural processes along the Rosedale and Toongabbie Creek frontages. It is noted that no detailed study has occurred on these waterways. However, this is addressed in the further strategic work in the <i>Toongabbie Structure Plan Report (2020)</i> Table 12 (page 40): 	<p>Table 12 indicates the actions that should be undertaken in relation to the landscape and environment as recommended by the <i>draft Toongabbie Structure Plan Background Reports - Flora and Fauna Assessment 2020</i></p> <p>DELWP's advice is noted and the recommendations in table 12 are also included in the implementation plan in the Toongabbie Structure Plan, which reads:</p> <p style="padding-left: 40px;"><i>16. Create a management plan for the Toongabbie and Rosedale Creeks to create</i></p>	<p>Yes</p> <p>Have added 'DELWP- Land and Built Environment' as a party to action 18 (as well as DELWP – Environment) – given they are different teams with a different business focus and Land and Built Environment need to be consulted as the (Crown) landowner.</p>	20 July 2021

				<ul style="list-style-type: none"> 4. Work with West Gippsland Catchment Management Authority to create a management plan for the Toongabbie and Rosedale Creeks to investigate the potential for green corridors and integrated pathways along the waterways. 7. Work with landowners to establish agreements to rehabilitate the waterways on their properties 	<p>green corridors and integrated pathways (medium to long term – WGCMA and LCC Environment Team)</p> <p>18. Work with landowners to establish agreements to rehabilitate the waterways on their properties (ongoing – WGCMA, DELWP Environment Team, LCC Environment Team).</p>		
4	Telstra Networks	N/A	Support	Telstra have reviewed the amendment and confirm that there is no impact on Telstra's fixed Access network.	Noted	No	22 July 2021
5			Object	<p>Does not support [REDACTED] land being rezoned from Farming Zone Schedule 1 (FZ1) to Low Density Residential Zone (LDRZ), due to:</p> <ol style="list-style-type: none"> 1. Wanting to continue operating under their land as they currently do e.g. animal husbandry. 2. May want to undertake farming use in future that might not be allowed outside of the FZ1. 	<p><u>Background – Toongabbie Structure Plan:</u></p> <ul style="list-style-type: none"> The subject land is within Precinct G & J in the Toongabbie Structure Plan Report, and these precincts are identified for rezoning to Rural Living Zone (RLZ) and Low Density Residential Zone (LDRZ). The Toongabbie Structure Plan Report provides criteria for which land should be 	<p>Yes</p> <p>Land will stay FZ1, and will be shown as 'second stage low density residential' on the structure plan.</p>	2 August 2021

					<p>rezoned to LDRZ:</p> <ul style="list-style-type: none"> ○ Currently zoned NRZ4 ○ Larger than 4000sqm ○ Not affected by LSIO or FO <ul style="list-style-type: none"> • The subject land <u>does not</u> meet this criteria (except for land size). • The recommendation within the Toongabbie Structure Plan for Precinct G/J is to 'Retain as Farming Zone – Schedule 1 to rezone to Low Density Residential Zone in the long-term. This would be the secondary growth front after the possible East Low Density Residential Area.' • Accordingly the information above provides support to accommodate the submitters request to remain within the Farming Zone Schedule 1 (FZ1). <p>The following responses related to the corresponding points raised in the submission.</p>		
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					<p>1. The Planning and Environment Act 1987, that Section 6(3) states that if you are using the land lawfully, you will continue to have the right to do-so under the new zone applied. the following: (3) Subject to subsections (4) and (4A), nothing in any planning scheme or amendment shall— (a) prevent the continuance of the use of any land upon which no buildings or works are erected for the purposes for which it was being lawfully used before the coming into operation of the scheme or amendment (as the case may be).</p> <p>2. The proposed Low Density Residential Zone (LDRZ) would introduce planning permit triggers for new agricultural uses, such as animal husbandry for more than two animals. Whereas the Farming Zone has many 'as of right' uses for agriculture.</p>		
6			Object	<ul style="list-style-type: none"> Requests that the Toongabbie Structure Plan be amended to include the land at [REDACTED] within a 'First Stage Low Density Residential' precinct. 	<p>The subject area is within 'Precinct C' and is bound by the [REDACTED]</p>	No	4 August 2021

				<ul style="list-style-type: none">• Requests that the land at [REDACTED] be rezoned from Farming Zone Schedule 1 (FZ1) to Low Density Residential Zone (LDRZ).• The Land Supply and Demand Analysis (refer to <i>page 124, Toongabbie Structure Plan Background Reports, Latrobe City Council, 2020</i>) for LDRZ is not accurate.	<div>[REDACTED]</div> <ul style="list-style-type: none">• The Toongabbie Structure Plan Background Report recommends that lots south of Hill Street between Sparks Lane and Rosedale Creek transition to Low Density Residential Zone in the longer term as a growth area for the township.• Accordingly, the subject land is identified as '<i>Second Stage Low Density Residential</i>' and is not being rezoned as part of Amendment C126. Revising the subject site to first stage Low Density Residential Zone would be out of sequence.• Constraints for growth in the short term are identified in the servicing strategy; to service this area with		
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					<p>water, it would require a main extension from Afflecks Rd south to Traralgon-Maffra Rd and also west to Hill St.</p> <ul style="list-style-type: none">• The land supply and demand analysis was developed in-house and Ethos Urban undertook a peer review (April 2020), which quality checked the report and resulted in improvements before its approval by Council in 2020. Overall it concluded that the methodology used for assessing residential lot supply and residential lot demand is sound.• The land owner can apply for a 'Proponent Led Planning Scheme Amendment' should they wish to rezone their land. In supplying strategic justification for this change, they would need to provide supportive land demand, considering the existing and		
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					planned supply of residential land across the municipality, not just in Toongabbie, as per Clause 11.02-1S (Supply of urban land) <i>Plan to accommodate projected growth over at least a 15 year period and provide clear direction of locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.</i>		
7	DOT	N/A	Support with changes	<p>The Department of Transport has no objections to the proposed amendment. They stand by their submission to the <i>Toongabbie – Infrastructure and Servicing Assessment (16 Mar 2020)</i> and offer the following:</p> <ul style="list-style-type: none"> • Much of the towns high value habitat is located within roadside verges. Provision of a pathway for adjoining development should provide for the path to protect this vegetation. This could be considered in Toongabbie and the Structure Plan amended. 	<p>Noted</p> <ul style="list-style-type: none"> • The Toongabbie Structure Plan (2020) has within it '6.2 Other Actions' a series of actions required to implement the plan, including the parties that will be primarily responsible for delivery, and the recommended timeframe for the actions. • The following actions 	No	4 August 2021

					<p>address protection of roadside vegetation:</p> <ul style="list-style-type: none"> • 13. Complete further site assessments in different seasons to further assess the type and quality of vegetation that is in Toongabbie (short term – LCC Environment Team) • 14. Assess the possible Gippsland Red Gum Grassy Woodland and Associated Native Grasslands EVC areas. (short term – DEWLP Environment DoEE and LCC Environment Team) • 17. Identify significant roadside vegetation and include on Council's significant tree register. (short term – LCC Assets Team and LCC Environment Team) 		
8	WGCMA	N/A	Support	<p>The Authority understands that the Amendment implements the findings of the Toongabbie Structure Plan report and the Toongabbie Flood Study.</p> <p>The Authority reviewed the Amendment C126 documentation and does not object to the proposed amendments to the Latrobe Planning Scheme.</p>	Noted	No	4 August 2021
9			Object	<ul style="list-style-type: none"> • Objects to the subject land not 	<ul style="list-style-type: none"> • Please see the 	No	6 August

				being proposed for rezoning to Rural Living Zone, as part of Amendment C127 (Bushfire and Rural Rezoning's).	<p>submission response table for Amendment C127 – Bushfire and Rural Rezoning's.</p> <ul style="list-style-type: none"> The following advice relates to Amendment C126: The subject land is within Precinct H, as sub-precinct H6 in the <i>Toongabbie Structure Plan Background Report (2020)</i> and is not proposed to be rezoned as per advice from the CFA. The objection relates to Amendment C126 as Clause 11.01 Toongabbie Structure Plan map depicts the land as 'farming'. 		2021
10	Country Fire Authority (CFA)		Object	<ul style="list-style-type: none"> Council has not provided an assessment of Policy under Clause 13.02-1S that requires alternative locations for development to be considered. Larger townships are available as growth areas. An insufficient response to bushfire has been provided to justify growth. 	<ul style="list-style-type: none"> The Toongabbie Structure Plan aims to provide a clear framework to support growth in Toongabbie by providing a diversity of housing and lifestyle choices whilst protecting natural resources. The proposed rezoning of 	No	6 August 2021

					<p>properties within the study area has been informed by a variety of technical background reports, looking at land supply and demand, servicing, flora and fauna and bushfire risk. As part of this, suitable growth areas have been identified. Clause 11.02-1S (Supply of urban land) requires the responsible authority to plan for residential areas for Latrobe, not just Toongabbie; <i>Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.</i> In addition, limiting growth to just the large towns which form Latrobe's network city does not recognise the role that the small towns play in providing residential and farming communities outside of the metropolitan areas.</p> <ul style="list-style-type: none">• In preparing the		
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					<p>Toongabbie Structure Plan (2020), a Municipal Bushfire Risk Assessment 2020 has been undertaken to inform the decision making of the Toongabbie Structure Plan (2020) and assess appropriate bushfire mitigation tools. An assessment against Clause 13.02-1S (Bushfire Planning) has been undertaken as a part of the Bushfire Risk Assessment. The CFA have been consulted with throughout the development of the draft Latrobe City Municipal Bushfire Risk Assessment 2020. The Amendment is consistent with Clause 13.02-1S and has been considerate of the CFA's feedback.</p> <ul style="list-style-type: none">• The Amendment is also considered consistent with the Design Guidelines – Settlement Planning at the Bushfire Interface (DELWP, July 2020.) The Toongabbie Structure		
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					Plan (2020) has considered the bushfire hazard in directing growth and distribution of uses. It also contains recommendations for mitigation measures along King Street where the risk interfaces with the development through the application of controls at the time of rural rezoning (not part of this Amendment) and subsequent planning permit application processes.		
11	Environment Protection Authority (EPA)		Object	<ol style="list-style-type: none"> 1. [REDACTED] should have an 'Environmental Audit Overlay (EAO)' placed on it due to the presence of petrol bowser and underground tank and likelihood of contamination. This would stop any sensitive uses from occurring at the site. 2. The 'Potentially Contaminated Land Report – Toongabbie Study Area' Background report is not part of the exhibition package. 3. The Explanatory Report needs to be amended to address 	<p>The following responses relate to the corresponding points raised in the submission.</p> <ol style="list-style-type: none"> 1. The subject site is not proposed to be subject to any rezoning except for application of Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) due to updated flood modelling for Toongabbie. The subject site is the Toongabbie General 	No	6 August 2021

				<p><i>Ministerial Direction No. 1 (MD1).</i></p> <p>4. <i>Planning Practice Note 30 – Potentially Contaminated Land (PPN30, July 2021)</i> has updated the assessment required where sites are identified as having a medium potential for contamination and a sensitive use may be carried out on the land.</p> <p>5. <i>Ministerial Direction 19 (MD19, October 2018), section 4 (requirements to be met)</i> requires the planning authority to seek the written views of the EPA about the potential impacts of the proposed amendment. EPA were contacted after authorisation had been granted, and previous feedback provided to Council on the Amendment during its preparation, are not considered to have been provided in response to MD19.</p> <p>6. The advice provided by EPA was prepared in accordance with the <i>Environment Protection Act 1970</i>, and did not consider the changes that would apply in accordance with the <i>Environment Protection Act 2017</i> and subsequent policy post 1 July 2021.</p>	<p>Store which is within a Township Zone (TZ) and is impacted by Heritage Overlay 79 (HO79). The Heritage Overlay is due to the General Store being within the Toongabbie Township Heritage Precinct, and is identified as a 'contributory' site within the <i>Latrobe City HO Permit Exemptions & Application Requirements (April 2020)</i>. A contributory place contributes to the significance of a heritage precinct, but would not be significant on their own. Given this status, there is no exemption within this report, and the Heritage Overlay requires a planning permit to demolish/remove a building. Should the use on the land change, risk can be managed by undertaking numerous steps, detailed in section</p>		
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					<p>4.3.1 'Potentially contaminated land' in the <i>Toongabbie Structure Plan Report (2020)</i>.</p> <p>The general store also contains an attached dwelling, so a sensitive use is already occurring on site and if it were to sell, new owners could reason that there are existing use rights.</p> <p>2. The Potentially Contaminated Land Report does not form part of the Toongabbie Structure Plan Background Reports proposed to be referred in the Planning Scheme. Section 19(1) of the Act states that a planning authority <i>must give notice of its preparation of an amendment to a planning scheme</i> to certain people. Section 19(4) requires that any notice be given in accordance with the regulations. Neither the Act nor the regulations</p>	<p>Yes (item 4) – Additional commentary added to Explanatory Report to address MD1 and PCRZ land.</p>	
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					<p>require Council to exhibit background documents that do not themselves form part of an amendment. That the Contamination Report was not included in the exhibition package has no consequence to compliance with Section 19.</p> <p>3. The purpose of Ministerial Direction 1 is: <i>...to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which would be significantly adversely affected by any contamination.'</i></p> <p>Clause 4 of Ministerial Direction 1 states that: <i>In preparing amendment which would have the effect of allowing (whether or not subject to the grant of a permit) potentially contaminated land to be used for sensitive</i></p>		
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					<p><i>use, agriculture or public open space, a planning authority must satisfy itself that the environmental conditions of that land are or will be suitable for that use.</i></p> <p>One of the ways of achieving compliance with Ministerial Direction 1 is to apply an Environmental Audit Overlay (EAO). However, Ministerial Direction 1 does not apply to Amendment C126, relating to how the Amendment applies to the site. This is because the Amendment would not “have the effect” of allowing use of the site for a sensitive use. To the extent that sensitive uses are already allowed (with or without a permit) this is an effect of the existing Township Zone provisions, and not an effect of Amendment C126.</p> <p>4. The planning system operates together with the environment protection system to</p>		
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					<p>enable the consideration of matters such as land contamination, noise, water and air. A new environment protection framework became operational on 1 July 2021, which made numerous updates to the Victorian Planning Provisions (VPP). This new framework gave effect to the <i>Environment Protection Act 2017</i> and associated subordinate legislation which enables greater protection and mitigation of risks to human health and the environment. Planning Scheme Amendment VC203 aligned the planning system with the new environment protection framework. These changes came into the Planning Scheme during Exhibition of Amendment C126 (24 June to 6 August 2021), however the</p>		
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					<p>Amendment had been prepared in consultation with EPA, and in line with the legislation that was current at that time. PPN30 and MD1 were updated following the <i>Environment Protection Act 2017</i> replacing the <i>Environment Protection Act 1970</i>, requiring a <i>Planning Scheme Amendment which allows land to be used for agriculture or public open space, a planning authority must:</i></p> <p><i>a) satisfy itself whether or not the land, or parts of the land, are potentially contaminated;</i></p> <p><i>b) where it has determined that the land is not potentially contaminated, state the determination in the amendment Explanatory Report; and</i></p> <p><i>c) where it has determined the land, or parts of the land, are potentially contaminated, must</i></p>		
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					<p><i>state the determination in the amendment Explanatory Report and satisfy itself that the land is or will be suitable for that use.</i> (MD1, Section 7). The Explanatory Report will be updated to reflect that the aspects of the amendment that rezone land to PCRZ meet this requirement.</p> <p>5. The draft Toongabbie Structure Plan was endorsed by the Latrobe City Council at the 6 July 2020 General Council Meeting. The authorisation request for Amendment C126 was made on 24 December to DELWP. Although the Potentially Contaminated Land assessment was initiated before these milestones and has informed both the Structure Plan and the Amendment C126, it took longer than expected to finalise</p>		
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					<p>the draft report due to data availability and site inspection constraints during the time when the pandemic was new. It is also the first time that the Latrobe City Council has prepared the Potentially Contaminated Land report in-house. Ministerial Direction 15 (MD15) directs planning authorities to <i>seek the written views of the EPA about the potential impacts of the proposed review or amendment and any strategies, policies, plans or reviews forming the strategic basis for the review or amendment, including precinct structure plans, on the environment, amenity and human health.</i> Council engaged with the EPA during preparation of Amendment C126, and prepared the amendment documentation, including the</p>		
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					<p><i>Toongabbie Potentially Contaminated Land Report</i> (TPCLP) in accordance with the <i>Environment Protection Act 1970</i>. Amendment C126 was authorised by the Minister for Planning on 28 January 2021. From here it progressed to exhibition from 24 June to 6 August 2021. During this time the <i>Environment Protection Act 2017</i> came into effect on 1 July 2021. Council lawfully progressed with Amendment C126 in accordance with the <i>Environment Protection Act 1970</i> as that was the Act that was current at the time when the Amendment was prepared. Council has met its responsibility in notifying and meeting the Act's requirements, and do not propose to revise the Amendment according to the new</p>		
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					Act, or re-exhibit the Amendment, as such changes would be considered to be a transformation of the Amendment, requiring exhibition and notification to occur again.		
12	E	E	Object	<ul style="list-style-type: none"> • Objects to their land being rezoned from Farming Zone Schedule 1 (FZ1) to Rural Living Zone Schedule 1 (RLZ1) through Amendment C127. • Rezoning from Farming Zone will affect their legal allowances for gun licenses impacting their ability to control vermin. • Land rates will increase. 	<ul style="list-style-type: none"> • The subject land is identified as 'First Stage Future Rural Living' and within 'area 13' on the Toongabbie Structure Plan at Clause 11.01 of the Planning Scheme. The strategy for this area is to encourage rural residential intensification in the short to medium term (0-15 years). • Within the Toongabbie Structure Plan Background Report, the subject land is within Precinct C. This area is highly fragmented and used as a rural residential area. Amendment C127 proposes to rezone it to Rural Living Zone. The land is 8ha which is rural living in nature. 	No	20 August 2021

					<ul style="list-style-type: none">• Rates are not a planning consideration.		
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Post Exhibition Edit Table – Amendment C126

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Toongabbie Structure Plan (July 2020)			
Page 8, Figure 1: Toongabbie Structure Plan	Update Toongabbie Structure Plan map, to reflect 9-17 Hower Street, Toongabbie as second stage LDRZ, instead of first stage LDRZ.	Response to submission request	Submission no. 5
Page 61, Figure 18: Toongabbie Housing Framework Plan	Update Toongabbie Housing Framework Plan, to update 9-17 Hower Street, Toongabbie as 'other zoned land' instead of 'minimal change'. This is consistent with how the other second stage LDRZ lots are shown on this map.	Response to submission request	Submission no. 5
Page 64	Update GRZ5 to GRZ4 (page 64, first column, last line)	Response to submission request	Submission no. 5
Table 14: Zoning Actions, Page 65	Include rezoning of Sub-precinct IE from Farming Zone (FZ1) to Low Density Residential Zone (LDRZ).	Administrative error	N/A
Table 14: Zoning Actions, Item 4, Page 65	Fix typo 'align..' to 'aligned'.	Administrative error	N/A
Action 18, Implementation Page 70	Add in DELWP - Land and Built Environment as a party to action 18 (as well as DELWP – Environment) – they are different teams with a different business focus and Land and Built Environment need to be consulted as the (Crown) land owner.	Administrative error	N/A

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Toongabbie Potentially Contaminated Land Report (2021)			
	In summary, the following changes have been made to the version 2 report following EPA's comments: 1. Replaced any references to obsolete terms such as	Requested by EPA outside of Exhibition period.	Submission no. 11

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p>Environmental Site Assessments and Phase 2 assessments with Preliminary Site Investigations (PSI);</p> <ol style="list-style-type: none"> 2. As previously discussed, we have excluded all properties within Precinct 'I' from the assessment, including the Toongabbie General Store. Only 19-29 Hower Street Toongabbie within Precinct I is included because it is proposed to be rezoned from FZ to LDRZ. 3. Changed the risk ranking of 25 Humphrey Road from 'high' to 'medium'. In accordance with PPN30, which identifies 'waste disposal' activities for having a 'medium' potential for contamination in Table 1, we have classified this property as having a 'medium' PfC rating for potential contamination from on-site effluent disposal system. There are now no properties with 'high' potential for contamination identified in the report. 4. Maintained the final risk rating of 'medium' for properties on which we observed potential stockyard structures during aerial image review. EPA noted that potentially contaminating agriculture activities such stock dipping sites may not be visible from visual inspections from the public areas; and the existence of stock dipping sites or lack thereof should not be considered sufficient information to downgrade a site from 'medium' potential for contamination to 'low'. 5. We have maintained a 'low' PfC rating for vacant properties that appeared to be used for grazing with no structural improvements. We have also maintained a 'low' rating for rural residential properties, which seemed to have stock grazing but did not appear to have any agricultural infrastructure such as stockyards 		

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p>or farm sheds.</p> <p>6. EPA noted that ancillary activities associated with agriculture, such as chemical storage, are listed as having 'medium' potential for contamination in PPN 30. The EPA considers that there is potential for contamination to have occurred within the precinct due to agricultural and ancillary activities undertaken on land within the precinct, and that further investigation should occur to confirm whether this is the case. As such, we have further included farming properties that appeared to have farming associated sheds on aerial/or approved farm sheds as properties having a 'medium' PfC rating.</p> <p>7. While we were reviewing the aerial imagery again for identifying properties with farm sheds, we found a few more properties with potential (although generally smaller) stockyard structures (current/historic use) and have added them to the list of properties with a 'medium' PfC rating. We had employed a more conservative approach the last time about smaller farming properties under rural residential use.</p> <p>8. We have updated the report to include the additional properties with 'medium' PfC rating in relevant sections and the Table in Appendix 14.</p> <p>9. Updates relating to the EPA Act 2017.</p> <p>Based on the changes above, we have also revised the Stage 1 PfC rating map.</p>		

Planning Scheme Documentation Changes

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Planning Policy Framework			
LPP 11.01L Toongabbie	Update Toongabbie Structure Plan to change 9-17 Hower Street, Toongabbie from 'First Stage Low Density Residential' to 'Second Stage Low Density Residential'	Response to submission request	Submission no. 5
LPP 16.01-1L Housing Supply	Update general policy guidelines dot point to fix typo, 'of' to 'or'.	Administrative error	N/A
LPP 16.01-1L Housing Supply	Update limited change areas policy guidelines to fix typo in second dot point; 'of' to 'or' and 'and' to 'or'.	Administrative error	N/A
LPP 16.01-1: Housing Supply	Update Toongabbie Housing Framework Plan, to update 9-17 Hower Street, Toongabbie as 'other zoned land' instead of 'minimal change'. This is consistent with how the other second stage LDRZ lots are shown on this map.	Response to submission request	Submission no. 5
Mapping			
Zoning Map 8	Remove 9-17 Hower Street, Toongabbie from proposed LDRZ, to remain FZ1	Response to submission request	Submission no. 5
Explanatory Report			
What the Amendment Does	Remove 9-17 Hower Street, Toongabbie from the list of changes which refer to it being rezoned to LDRZ.	Response to submission request	Submission no. 5
How does the Amendment address any environmental, social and economic	Additional commentary addressing Ministerial Direction 1 (2021, Section 7) and rezoning to Public Conservation and Resource Zone (PCRZ.)	Response to submission request	Submission no. 11

effects?			
Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?	Additional commentary addressing potentially contaminated land.	Greater clarity.	N/A
How does the Amendment support or implement the Planning Policy Framework and any adopted state policy?	Added missing title to address, and fix formatting error.	Administrative error	N/A
Panel hearing dates	Updated Directions and Panel dates.	Greater clarity.	N/A

Agenda Item: 7.7

Agenda Item: Amendment C127 (Bushfire and Rural Rezonings) -
Consideration of Submissions and Request
Appointment of Planning Panel

Sponsor: General Manager, Regional City Planning and Assets

Proposed Resolution:

That Council:

- 1. Having considered all written submissions received to Amendment C127 requests the Minister for Planning establish a planning panel to consider submissions for Amendment C127 and prepare a report; and**
- 2. Advise those persons who made written submissions to Amendment C127 of Council's decision.**

Executive Summary:

- The draft Latrobe City Municipal Bushfire Risk Assessment 2020 and draft Latrobe City Rural Living Strategy 2020 were endorsed for exhibition by Council on 7 September 2020. Latrobe City Council is the first municipality to prepare a planning scheme amendment in response to Ministerial Amendment VC130, which significantly increases requirements to consider bushfire risk.
- Amendment C127 was given conditional authorisation by the Minister for Planning on 30 April 2021 and was placed on exhibition from 24 June 2021 to 6 August 2021.
- Forty-six written submissions were received including six supporting the amendment, three supporting subject to post-exhibition changes and 37 submissions objecting to the amendment that requested changes that cannot be resolved.
- Key themes raised in relation to the outstanding submissions are:
 - Disagreement with the nominated level of bushfire risk.
 - Objection to bushfire being the primary consideration for land rezonings.
 - Would like to be considered for rezoning to Rural Living Zone from Farming Zone.
 - Prefers for farmland to remain farmland and fragmented farmland to be restructured to eliminate small lots.
 - If the Delburn Wind Farm is approved, it would be contradictory to proposed policy.
 - The CFA have concerns with the content of the Municipal Bushfire Risk

Assessment, local policy changes and overlay schedules proposed.

- There have been delays in the progression of the amendment, this is due to officers trying to resolve concerns raised by submitters, in particular the CFA.
- It is considered that the Panel process will provide the opportunity to progress the amendment and obtain third party advice as to how outstanding matters may be resolved.
- There are 37 submissions which request change or object to the amendment in its current form which have not been able to be resolved. Therefore, Council must request that the Minister for Planning appoint a Planning Panel to consider all submissions to progress the Amendment to the next stage.

Background:

At the 7 September 2020 Council Meeting, Council resolved that Council:

1. *Endorses the draft Latrobe City Municipal Bushfire Risk Assessment 2020 (Attachment 1) and draft Rural Living Strategy 2020 (Attachment 2) for public exhibition as part of a planning scheme amendment; and*
2. *Requests authorisation from the Minister for Planning to prepare and exhibit the draft Latrobe City Municipal Bushfire Risk Assessment, Rural Living Strategy and related proposed amendment documents to the Latrobe Planning Scheme.*
3. *That Council makes the proposed Planning Scheme Amendment and supporting documentation available to the Minister for Planning when the request for Authorisation is lodged.*

The amendment proposes to:

- Implement the findings of the draft Latrobe Municipal Bushfire Risk Assessment 2020 and the draft Rural Living Strategy 2020 into the Latrobe Planning Scheme, including numerous changes to local planning policy;
- Rezone land in Toongabbie, Hazelwood North and Flynn from Farming Zone, Schedule 1 to Rural Living Zone, Schedule 1;
- Rezone land in Toongabbie from Farming Zone, Schedule 1 to Rural Living Zone, Schedule 2;
- Rezone land in Boolarra, Moe South, Traralgon South, Tyers, Yinnar, Koornalla from Farming Zone, Schedule 1 to Farming Zone, Schedule 2;
- Rezone publicly owned land in Koornalla and Flynn from Farming Zone, Schedule 1 to Public Park and Recreation Zone;
- Rezone publicly owned land in Koornalla from Farming Zone, Schedule 1 to Public Conservation and Resource Zone;
- Rezoning land to fix anomalies;

- Apply the Design and Development Overlay, Schedule 12 to precincts in Boolarra and Toongabbie; and
- Apply the Development Plan Overlay, Schedule 10 to land in Toongabbie.

A request for Authorisation to the Minister for Planning was lodged on 23 December 2020.

Following the receipt of conditional Authorisation on 30 April 2021, Amendment C127 – Bushfire and Rural Rezonings was placed on exhibition from 24 June 2021 to 6 August 2021. There have been delays in the progression of the amendment, this is due to officers trying to resolve concerns raised by submitters, in particular the CFA.

Details regarding the exhibition process and outcomes are provided in the communication and consultation sections below.

Forty-six written submissions (see Attachment 1) were received, including:

- six submissions supporting the amendment;
- three submissions supporting the amendment with minor changes that can be made as post-exhibition changes;
- 37 submissions objecting to the amendment, requesting changes which cannot be resolved.

The key issues raised in the submissions are outlined in the Summary of Submissions Table (see Attachment 2).

In response to submissions received, changes are proposed to the draft Planning Scheme documents and are detailed in the post exhibition changes table (see Attachment 3).

Further discussions have been held with the submitters, including providing proposed changes to the Amendment for their consideration. The proposed changes that have been made are minor in nature and do not change the intent and purpose of the Amendment.

Under the *Planning and Environment Act 1987* (the Act), Council must consider all submissions received to the Amendment. As there are outstanding submissions that cannot be resolved, Council must request a planning panel to consider all submission or abandon the amendment.

It is proposed to consider submissions and progress Amendment C127 to the next stage by requesting a planning panel if outstanding submissions cannot be resolved.

Issues:

Strategy Implications

Latrobe City Council Plan 2021-2025

Healthy

- *Delivery of the objectives in Living Well Latrobe, our community's Municipal Public Health and Wellbeing Plan by promoting community safety, mental and physical health and activity, incorporating active design principles in open space, neighbourhood design and supporting community resilience.*
- *Ensure health and wellbeing planning to the centre of council planning in promoting safe communities, positive mental and physical health programs, resilience and connection to natural and built environments.*
- *Support community preparedness aligned to growing responsibilities for Local Government in emergency management systems, response and recovery.*

Amendment C127 seeks to identify the level of bushfire risk across the municipality so it can be given adequate consideration at a strategic land use level, ensuring that planning for the future gives the highest regard to the protection of human life and property. Overlays are also proposed to ensure appropriate and considered design of future rural living subdivisions.

Connected

- *Facilitate appropriate urban growth, industry diversification, liveability and connectivity throughout Latrobe City.*

Amendment C127 seeks to logically provide for a 15 year supply of rural living land in a manner that does not put future landowners and residents of newly created lots at a high risk of experiencing bushfire.

Living Well Latrobe 2022-25 – Our Community's Municipal Public Health and Wellbeing Plan

The amendment will have a positive impact on future land use planning when considering sensitive land uses and vulnerable populations within the municipality. The Municipal Landscape Bushfire Risk Map will assist in directing sensitive land uses such as education, health and aged care facilities to areas with lower levels of bushfire risk.

Communication

Due to the overlap of Amendment C127 and C126 – Toongabbie Structure Plan, the amendments are being run concurrently, with community consultation also occurring simultaneously. As part of the exhibition of the amendments, the following activities were undertaken:

- 287 key stakeholder, agency, authority and minister notification emails were sent;

- 942 direct notification packages were posted to directly affected landowners and/or persons who had registered their interest as part of the Amendment C105 Live Work Latrobe process;
- Notice placed in the Government Gazette on 24 June 2021;
- Notice placed in the Classifieds section of the Latrobe Valley Express on 24 June 2021;
- Web page created on Latrobe City Council's website, including an interactive mapping tool showing the changes proposed by the amendments and a "Have Your Say" link;
- Social media posts on Facebook, Twitter and LinkedIn;
- 30 minute appearance of Acting Manager Regional City Planning on Gippsland FM on 26 June 2021;
- Face-to-face 1:1 meetings held in Toongabbie on 30 June 2021, Traralgon South on 14 July 2021 and Yallourn North on 15 July 2021;
- Due to lockdown restrictions, virtual 1:1 sessions were offered throughout the remainder of the exhibition period in place of the 19 July 2021 Churchill and 20 July 2021 Toongabbie sessions that had to be cancelled; and
- Information placed at service centre and libraries in Morwell, Moe, Traralgon and Churchill.

Financial Implications

The prescribed fees for Planning Scheme Amendments are detailed in the *Planning and Environment (Fees) Regulations 2016*. The costs associated with this stage of the Planning Scheme Amendment include the fee for the Panel Report (varies from \$15,345.60-\$40,986.80), fees for any expert witnesses engaged by Council and the fee for the Minister's approval (\$488.50) of an amendment if the amendment is adopted by Council.

Funds are allocated in the current 2021/2022 budget year to enable the Planning Scheme Amendment to proceed, however with delays experienced, this funding will need to be carried over to the 2022/23 budget.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Service Delivery Risk The required 15 year supply of rural living land will not be made available.	3 – possible	Progress Planning Scheme Amendment to a Planning Panel

Identified risk	Risk likelihood*	Controls to manage risk
Service Delivery Risk The CFA will continue to object to the proposed post-exhibition changes and present their views to a Planning Panel.	5 – almost certain	Progress Planning Scheme Amendment to a Planning Panel and inform the Planning Panel of the rationale behind the bushfire risk work undertaken and resultant areas of proposed rural rezonings.

* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

Legal and Compliance

In accordance with the Act, the municipal Council, as a planning authority, has a number of duties and powers when considering a Planning Scheme Amendment. These duties and powers are listed at Section 12 of the Act which states the Planning Authority must have regard to:

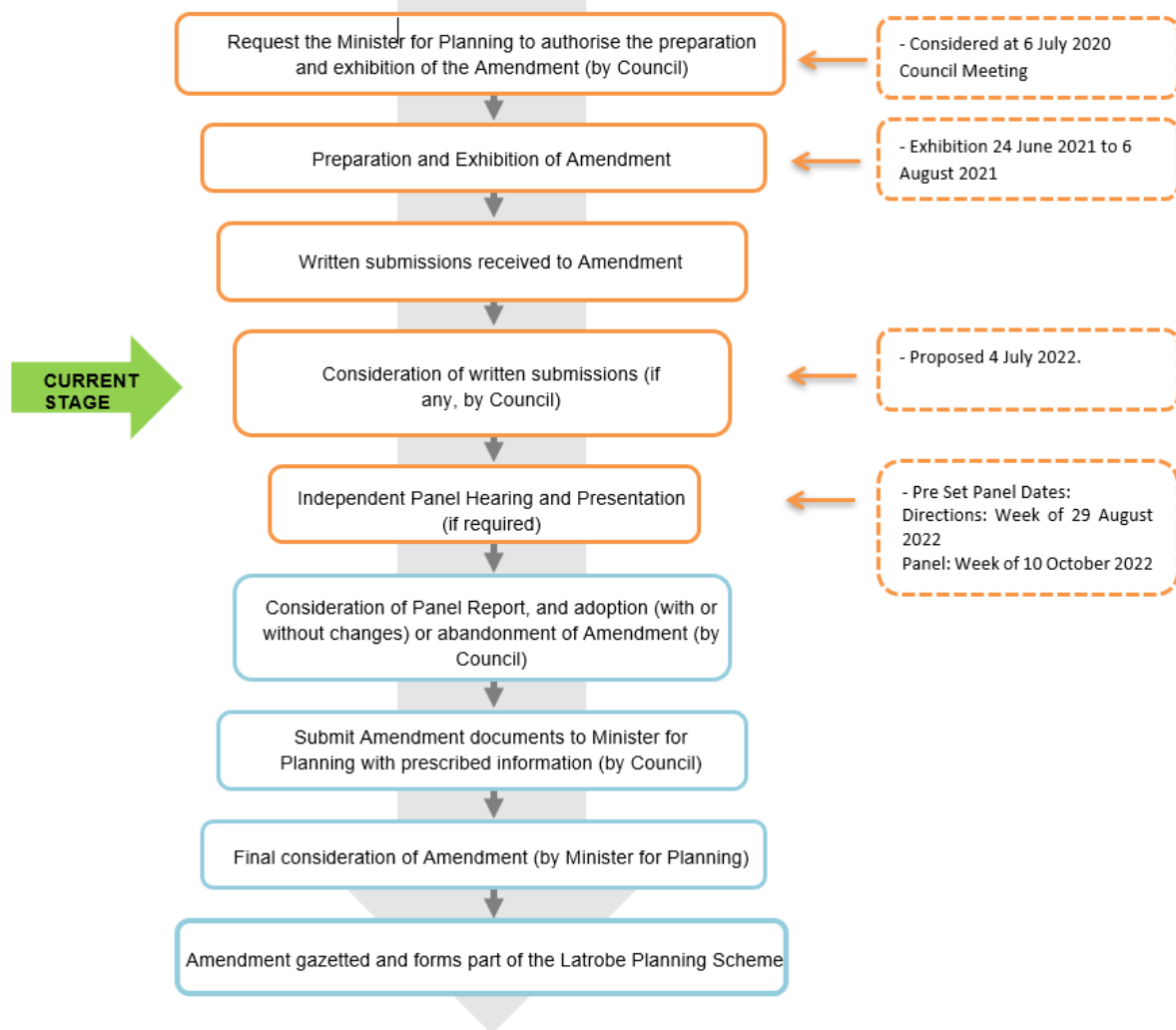
- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme; and
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any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

Amendment C127 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12. A response to Section 12 of the Act is outlined in the Explanatory Report.

Community Implications

The Planning Scheme Amendment process is shown in the figure below and provides an indication of the current stage.

Amendment C127 – Planning Scheme Amendment Process



A total of 46 submissions were received to amendment C127. Nine submissions supported the amendment and/or requested minor wording changes. The changes requested in these submissions do not change the intent of the amendment and have therefore been made. Five other submissions requested numerous changes, some of which have been deemed appropriate, and have been included as post-exhibition changes. However, as all changes requested in four of these submissions were not made, these submissions will continue as unresolved objections.

In summary, table 1 shows who requested the change and what clauses have been changed in response to submissions. Details of these changes can be found in Attachment 3.

Change(s) requested by:	Clauses / documents effected:
Submitter #15	<ul style="list-style-type: none"> Latrobe City Rural Living Strategy 2020
Submitter #16	<ul style="list-style-type: none"> Schedule 10 to Clause 43.04 –

	Development Plan Overlay
Submitter #25	<ul style="list-style-type: none"> • Schedule 10 to Clause 43.04 – Development Plan Overlay
Submitter #24	<ul style="list-style-type: none"> • Clause 13.02-1L – Municipal Landscape Bushfire Risk Areas
Submitter #26	<ul style="list-style-type: none"> • Clause 14.04-3L – Forestry and Timber Production
Submitter #27	<ul style="list-style-type: none"> • Clause 02.03-1 – Settlement • Clause 02.03-3 – Environmental Risks and Amenity • Clause 02.03-4 – Natural Resource Management • Clause 02.02-6 – Housing • Clause 02.03-9 – Infrastructure • Clause 13.02-1L – Municipal Landscape Bushfire Risk Areas • Clause 15.01-3L – Subdivision Design • Clause 16.01-3L – Rural Residential Development • Clause 17.04-1L – Major Attractions and Commercial Tourism in Latrobe City Council • Clause 17.04-1L – Facilitating Rural Tourism • Schedule 10 to Clause 43.04 – Development Plan Overlay • Schedule 12 to Clause 43.02 – Design and Development Plan Overlay • Schedule 1 to Clause 44.06 – Bushfire Management Overlay
Submitter #46	<ul style="list-style-type: none"> • Planning Scheme Zone Map 44 • Planning Scheme Zone Map 46

Other submission points and requests for changes can be viewed in the Summary of Submissions Table at Attachment 2. Responses to the reason for accepting or declining changes proposed is detailed in this table.

Environmental Implications

The progression of Amendment C127 will ensure that greater consideration is given to the environment, particularly in regards to bushfire risk, in future land use planning.

Consultation

As a result of the exhibition process, Council officers:

- Received 46 written submissions;
- Held 52, 1:1 information sessions with key stakeholders (both virtual and face-to-face, depending on applicable COVID restrictions in place at the time);
- Received 77 landowner / key stakeholder phone enquiries;
- Received 17 landowner / key stakeholder email enquiries;
- Received 60 hits (including 47 unique page views) on 'Have Your Say' and Amendment C127 website pages.




Declaration of Interests:

The Acting Coordinator Strategic Planning declared a direct interest under section 77B of the *Local Government Act 1989* but is satisfied there is no conflict of interest due to the operation of section 77A(5) of the Act (conflict in common).

Supporting Documents:

Nil

Attachments

1.  Attachment 1 - Written Submissions
2.  Attachment 2 - Summary of Submissions Table
3.  Attachment 3 - Post Exhibition Changes Table

7.7

Amendment C127 (Bushfire and Rural Rezoning) - Consideration of Submissions and Request Appointment of Planning Panel

1	Attachment 1 - Written Submissions	148
2	Attachment 2 - Summary of Submissions Table.....	259
3	Attachment 3 - Post Exhibition Changes Table	335

Submission 1

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From: latrobe-vic.noreply@govcms.gov.au <latrobe-vic.noreply@govcms.gov.au>
Sent: Wednesday, 30 June 2021 9:13 AM
To: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>
Cc: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Have Your Say on Amendment C126 Submission

Submitted on Wed, 2021-06-30 09:12

Submitted by: Anonymous

Submitted values are:

Your Details



Confidentiality

Please withhold my name from public documents such as Council reports

Your Submission

My submission is

No!! Keep these towns country towns!! Stop being greedy and changing rural / farming land to residential and ruining these towns and why we love them when all the city slickers with no idea move in!!! I'm not allowed to subdivide a measly house block for my parents in my hundred acres so they can help us with wkids and to farm " because you want to keep farmland .. farmland" yet you propose this!!

Submission 2



Latrobe City ABN 92 472 314 133

Telephone 1300 367 700

Facsimile (03) 5128 5672

TTY (03) 5135 8322

Post to PO Box 264 Morwell 3840

Email Address latrobe@latrobe.vic.gov.au

Internet www.latrobe.vic.gov.au

AUSDOC DX217733

Submission to Amendment C127 – Bushfire and Rural Rezonings

Name.....

Address.....

Phone Number.....

Email Address.....

Your views on the amendment (support or object):

Objection because land [REDACTED] is zoned Farming Zone. It is only 9.8 hectares which is used for grazing the land is not going to be rezoned but it should be to R.L.Z. due to its size & being adjacent to residential land & corresponding land use conflicts including spraying of weeds. Increase traffic makes it difficult to move cattle to other property.

Advantages are land is close to town & within a yellow bushfire risk.

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Submission 3

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Attention: Strategic Planning

30 June 2021

Latrobe City Council
PO Box 264
MORWELL VIC 3840

Dear Sir/Madam,

Thank you for the opportunity to review and provide comment on proposed Latrobe City Council Planning Scheme amendments C126 (Toongabbie Structure Plan) and C127 (Bushfire and Rural Rezonings).

Wellington Shire Council has no objection to the proposed amendments.

Yours Sincerely,

Alex Duncan
Strategic Planner
Wellington Shire Council

Submission 4

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From: latrobe-vic.noreply@govcms.gov.au <latrobe-vic.noreply@govcms.gov.au>

Sent: Thursday, 1 July 2021 10:12 AM

To: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>

Cc: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>

Subject: Have Your Say on Amendment C126 Submission

Submitted on Thu, 2021-07-01 10:11

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details



Your Submission

My submission is

I fully support the amendment.

My property is suitable for the recommendations in the amendment.

I have received numerous enquires from people in search of small acreage in the Toongabbie area. There is obviously a great shortage of properties of this nature.

Submission 5

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From: [REDACTED]
Sent: Tuesday, 20 July 2021 4:08 PM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Cc: [REDACTED]
Subject: Submission to amendment C127 (Bushfire and rural rezonings)

Hi Kristy,

Thank you for our conversation and the information you have provided today regarding the proposed amendment.

As discussed regarding our property on the [REDACTED]
[REDACTED] it is noted that we fall
partially in the red and yellow zones as per the bushfire ratings.

Could these zonings please be reconsidered as we believe that we should be regarded as being either green or at the least green and partially yellow.

Also, could this property be included for rezoning when any future strategic planning around Glengarry is considered.

Once again thankyou, and please don't hesitate to call if you require any further information.

Good luck with home schooling!

Kind regards,

[REDACTED]

[REDACTED]

Submission 6



Your ref: Amendment C127

21 July 2021

Kristy Crawford
Senior Strategic Planner
Latrobe City Council

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Dear Kristy,,

Re: Amendment C127 – Bushfire and Rural Rezoning

Cardinia Shire Council officers have reviewed Amendment C127 to the Latrobe Planning Scheme. The amendment is a significant undertaking and a large amount of work has been put into forming the amendment. We would like to commend Council for seeking to actively address bushfire risk.

We do not have any specific comments in relation to the amendment, however, we would like to follow the progression of the amendment. Most of Cardinia Shire is subject to some level of bushfire risk, and with the introduction of Clause 13.02-1S Bushfire Planning we have been considering what the best approach is for addressing bushfire risk. Undertaking a Shire-wide bushfire assessment has been one of our considerations. If a Panel Hearing is to occur we would be interested in observing, but do not wish to be heard.

Please do not hesitate to contact me on 5943 4440 or at a.ransom@cardinia.vic.gov.au if you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to be "AR", written over a horizontal line.

Anita Ransom
Coordinator Planning Strategy and Urban Design.

Submission 7

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From:**Subject:**

RE: LATROBE PLANNING SCHEME AMENDMENT, C126 (TOONGABBIE STRUCTURE PLAN), & AMENDMENT C127 (BUSHFIRE AND RURAL REZONINGS) – NOTICE OF PREPARATION OF AN AMENDMENT

Date:

Thursday, 22 July 2021 6:56:03 PM

Attachments:

[image002.png](#)

[image003.png](#)

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Hi Ellie –

Good day! I have reviewed the amendment and can confirm that there is no impact to Telstra Fixed Access network. Thanks!

Regards,



W www.telstra.com

This email may contain confidential information.
If I've sent it to you by accident, please delete it immediately

Submission 8

From: [REDACTED]
Sent: Mon, 26 Jul 2021 10:40:40 +1000
To: Latrobe Central Email
Subject: Submission to Amendment C127 – Bushfire and Rural Rezonings
Attachments: We strongly disagree with the amendment of my area in Moe.docx

Please confirm receipt of message and attachment.

[REDACTED]

Sent from [Mail](#) for Windows 10

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Submission to Amendment C127 – Bushfire and Rural Rezonings**Attention:** Strategic Planning, Latrobe City Council, Latrobe@latrobe.vic.gov.au

Name: [REDACTED]

Address: [REDACTED]

Phone: [REDACTED]

Email Address: [REDACTED]

View on the amendment:

We strongly disagree with the amendment of our area in Moe, on Watsons Road being rezoned from Farm Zone to FZ2.

FZ2 relates to properties of a minimum subdivision area of 100 acres.

The proposed FZ2 total combined area, which we are part of, is less than 80 acres.

It is already sub-divided into 7 established lots; 3 lots being 5 acres each.

The area could not be operated as a Farm.

Clearly the combined area does not fit the Farm Zone classification.

The Rural Land Use Strategy identified a number of locations that are currently included in the Farm Zone but have been developed as Rural / Residential settlements. To quote the strategy it states:

“The Re-zoning of these areas to Rural Living Zone is considered to comply with the relevant Practice Notes and Principles outlined in the strategy.” We agree.

Our area is developed and well-established as a Rural Living area.

Rural Living Zone 1 appropriately reflects the characteristics of the land use and development of the area.

As regards the fire risk, **Re-zoning the area does not increase the fire risk.** On the contrary development of the land would provide a better interface to any potential fire hazard.

In conclusion:

considering the North boundary is Zoned Residential,

the East boundary is Zoned Rural Living

and the South boundary, above Tambo Road, is Zoned Rural Living

and we are already developed as a Rural Living settlement

and Re-Zoning the area appropriately does not increase the fire risk

- it is clear that we should be Re-zoned Rural Living Zone Schedule 1.

Submission 9

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Submission to Amendment C127 – Bushfire & Rural Rezonings

Attention: Strategic Planning, Latrobe City Council, latrobe@latrobe.vic.gov.au

Name: [REDACTED]

Address: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

View on the amendment C127:

I strongly disagree with the amendment of my property on the corner of Watsons and Tambo Roads being rezoned from Farm Zone to FZ2 and do so for the following reasons viz:

- (i) the area could not be operated as a Farm;
- (ii) FZ2 relates to properties of a minimum subdivision area of 100 acres. The proposed FZ2 total combined area, of which I am part, is less than 80 acres and is already sub- divided into 7 established lots, of which 3 are 5 acres each. As such, the combined area does not fit the Farm Zone classification;
- (iii) the most recent Rural Land Use Strategy identified a number of locations that are currently included in the Farm Zone but have been developed as Rural / Residential settlements. I agree that the rezoning of these areas to Rural Living Zone is considered to comply with the relevant Practice Notes and Principles as outlined in the strategy. However, the area is developed and well established as a Rural Living area and Rural Living Zone 1 would appropriately reflect the characteristics of the land use and development of the area;
- (iv) Rural Living Zone 1 rezoning would allow provision for smaller landholdings for the area and would allow for better land management of the fire risk of the area and any design and construction of new dwellings would be need to be consistent with the bushfire overlay of the area;
- (v) with the areas to the south and east adjoining my property being proposed for reclassification to Rural Living Zone 1, it would also be a natural progression for my property to be similarly rezoned. From the perspective of bushfire, the development of my property from FZ2 to Rural Living Zone 1 would provide a better interface to the fire hazard in the south west. For example: dwellings built to respond to the hazard, perimeter road and reduction in the vegetation corridor that spreads through the subject lots from the hazard into the established, nearby urban area;

- (vi) my property, which from the air, shows some parts with a tree canopy, has absolutely no undergrowth apart from a small patch in one corner of it.

With reference to items (iv) and (v) and (vi) overleaf, I speak from a place of knowledge. I have been a member of the CFA for 40 years, and a foundation member of the Moe South fire brigade where I have held a variety of leadership positions over the years and of which I am still a member. I have also been a member on the Narracan Group of fire brigades, a member of the CFA Region 9 Council, involved on a number of Municipal fire prevention committees, and have participated in, at a leadership level, a number of campaign fires both local, within Victoria and interstate. As such, I am acutely aware of the bushfire menace and would not be submitting my objection to this amendment if I did not think it was feasible to consider a change to my property from Farm Zone 2 to Rural Living Zone 1.

oOo

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Submission 10

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29/07/2021

Attention: Strategic Planning Latrobe Shire

We the Property owners of [REDACTED] object to the decision made by the Strategic Planning Department under the C127 amendment.

As per our previous objection and submission given at the Churchill Football club to the Victorian Planning representatives, we strongly believe that the above-mentioned property be Rezoned as per the surrounding properties along 3 title boundaries i.e., Rural Living.

The property consists of 2/3 cleared pasture that is of low Fire Risk adjacent to Wirraway Street and within 500 metres of the Moe Residential Zoning area.

We acknowledge that the CFA has placed Fire overlays over the Moe South area but do not agree with this position.

We have received notice recently about the Delburn Windfarm development in which Turbine 3 is proposed to be constructed within 6 kilometres of our Title boundary at the South/East corner at Lynne Avenue Moe South.

Should this Development be approved by the State Planning minister and Latrobe Shire Strategic Planning Group it will completely contradict the position taken by the Latrobe Shire Strategic Planning Group in regard to the matter we have raised and the impact of the CFA Overlays in the Moe South area.

The Delburn Windfarm will be constructed in the CFA overlay area in Plantation and adjacent to native vegetation. CFA arial firefighting has been a major part of defending Life and Property from the risks of Fire in the Latrobe Shire and surrounding Shires in recent years including the Black Saturday Fires.

CFA arial firefighting will not be possible in the vicinity of the Proposed Windfarm and increase the Risk to Life and Property.

We would expect that if the Delburn Windfarm is approved that our request for our property to be Rezoned Rural Living as per surrounding properties be accepted by the Strategic Planning Department of the Latrobe Shire.

[REDACTED]

Submission 11

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From: [REDACTED]
To: [Latrobe Central Email](#)
Subject: Strategic Planning Department
Date: Sunday, 1 August 2021 11:31:25 AM

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Latrobe City Council
Attention: Strategic Planning Department
PO Box 264
Morwell Vic 3840

Re: Amendment C127 Bushfire and Rural Rezoning

Whilst generally supportive of the initiative as presented, **we object to the above amendment in its current form** and believe the land identified as *Hazelwood North – Precinct C* should be included in the rural rezoning amendment.

As identified by Council, there is overwhelming commercial demand for rural living allotments within Latrobe City, the majority of this in in the Hazelwood North area. Vacant land in the area is minimal and there is increasing demand for these lots when they become available for purchase. Hazelwood North's location is a key factor to this demand being centrally located to the townships of Traralgon, Morwell and Churchill which all provide various facilities and services to support living in Hazelwood North. This is in contrast to areas like Toongabbie which is significantly more remote.

Out of all the areas for rezoning put forward by Council, we believe the *Hazelwood North – Precinct C* is the best from an overall perspective. As mentioned above the access to amenity is important with 10 mins to each of the townships of Traralgon, Morwell and Churchill. We acknowledge the importance of bushfire in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. Therefore, the assessment of such sites should be balanced and take into account the various opportunists and constraints rather than just bushfire.

We would like to make a comparative with the land that is proposed for rezoning to rural living in Tyers and the *Hazelwood North – Precinct C*. The Tyers site is identified in the Latrobe City Municipal Bushfire Risk Assessment that the land was a quarry that has been rehabilitated and that a submission was received through Live Work Latrobe requesting this parcel be zoned to Rural Living Zone. We have applied for a Section 96a rezoning and subdivision application which included a detailed assessment of the site, surrounds and future development potential and consisted of:

- Site and Context Plan
- Proposed Plan of Subdivision
- Landscape Concept Plan
- Vegetation Removal Plan
- Bushfire Management Plan

- Planning Report
- Biodiversity Assessment Report
- Stormwater Management Plan
- Traffic Report
- Bushfire Management Statement
- Economic Analysis
- Infrastructure Servicing Report

While the response from the CFA on this proposal wasn't overwhelmingly positive, we have since discussed various options to try to address the CFA concerns with an alternate lot layout and improvement from the existing interface to farmland. We would also like to draw attention to the fragmented land in the Hazelwood North – Precinct C location. There are various small farming zone parcels that front Clarke's Road and abut the mentioned site. The existing zone boundary doesn't match the current land use and the current risk to these properties should be considered in any assessment.

We have read the Latrobe City Municipal Bushfire Risk Assessment and our opinion is that the document and assessment process is flawed. **We believe the assessment should consider the risk of the existing/current conditions versus the risk of the proposed conditions (if a rezoning was to occur) rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.** As identified in the risk level scoring, sites with a score of 29 or less identify that development can reduce the risk to adjoining land and on the site. We believe the score of 30 attributed to *Hazelwood North – Precinct C* is close to this and with a suitable subdivision design the proposal could assist in reducing risk. The proposal does not adequately address the gap in zoning between existing settlement and Precinct D.

The precinct score assigned to each of the Tyers and Hazelwood North precincts is extreme. In fact, the overall score for the Tyers site is 39 which is higher than the 30 allocated to Hazelwood North. We would also like to note that the score of 30 for the Hazelwood North site sits just above a score 29 which would place the site in a lower risk level where development would likely reduce the risk to adjoining land and on the site.

Thank you for the opportunity to provide a submission on this proposed amendment, we look forward to the next part of this process.

Regards,

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

Submission 12

From: [REDACTED]
Sent: Monday, 2 August 2021 3:33 PM
To: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>
Subject: [REDACTED]

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Attention: Strategic Planning Department
Re: Amendment C127 Bushfire & Rural Rezoning

Dear Sir/Madam,

I am a Hazelwood North resident who is interested in purchasing vacant residential land in our area. Hazelwood North is a highly sought-after area for potential purchasers (like myself) and there is minimal vacant land currently available. I support the development and subdivision of the above property in order to allow our area to grow and also to protect neighbouring property in the event of natural disaster.

I do however, object to the above amendment in the current form and believe the land identified as "Hazelwood North - precinct C" should be included in the rural rezoning amendment. I believe "Hazelwood North - precinct C" is the best area for rezoning as our area is in prime position between each township of Morwell, Traralgon and Churchill being that all towns are only 10 minutes away. I understand the importance of bushfire awareness in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development as there will always be some risk due to the typical rural landscape. The assessment of such sites should take into account the various opportunities and constraints, rather than just the constraint of bushfire.

I believe the Bal rating applied to the above property is excessive as the above property is westerly facing with the ridge on the eastern side of the proposed subdivision. Being local to the area, I advise the weather predominantly comes from the west. In my opinion, development of the above property would likely reduce the risk of the land adjoining the above property in the event of a bushfire. As well as expand our community and allow more people to enjoy our great area.

Thank you for the opportunity to provide my opinion on the proposed amendment.

Regards

[REDACTED]
[REDACTED]
[REDACTED]

Submission 13

Department of Environment,
Land, Water & Planning

71 Hotham Street
Traralgon Victoria 3844
Telephone: +61 3 5172 2111
www.delwp.vic.gov.au

30 July 2021

Steven Piasente
Chief Executive Officer
Latrobe City Council
141 Commercial Road
MORWELL VIC 3840

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By email: latrobe@latrobe.vic.gov.au

Our ref: SP476573
Your ref: Am C127

Dear Mr Piasente

PROPOSAL: AMENDMENT C127 TO THE LATROBE PLANNING SCHEME
PROPOSER: LATROBE CITY COUNCIL

Thank you for your correspondence received 24 June 2021 consistent with section 19 of the *Planning and Environment Act 1987*.

Council has given the Department of Environment, Land, Water and Planning (DELWP) notice of a proposed planning scheme amendment that seeks to implement recommendations of the draft *Latrobe City Municipal Bushfire Risk Assessment 2020* and draft *Latrobe City Rural Living Strategy 2020* into the Latrobe Planning Scheme.

DELWP has considered the above application and **does not oppose** the amendment.

If you have any queries, or require clarification please contact gippsland.planning@delwp.vic.gov.au.

Yours sincerely

Elaine J Wood
Planning Approvals Program Officer
Gippsland Region

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



OFFICIAL

Supporting InformationContext

The Amendment proposes the following changes to the Scheme:

- *Changes to the Planning Policy Framework to introduce the Municipal Landscape Bushfire Risk Map and associated strategies*
 - amend Clause 02.03 (Strategic Directions) to include strategies relevant to bushfire risk;
 - amend Clause 02.04 (Strategic Framework Plans) to incorporate the recommendations of the draft Latrobe City Municipal Bushfire Risk Assessment 2020 which includes the introduction of the Municipal Landscape Bushfire Risk Map;
 - amend Clause 11.01-1L (Tyers) to update the Tyers Town Structure Plan to remove an area from 'Future rural living';
 - amend Clause 12.03-1L (Rivers and Waterways) to include strategy relevant to bushfire risk;
 - insert Clause 13.02-1L (Municipal Landscape Bushfire Risk Areas) to include policy relevant to bushfire risk;
 - amend Clause 14.01-1L (Subdivision in Farming Zone Schedule 1) to include additional strategies around bushfire risk and subdivision design;
 - amend Clause 14.01-3L (Forestry and Timber Production) to include strategies that address bushfire risk in relation to timber production;
 - amend Clause 15.01-3L (Subdivision Design) to include additional strategies around bushfire risk and subdivision design;
 - amend Clause 16.01-3L (Rural Residential Development) to support further analysis of areas identified for future rural living in the Rural Framework Plan;
 - amend Clause 17.04-1L (Major Attractions and Commercial Tourism in Latrobe) to include strategies that address bushfire risk in relation to rural tourism; and
 - amend Clause 17.04-1L (Facilitating Rural Tourism) to include strategies that address bushfire risk in relation to rural tourism;
 - amend the Schedule to Clause 72.03

The Amendment proposes to rezone land in accordance with the Rural Living Strategy as follows:

- rezone land in Boolarra, Koornalla, Moe South, Traralgon South, Tyers and Yinnar from Farming Zone, Schedule 1 to Farming Zone, Schedule 2;
- rezone of pockets of land in Flynn, Hazelwood North and Toongabbie from Farming Zone, Schedule 1 to Rural Living Zone, Schedule 1 and Schedule 2;
- rezone 106 Tyers-Walhalla Road, Tyers from Special Use Zone, Schedule 6 to Rural Living Zone Schedule 1; and
- other rezonings to fix anomalies.

The Amendment proposes to apply and amend overlays for increased bushfire protection by:

- introducing a new Schedule 12 to the Design and Development Overlay to be applied to land in Boolarra and Toongabbie;
- introducing a new Schedule 10 to the Development Plan Overlay to be applied to new greenfield rural living precincts in Toongabbie; and
- updating of the mandatory conditions in Schedule 1 to the Bushfire Management Overlay

Submission 14

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, 3 August 2021 10:16 AM
To: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>
Subject: [REDACTED]

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“Attention: Strategic Planning Department
Re: Amendment C127 Bushfire & Rural Rezoning

Dear Sir/Madam,

I am a South Gippland resident who is interested in purchasing vacant residential land in our area. Hazelwood North is a highly sought-after area for potential purchasers (like myself) and there is minimal vacant land currently available. I support the development and subdivision of the above property in order to allow our area to grow and also to protect neighbouring property in the event of natural disaster.

I do however, object to the above amendment in the current form and believe the land identified as "Hazelwood North - precinct C" should be included in the rural rezoning amendment. I believe "Hazelwood North - precinct C" is the best area for rezoning as our area is in prime position between each township of Morwell, Traralgon and Churchill being that all towns are only 10 minutes away. I understand the importance of bushfire awareness in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development as there will always be some risk due to the typical rural landscape. The assessment of such sites should take into account the various opportunities and constraints, rather than just the constraint of bushfire.

I believe the Bal rating applied to the above property is excessive as the above property is westerly facing with the ridge on the eastern side of the proposed subdivision. Being local to the area, I advise the weather predominantly comes from the west. In my opinion, development of the above property would likely reduce the risk of the land adjoining the above property in the event of a bushfire. As well as expand our community and allow more people to enjoy our great area.

Thank you for the opportunity to provide my opinion on the proposed amendment.

Regards
[REDACTED]

From: [REDACTED]
Sent: Tuesday, 3 August 2021 11:40 AM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Subject: Comments regarding C126/7

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Dear Kristy,

Thankyou for the opportunity to discuss the proposed planning amendment as part of your presentation of the amendment to those in the community who are interested in planning for the future.

Users of the Latrobe Planning scheme comprise a range of skills from unskilled residents to lawyers. The planning scheme should be readily understood by all these users without the need for planners, lawyers or councillors to 'creatively interpret' the scheme.

The State Government has moved along the simplification path by creating the 'New Format' schemes. But the Latrobe Planning Scheme seems to be introducing far greater need for 'interpretation'. This will cause **even** more applications to be referred to VCAT. This is undesirable.

Latrobe City also appears to be out of step with the general preservation of life safety. An example is the suggestion that it **even** considered making Koornalla a rural living zone. Greater consideration should be given to, perhaps, restructuring the district to reduce the population exposed to natural disasters. If that means the population of Latrobe City is constrained geographically then perhaps the overarching land use strategy is flawed by not intensifying population in safe townships.

However, it does appear most of the problems occur with Councillors choosing to go against the planning scheme, either with planners assistance or without.

It is suggested the ability of Planners or Council to exercise their discretion is removed in favour of a explicit direction within the Planning Scheme.

The following are some specific comments

1. FZ2 area of Koornalla is an area of fire, flood and landslip risk. It is unclear what changing the zoning from FZ1 to FZ2 is intended to achieve. The minimum as of right size (Preferred parcel size) was 40Ha prior to FZ1 being introduced. The properties in the proposed FZ2 zone appear to all be much less than 40Ha. The majority comply with both use and land size requirements for a Rural Living zone. However, it is noted that the CFA and Fire Risk Engineers, understandably, do not support an RLZ. Some properties in the proposed FZ2 zone of Koornalla were purchased by State Government as part of the voluntary 'buy back' of properties that were destroyed in the 2009 bushfires and were deemed unsuitable to be rebuilt. This suggests some parts of the proposed FZ2 are unsuitable for either development or continued occupation as residential land. It is suggested that this entire area should be considered for restructure to enable uses which do not require permanent habitation during the scheduled fire season.

2. There is a significant risk some of the larger parcels can be subdivided. subdivision below 40Ha is not prohibited nor is a dwelling below 40ha. Both these undesirable possibilities are likely to be achieved by Council exercising its discretion. This is because in extreme natural hazard areas Latrobe City has demonstrated it will do this at the peril of residents and ratepayers. As I was advised by Planning, during their presentation of the proposed rezoning, there is no control over Council decisions to ignore guidance of the planning scheme. Therefore subdivision and dwellings on lots below 40ha should be a prohibited use throughout the Koornalla, Collingee and Traralgon South districts.

It is suggested that dwellings and subdMs/on are prohibited on any undersized lots within a bushfire overlay.

3. The area of proposed FZ2 identified closer to Traralgon South Township does not appear to achieve anything constructive; unless it is intended for Council to exercise its discretion in the future to allow subdivision and dwellings in this area. The land is presently largely occupied by a functioning Dairyfarm which has operated for many generations of the same family. It must be successful or it would no longer be in operation. It is presently for sale as an entire, working dairyfarm, not individual lots. The land is not Class 4 or 5 it is, in fact, Class 2 and 3. This is a significant issue with respect to preserving agricultural land and it should not be sacrificed for residential use. Similarly, land further to the north is classified as Class 4 but is outside the proposed FZ2 area and is currently used as a successful farm and provides an essential buffer against bushfire to Traralgon South township.

It is suggested the area along Traralgon Creek and Traralgon creek Road is retained as broad acre farming (FZ1)

4. The area discussed in item 3 also provides a bushfire safety buffer to Traralgon South Township and is also adjacent to the main egress route from Koornalla. As such there should be no consideration of reducing the size of lots or the type of usage as they will attract more vegetation hazard to the township.

It is suggested the area along Traralgon Creek and Traralgon creek Road is retained as broad acre farming (FZ1)

5. The areas of RLZ around Collingee and Loy Yang Park are either RLZ3 or 4. Most of the lots are less than the scheduled size for as of right subdivision or dwellings. If there is a concern about security to use the land for residential purposes it would make sense for this strategy to reclassify these areas to reflect the actual use and lot size. However, it is understood this may not be endorsed by the CFA or any fire consultant.

It is suggested that consideration be given to restructuring areas of high natural hazard to create a safer environment for remaining residents.

6. The Rural Strategy has included a proposed amendment to Clause 13.02 that will consider a large shed. It is unclear why this particular structure has been singled out. The strategy should detail why this type of structure is particularly concerning to the management of a BPA/BMO. The description of 'large shed' makes no reference to anything. How big is large? To an urban lot a large shed could be in excess of 2 square metres, to a rural lot 150 square metres is only starting to get large. Therefore determination of what constitutes a large shed will eventually just rest with an individual planners 'interpretation' which could easily then send an application off to VCAT to determine what constitutes a 'large shed'. The Ordinance makes little reference to a shed and it is not a defined structure. The proposal to consider the fire impact of the shed should also cover any building or works. For example a roof over a haystack is not a shed! It is hay storage, especially if it doesn't have any sides to it. Then, if it does have sides it is a lesser fire hazard than an open haystack. Similarly, a hayshed is less risk than a shed containing cars, caravans and etc due to the temperature and volatility of those sorts of items within the shed. It is the content of the shed that represents a hazard as well as its location. It is unclear how Council can control what is contained within a shed. In comparison the impact of a dwelling (Accommodation) is readily estimated. Alternatively you may like to consider just deleting this specific reference to a shed as it is just introducing another provision for no apparent reason. It is suggested that generic but undefined terminology should not be introduced by Latrobe City unless it applies across all planning schemes. It is preferable that terms already defined in the Latrobe Planning Scheme are used. Similarly a requirement for interpretation by statutory planners should be eliminated.

These comments are not exhaustive and no doubt more issues will be identified as discussion continues.

Kind Regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Submission 16



Department of Transport

120 Kay Street
Traralgon, VIC 3844 Australia
Telephone: +61 3 5172 2319
www.transport.vic.gov.au
DX 219286

Ref: DOC/21/111662

Latrobe City Council
Strategic Planning Department
PO Box 264
MORWELL VIC 3840

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To the Strategic Planning Department,

LATROBE PSA C127 – BUSHFIRE RISK ASSESSMENT & RURAL LIVING STRATEGY

I am writing in response to the exhibition of Planning Scheme Amendment C127 which seeks to introduce the recommendations of the draft Latrobe City Municipal Bushfire Risk Assessment 2020 and draft Latrobe City Rural Living Strategy 2020 into the Latrobe Planning Scheme.

The Department of Transport has no objection to the proposed amendment, however we do request the following items be included under schedule 10 to Clause 43.04 Development Plan Overlay:

The Development Plan should include:

- The whole development area (eg DPO10)
- Bus capable routes (if applicable)
- Path network

The Traffic Impact Assessment to be provided as part of the Development Plan Overlay should address the impact of the development on the intersections of:

- Traralgon-Maffra Road & Afflecks Road;
- Traralgon-Maffra Road & Nippe Lane; and
- Traralgon-Maffra Road & Sparks Lane.

Thank you for the opportunity to comment on this amendment. The draft Latrobe City Municipal Bushfire Risk Assessment 2020 and draft Latrobe City Rural Living Strategy 2020 are both significant pieces of work which will be great reference documents for future planning in Latrobe.

Yours sincerely

[Redacted signature]

29 / 07 / 2021



Submission 17

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26th July 2021

Lalrobo City Council

Attention: Strategic Planning Department

Re: Amendment C127 Bushfire and Rural Rezoning

I would like to state that I am very supportive of the proposed subdivision as there is a high demand for rural living allotments in the area of Hazelwood North in particular. I have recently sold a block in this area and had a number of potential buyers waiting to make an offer if the sale had fallen thru. Hazelwood North is a highly sort after area because of the rural setting and the central location to the 3 major townships and the amenities they provide being Morwell, Traralgon and Churchill. A large area of Hazelwood north has already been subdivided into 5 acre lots and a smaller cluster of allotments in the area also.

I agree with the importance of bushfire awareness but I believe that the Bal rating that has been applied to [REDACTED] proposal is over the top, unrealistic and unnecessary. My residence is merely 1kilometer away and having done recent renovations my rating is Bal 19. I have also been made aware that the residence on [REDACTED] are under a bal 12 rating. The proposed site at [REDACTED] is westerly facing with the ridge on the eastern edge of the subdivision. I would hope that you consider that 99% of the weather comes from the west and if for some reason a fire was to come from the east, it is my understanding that a fire would be a slow burn up to that eastern ridge.

With the consideration of the surrounding Bal Ratings, the lay of the land and the weather direction, I would hope that you would consider the gap with the existing and the proposed subdivision of a Bal 30 is extreme and not in perspective with what is required in this area.

Thank you for the opportunity to provide my local Knowledge on this proposed amendment and I look forward to seeing community growth and development.

Regards

[REDACTED]

Submission 18



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WGCMA Ref: WGCMA-F-2021-00520
Document No: 1
Council Ref: Amendment C127
Date: 04 August 2021

Kristy Crawford
Strategic Planning Department
Latrobe City Council
PO Box 264
Morwell Vic 3840

Dear Kristy,

Regarding: Planning Scheme Amendment - Amendment C127

Thank you for your correspondence received at the West Gippsland Catchment Management Authority ('the Authority') on 28 June 2021 in relation to Amendment C127 - Bushfire & Rural Rezonings. The Authority understands that the Amendment implements and facilitates the directions set out within the Rural Living Strategy 2020 and the Latrobe City Municipal Bushfire Risk Assessment 2020.

The Authority has reviewed the Amendment C127 documentation and does not object to the proposed amendments to the Latrobe Planning Scheme.

Should you have any queries, please do not hesitate to contact Ben Proctor on 1300 094 262 or email planning@wgcm.vic.gov.au. To assist the Authority in handling any enquiries please quote **WGCMA-F-2021-00520** in your correspondence with us.

Yours sincerely,



The information contained in this correspondence is subject to the disclaimers and definitions attached.

Definitions and Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority

2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.

3. **AEP** as Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

4. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.

5. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100 year ARI flood will occur on average once every 100 years.

6. Nominal Flood Protection Level – is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.

7. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.

8. This letter has been prepared for the sole use by the party to whom it is addressed and no responsibility is accepted by the Authority with regard to any third party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.

9. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.

10. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.

Submission19

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██████████
██
██████████
Amendment Number: C127

Your views on the amendment (support or object): Support Amendment

What you would like to planning authority (usually Council) to do:

Rectify land zoning anomaly regarding ██████████

Overall Amendment C127 objective - Rezoning land to fix anomalies

Contention: To Re-establish ██████████ to its original, as purchased, Rural Living zone, so planning and building options available within this zoning are honoured, albeit, that these would understandably have to comply with contemporary Bushfire overlay conditions. Despite our ongoing efforts to have this situation examined over a number of years, the minimal rectification has caused financial hardship and much uncertainty. A catch 22 now exists, due to financial uncertainty about its “farming zone” classification, this property is deemed high risk by financial institutions, and can not be used as a source of equity to proceed with any future building plans on the property.

Focus Point 1 – Anomaly in present, unjust, Farming Zone classification of ██████████

██████████ -In regards to its Original Zoning – Rural Living Zone

***Amendment C105 Planning Comment-** Land was Zoned Rural B Zone for Rural residential in 1977. In the New Format Planning Scheme of 2000, the Land is Zoned Rural Zone which was translated to the current Farming Zone. No further zone Changes have occurred since 2000. (Document 1)*

Contention – A breach of the Planning and Environment Act 1987 has occurred against the owners of Lot 21 Pincini court being Tristan Stewart and Peta Macgregor and that the current zoning of Farming Zone 1 is both unjust and inappropriate to the property. The Section 32 of the sale of land, purchased in 2003(document 2), plainly states that ██████████ was part of ██████████ with its property zoning and/or reservation as Rural Living with the responsible authority being La Trobe shire Council (document 2 and 3a-c). No known correspondence was ever given to the owners of the *translation* to Farming zone in the 12 years between the 2003 purchase and 2015. (The rezoning was found by default in inquires made to a financial institution in January 2018).

The Planning and Environment Act of 1987 states,

[Planning and Environment Act 1987 \(legislation.vic.gov.au\)](http://legislation.vic.gov.au)

Planning and Environment Act 1987 No. 45 of 1987**19 What notice of an amendment must a planning authority give?**

(1) A planning authority must give notice of its preparation of an amendment to a planning scheme—

(a) to every Minister, public authority and municipal council that it believes may be materially affected by the amendment; and

S. 19(1)(b)
amended by
No. 86/1989
s. 4(2)(a).

(b) to the owners (except persons entitled to be registered under the **Transfer of Land Act 1958** as proprietor of an estate in fee simple) and occupiers of land that it believes may be materially affected by the amendment; and

(c) to any Minister, public authority, municipal council or person prescribed; and

S. 19(1)(ca)
inserted by
No. 100/2000
s. 5(1).

(ca) to owners (except persons entitled to be registered under the **Transfer of Land Act 1958** as proprietor of an estate in fee simple) and occupiers of land benefited by a registered restrictive covenant, if the amendment provides for the removal or variation of the covenant; and

(d) to the Minister administering the **Land Act 1958** if the amendment provides for the closure of a road wholly or partly on Crown land.

S. 19(1A)
inserted by
No. 128/1993
s. 5.

(1A) Subject to subsection (1C), the planning authority is not required to give notice of an amendment under subsection (1)(b) if it considers the number of owners and occupiers affected makes it impractical to notify them all individually about the amendment.

Cont.- The owners (*occupiers of land that it believes may be materially affected by the amendment*) as the highlighted segment of the act states, believe that they **were not** given any notice of the change from Rural Living zone to Farming zone 1. Again, we believe this translation to Farming Zone 1 has occurred in the years between purchase in 2003 and 2015. “*If no further land zone changes have occurred since 2000*” (Document 1), then by right, the Rural Living Zone stated on the 2003 Section 32 would still hold true, rather than its Farming Zone 1 classification.

Overall Amendment C127 objective - Rezoning land to fix anomalies**Focus Point 2 – Anomaly in present, unjust, Farming Zone 1 classification of [REDACTED]**

[REDACTED] -In regards to being inappropriately classified within its current Farming Zone 1 and Farming Zone 2 Framework

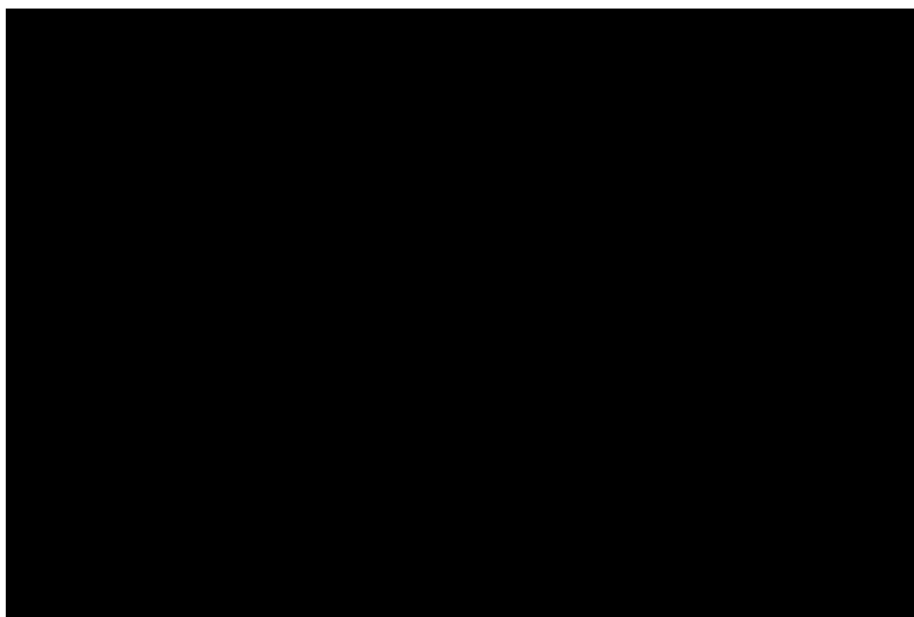
Amendment C105 Planning Comment-

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

Contention- As stated before, [REDACTED] was part of [REDACTED] with its property zoning and/or reservation as Rural Living. Subdivision 505025U is adjoined by Bunderra Drive to the south and East, which has retained its original Rural Living Zone and Darlimula/Todds/McIntosh's/Hirst's Roads to the far North, again who have retained their Rural Living Zone. [REDACTED], as well as the whole of [REDACTED] has been identified as an area of investigation for Rural Residential Living on page 67 of the Rural Land Use Strategy prepared by Latrobe City, May 2019. [REDACTED] was the final stage of the Bunderra Drive subdivision and was completed in 2003 offering Rural Living zones to purchasers.

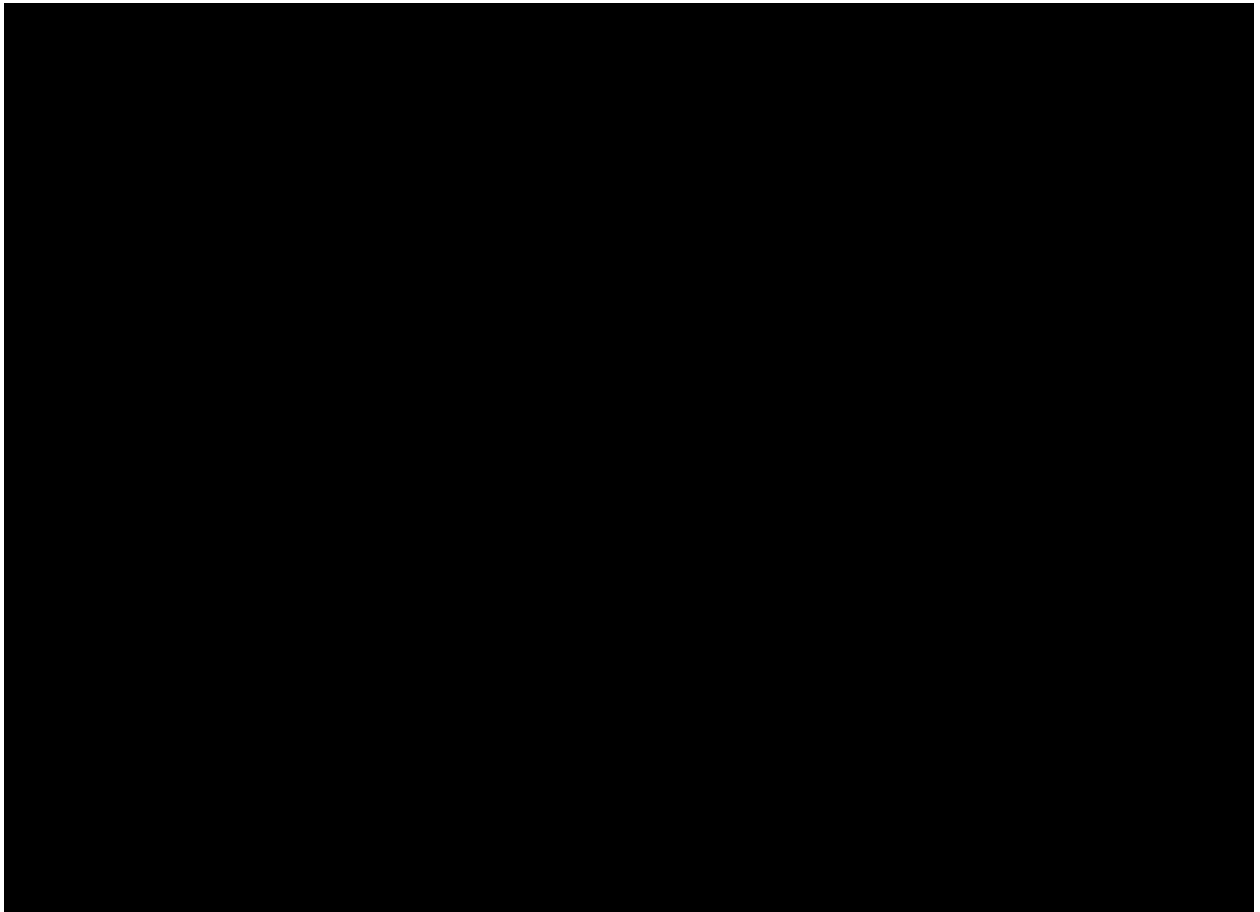
Figure 29 from the Rural Land Use Strategy prepared by Latrobe City, May 2019 – Page 67

[REDACTED]



Like the majority of Rural living zone properties shaded in pink (figure 29) [REDACTED] [REDACTED] is roughly 2 hectares (2.29Ha), and cannot be deemed as farming Zone 1 or Farming Zone 2.

[REDACTED] would be deemed , Rural Living Zone Schedule 3 by definition, in the Rural Land Use Strategy prepared by Latrobe City, May 2019. The size and location (within other Rural Living Zone properties) of this property make in unsuitable for any farming practices, and it does not impede the “Agricultural capability” or further development capability of the surrounding properties due to their Rural living Zone classification.



Focus Point 3 – Bushfire Overlay and Latrobe City Bushfire Risk Assessment –

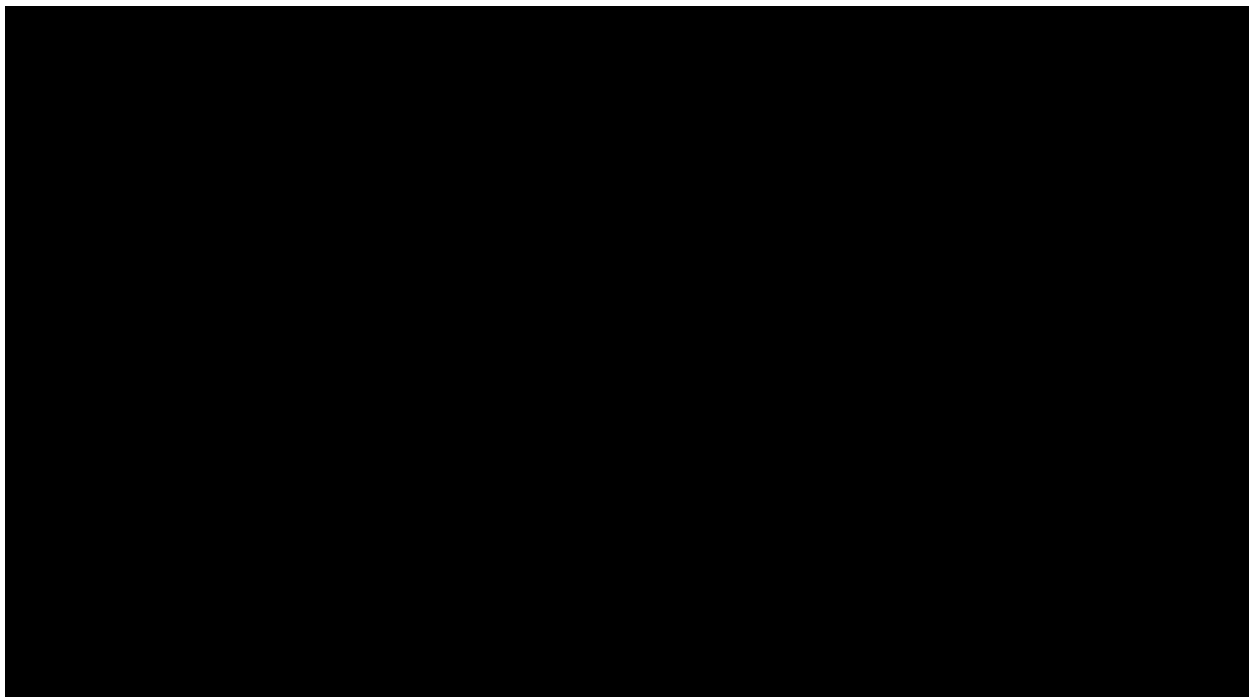
In regards to [REDACTED]

***Personal Note** Unfortunately what the Bushfire overlay and the Bushfire Risk assessment may not encapsulate is personal experience. I spent 24 hours on a private property on the north border (McIntosh's Road) of Boolarra precinct A (extreme) in the 2009 Delburn Fire. We, a collective of many individuals, with fire resources withdrawn from us (save air support), were able to defend and save properties in our immediate area. This in large part was due to the Fire readiness and prior fire planning of these properties. I would not claim lot [REDACTED] to be "fire prepared" if I was not 100% certain that every risk had been considered in any planning to build a dwelling on the property that would ultimately endanger my family in the face of Bushfire.

Contention: Although [REDACTED] resides in Boolarra precinct H, identified as extreme(red), it is a meticulously maintained and defensible property that *exceeds* Bushfire Overlay/CFA requirements. It also exists in an area that houses have continued to be built in since the 2009 Delburn bushfire and application of the Bushfire Overlay, despite these themselves being in extreme (red) risk category (Boolarra Precinct A). The Owners have taken considerable actions to reduce the risk factors on this property, and would challenge any notion that it does not exceed BMO or Latrobe Risk Assessment recommendations. It is worthy to note, that in the 2009 Delburn fire there was no significant damage to grass/pasture areas (where building would occur) on the property. This property is defensible from all the likely directions identified in the Bushfire Risk Assessment Plan.

Municipal Bushfire Risk Assessment prepared by Latrobe City – Page 67

[REDACTED]



Illustrated defendable space in relation to likely directions of fire as shown in above projections Figure 27 from Municipal Bushfire Risk Assessment



Above , from North, over 150 metres of defendable space (*only10 metres required by BMO) between boundary and proposed house site (where cars are in picture)



Above , from West , over 65 metres of defendable space (*only10 metres required by BMO) between boundary and proposed house site (where cars are in picture). [REDACTED] (foreground) would be considered an additional firebreak to this 65metres.

***Bushfire Management Overlay definition of defendable space (in brief)**

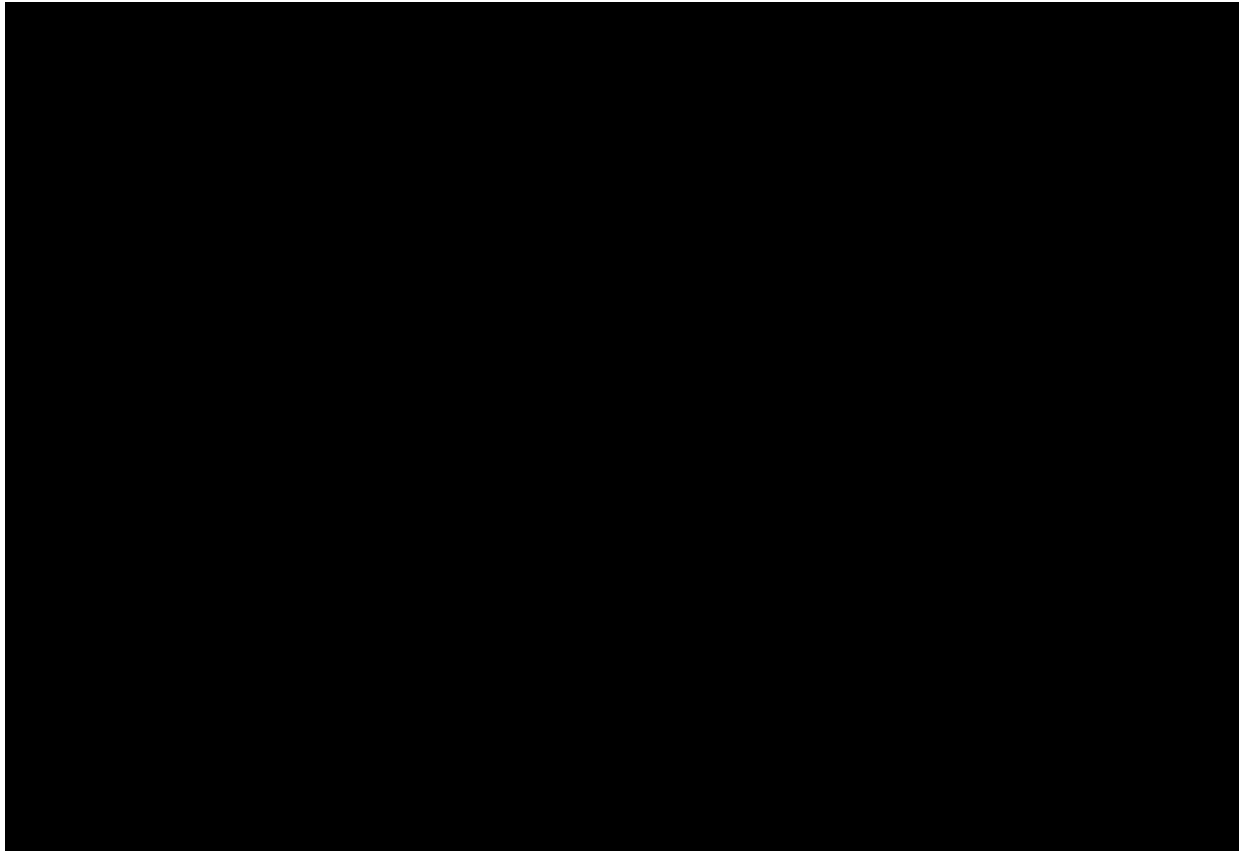
The BMO requires the creation of defendable space at the local level through the allocation of requirements in the Planning Permit. These requirements can also be used to guide the creation of defendable space for other purposes including existing dwellings and community infrastructure. The BMO requirements are:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

<https://www.cfa.vic.gov.au/documents/20143/69511/CFA-BMO-Defendable-space-Aug-14.pdf/3b306f02-ac41-7110-ec40-68f0acd6a64a> 34https://www.planning.vic.gov.au/data/assets/pdf_file/0015/80016/Technical-Guide_Planning-Permit-Applications-Bushfire-ManagementOverlay_Sept-2017.pdf Latrobe City Council - Municipal Bushfire

Final Consideration

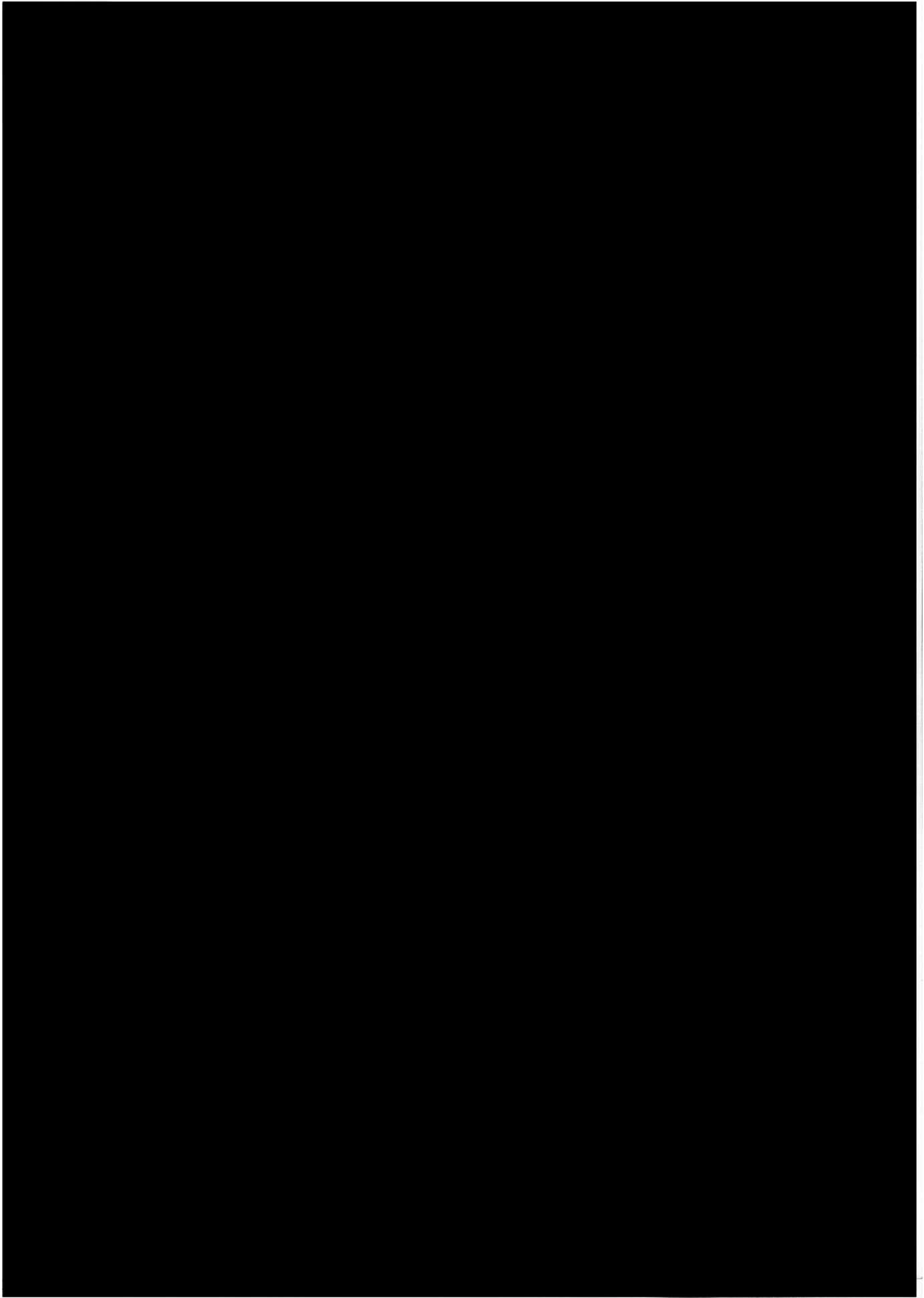
The following map is from the Latrobe LGA/Delburn windfarm (OSMI website), it is of particular note that there is a nominated future dwelling (bright green) in the top central region of the Map, on McIntosh's Road. McIntosh's Road adjoins HVP plantations. It is inconceivable that [REDACTED] could be anymore at risk than this area, the fact that McIntosh's Road was the "frontline" in Boolarra in part of the 2009 Delburn fire complex is proof of this. This map also indicates the Housed Rural Living Zone properties that surround 21 Pincini Crt (orange). This again highlights the anomaly of the current inappropriate Farming Zone 1 classification that is applied to [REDACTED], and our reason to have it restored to Rural Living Zone.

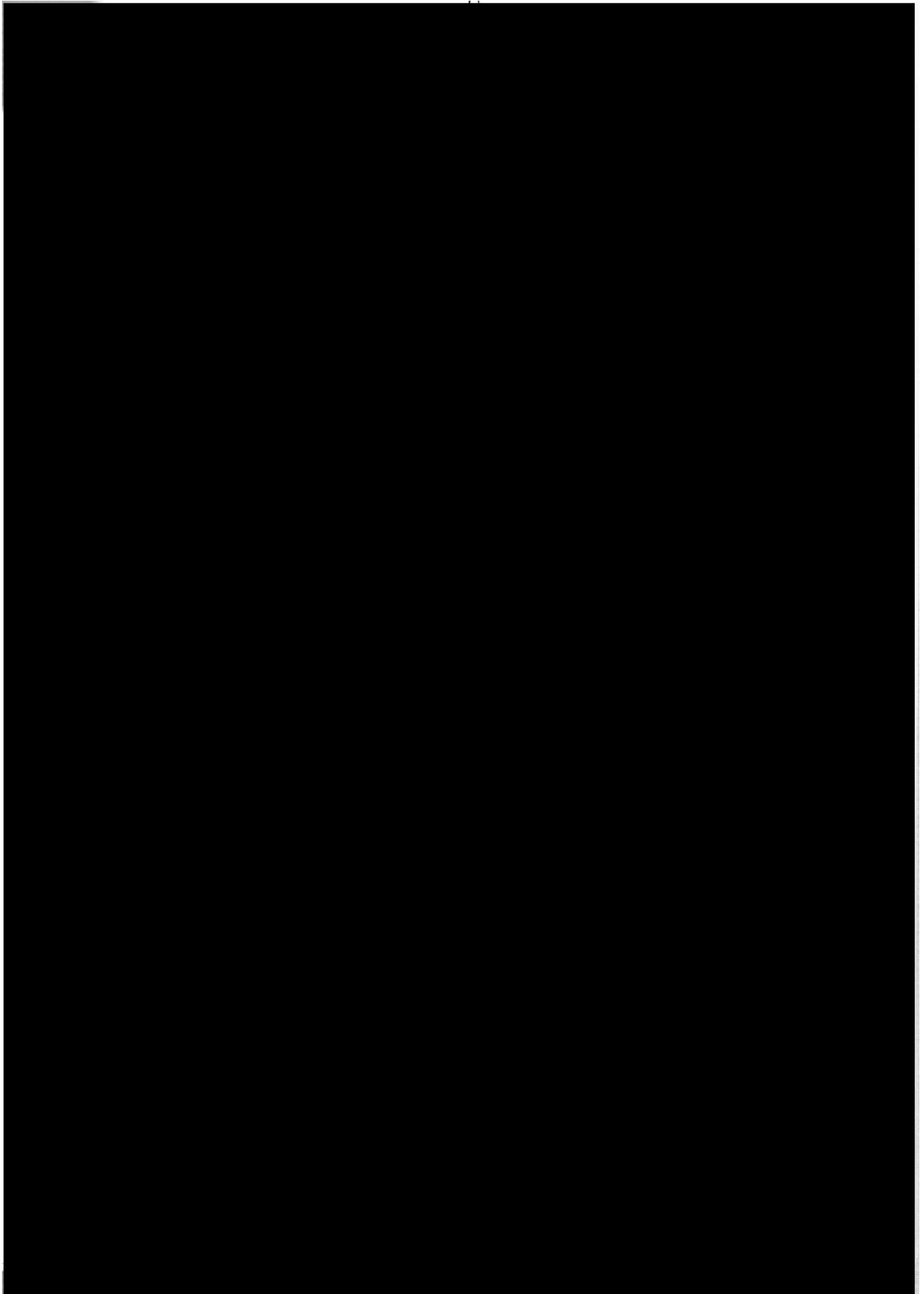


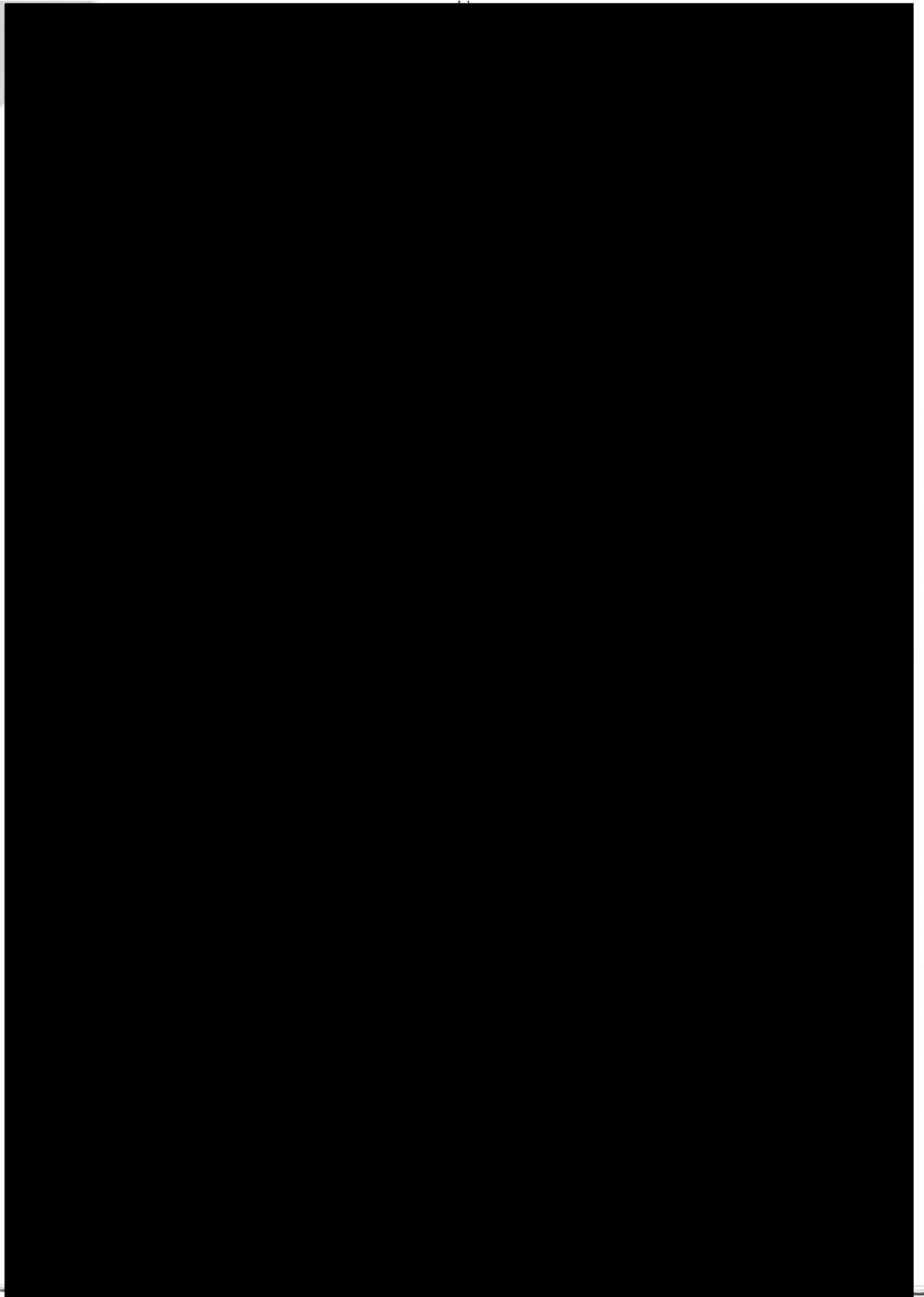
Thank you for your consideration,

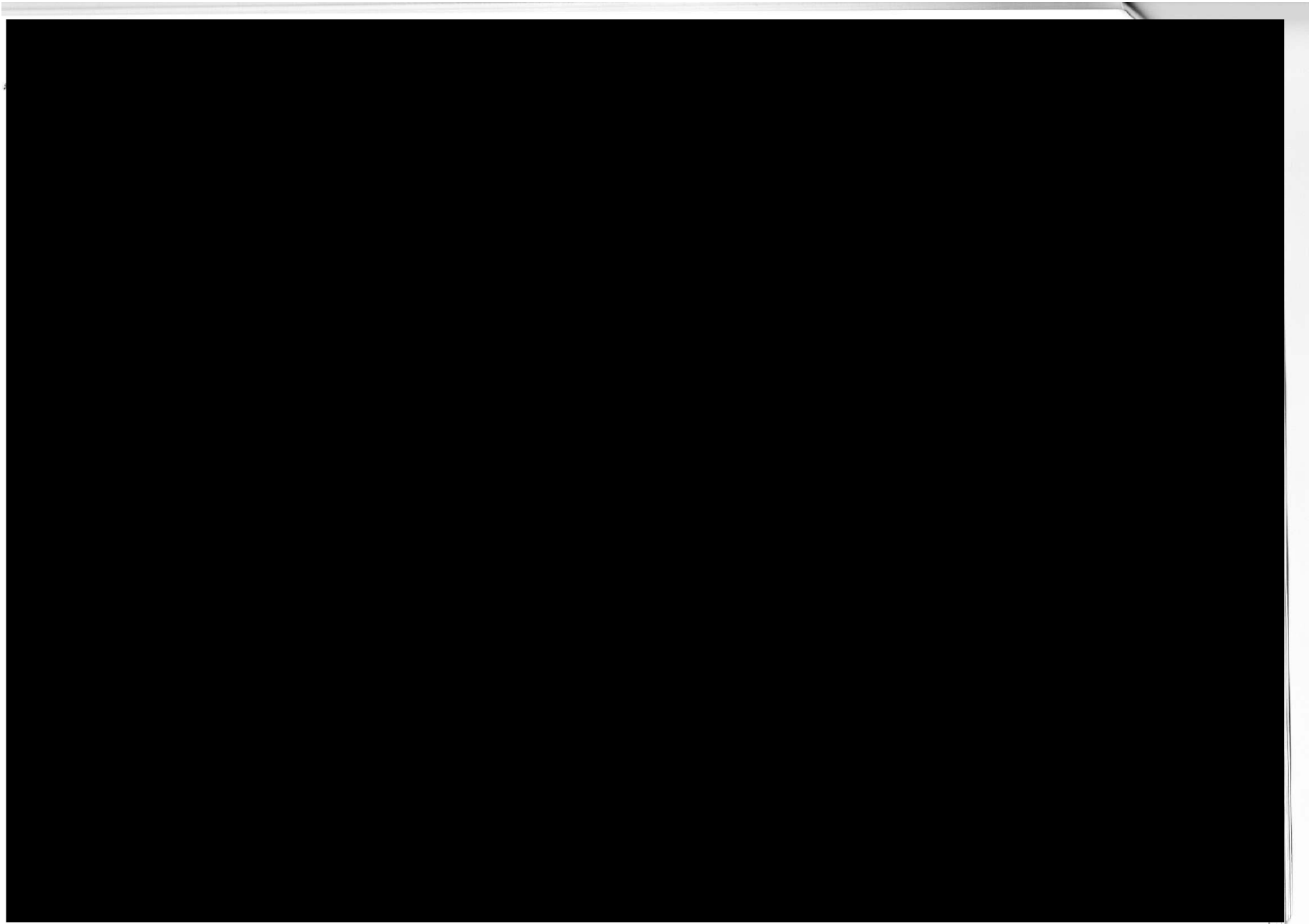
[REDACTED]

Submission Reference Number	Name	Support/ Object	Submission summary (Note: Not all matters raised by submissions have been included, rather provided below is summary only).	Planning comment: (Note: The below comments are preliminary in nature and are subject to variation. Therefore the below comments do not represent the adopted position of Council).
123	[REDACTED]	Support with changes	<p>Submission summary:</p> <p>Submission requests that the property be rezoned to a Rural Living Zone and believes that the property was previously Rural Living Zone before its current zoning of Farming Zone.</p> <p>Submitter believes that the Farming Zone is unjust as the property is surrounded by similar sized properties and adjoins a rural living precinct.</p> <p>Property was affected by the 2009 Delburn bushfires and believes the area having been cleared of vegetation and is at a lower bushfire risk.</p> <p>Rates have been affected by the zoning of the land which has devalued the property.</p> <p>Supports the Bio-link. Believes it is worthwhile protecting and conserving the Strzelecki koalas and that it is inspired and long overdue.</p>	<p>Planning comment:</p> <p>Land was zoned Rural B Zone for Rural Residential in 1977. In the New Format Planning Scheme of 2000, the Land is zoned Rural Zone which was translated to the current Farming Zone. No further zone changes have occurred since 2000.</p> <p>While the Amendment did not exhibit the site as Rural Living rather as Farming Zone 1, the rezoning to a Rural Living Zone is considered appropriate because the lot is 2 Hectares, it cannot be further subdivided and cannot be consolidated with other farming land due to it being surrounded by small lots developed with dwellings.</p> <p>It is considered appropriate to amend the exhibited Rural Framework Plan to identify the subject property and surrounds for future investigation and possible inclusion within a Rural Living Zone or Farming Zone – Schedule 2.</p> <p>Comments of support for the establishment of a potential Bio-link are noted.</p>









Submission 20

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From: [REDACTED]
Sent: Thursday, 5 August 2021 7:31 PM
To: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>
Subject: Re: Amendment C127 Bushfire and Rural Rezoning.

Re: Amendment C127 Bushfire and Rural Rezoning.

I, myself, [REDACTED] would like to say that I'm very supportive of the proposed subdivision as there is a high demand for rural allotments particularly in the Hazelwood North area. When we heard about the sub division we were very interested in purchasing a property and have since spoken to the owners and have made our intentions clear that we are very interested in one of the properties. It has much going for it as while living in the rural setting we would have easy access to amenities and also our jobs as we will be only 10 minutes from Traralgon, Morwell and Churchill. We acknowledge the importance of bushfire in our communities where the risk to people and property is high, however in a rural context it can't be the only driver for development. Therefore, the assessment of such sites should be balanced and also should take into account the various opportunities and constraints rather than just bushfire. I believe that Bal rating that has been given for this area is unrealistic and should be reconsidered, especially as the Tyers site had scored 39 which is a lot higher than the 30 Hazelwood North has been given and the Tyers site has been approved and is being developed as we speak. I appreciate the chance to put my thoughts to you and hope that a favourable outcome can be achieved.

Submission 21

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-----Original Message-----

From: [REDACTED]
Sent: Friday, 6 August 2021 2:25 AM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Subject: Submission from [REDACTED]

My submission for consideration regarding the C126 and C127 Latrobe planning scheme amendments involves a 20 acre parcel of vacant land, [REDACTED].

The land was part of a 40 acre famlet to which lot A containing a residence, out buildings and 20 acres has since been sold by the former owners.

My submission is to have lot B currently zoned farming to be re zoned rural living for residential development. The land which has been vacant for the past several years is of poor quality and unfit for agriculture but ideal for rural living. It fronts Traralgon Maffra Rd with access to power and services.

There are two residences along the east boundary of Traralgon Maffra road and twelve adjacent forming a rural zone corridor. Ultimately I would like to divide the 20 acres into four five acre lots as the land has already been earmarked as rural zone living. Establishing the Latrobe Valley as a safe and vibrant alternative for those wishing to relocate to the country should be an important desire for all Latrobe Valley residents and I can only applaud the foresight and professionalism with those I have conversed with during this planning period.

We all need to recognise that to compete with other regional centres we must promote the benefits of this area by offering a diverse range of community living. I believe my development has no negative consequences and can only contribute toward achieving that goal. I thank you for your consideration and look forward to your response.

[REDACTED]

Sent from my iPad

Submission 22

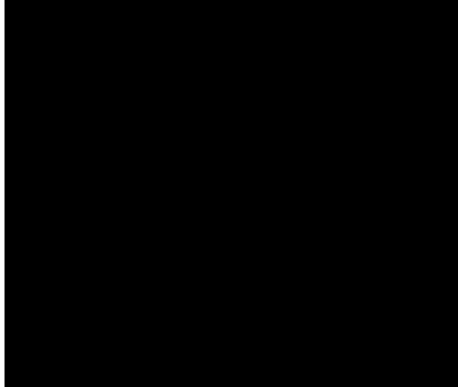
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From: [REDACTED]
Sent: Friday, 6 August 2021 11:08 AM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Cc: [REDACTED]
Subject: [REDACTED] - Haunted Hills - Newborough - Submission to C127

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Morning Kristy,

As per our chat this morning please be advised that we will submitting a detailed proposal on behalf of [REDACTED] for land he owns as below



We have previously provided a detailed submission to Council to seek views on the best use of the subject site based on its current status, its status within the Moe-Newborough Structure Plan as Future Residential and the current land use and development climate insofar as new, existing and latent residential supply and the state and local government policies surrounding land use and development in 2021 as compared to when the Moe-Newborough Structure Plan first identified the subject site as having development potential. Our work to date to determine the highest, best and most appropriate use of the subject land has been extensive and has involved a site-drive with Jody Riordan and Gail Gatt from Council to discuss and view options.

We are now of the strong view that the RLZ is the best option for the subject site and as such we wish for it to be considered in the C127 Amendment to facilitate that process. I was hoping to have our formal submission lodged by now but the various lockdown periods have made it challenging to get the relevant experts onsite to finalise the RLZ layout we think can be supported in line with current 2021 rules and regulations as they exist with Council, DELWP and the various servicing and referral authorities – in particular the CFA given their increasingly strong powers in the strategic planning process now. I am of the view that the site has the potential to provide for various lot sizes within the various RLZ schedules available to Council, with lots ranging from 6000sqm through to 5 acres or more based on the opportunities and constraints (mainly topography) presented by the site. Our submission and plan will touch on this but won't be specific as the variation in RLZ schedules will obviously be a matter for further discussions should Council support our submission and consider the site appropriate for RLZ.

I anticipate having the formal submission lodged with you next week but ask that this email be treated as our first submission, with more detail to follow and assist Council.

Kind regards,



Submission 23

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From: [REDACTED]
Sent: Friday, 6 August 2021 11:30 AM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Cc: [REDACTED]
Subject: Latrobe Planning Scheme Amendment - C126 and C127

Good Morning Kristy,

Further to your chat with [REDACTED] this morning, I write to you on behalf of [REDACTED] in relation to land she owns at [REDACTED]

It is our client's desire for the aforementioned land to be considered in the Toongabbie Structure Plan and as such, [REDACTED] does not support the proposed C126 and C127 amendments in their current form.

We ask that this email be treated as our first submission, with a subsequent proposal intended to be submitted to Council for consideration in due course.

Thanks and regards,

[REDACTED]

[REDACTED]

M: [REDACTED]

[REDACTED]

Submission 24

PO Box 417 Albert Park VIC 3206
dbutcher@debrabutcherconsulting.com.au
Mobile 0448 565 896

DB CONSULTING



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6 August 2021

Ms Kristy Crawford
Strategic Planning
Latrobe City Council
Emailed: latrobe@latrobe.vic.gov.au

Our reference: DBC 0033 Amendment C127 Submission (Final)

Dear Ms Crawford,

SUBMISSION TO THE EXHIBITED AMENDMENT C127 (BUSHFIRE ASSESSMENT AND RURAL REZONINGS) TO THE LATROBE PLANNING SCHEME

DB Consulting acts on behalf of Delburn Wind Farm Pty Ltd, in relation to the proposed development of a wind farm within the HVP Plantations' land centred at Delburn. As you are aware, our client has lodged planning permit applications to use and develop a wind energy facility at the site, which are currently on public exhibition.

We have reviewed the material exhibited as part of Amendment C127 to the Latrobe Planning Scheme in the context of the wind farm proposal and wish to make a submission. Our particular area of concern centres around the policy changes that are proposed to implement the findings of the *Latrobe City Municipal Bushfire Risk Assessment* (the Bushfire Risk Assessment).

We would like to highlight at the outset that we welcome the opportunity for improved controls that will better assist management of bushfire risk. Minimisation of fire risk is something that has been carefully considered and addressed as part of our permit applications for the Delburn Wind Farm and is an issue that our client takes extremely seriously.

However, we consider that some of the policy changes that are proposed as part of this amendment may have some unintended consequences that potentially overreach the recommendations of the Bushfire Risk Assessment that provides the support for the amendment, and that could result in the imposition of inappropriate controls on some forms of future developments in Latrobe City.

As an example of this, at Clause 13.02-1L it is proposed to include (amongst a range of matters) the requirement to 'ensure buildings achieve a construction standard not less than BAL-29'. The term building is not further clarified in the clause and so it is assumed that the definition of building in the *Planning and Environment Act 1987* is applicable – which is: (a) a structure and part of a building or a structure; and (b) fences, walls, out-buildings, service installations and other appurtenances of a building; and (c) a boat or a pontoon which is permanently moored or fixed to land'.

A similar policy direction is proposed at Clause 17.04-1L in relation to tourism although it is noted that in the case of the tourism clauses reference is also made to the siting of buildings, not just construction standards.

On the basis of the above definition of a building, and the wording of the policy at Clause 13.02-1L, it would seem the policy is intended to apply to all buildings (whether or not they can actually

DB Consulting Pty Ltd
ABN 93 609 169 226

accommodate people) to achieve a BAL-29. This is of concern to my client noting that the Delburn Wind Farm will comprises wind turbines, associated electrical infrastructure, as well as other buildings including an Operations and Maintenance Facility and that the policy change would seem to suggest a construction standard of BAL-29 for all these components of the wind farm – even where in the case of the turbines, they do not ‘accommodate’ people and so there is limited risk to human life.

In comparison, existing Clause 13.02-1L recommends a BAL-29 apply to development, subdivision and uses identified in Clause 13.02-1S (Use and Development control in a Bushfire Prone Area) which comprise: *‘subdivisions of more than 10 lots; accommodation; child care centre; education centre; emergency services facility; hospital; 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’*. This requirement logically applies to buildings where people may congregate or gather.

Having reviewed the Bushfire Risk Assessment it is our view that the intent of the findings and recommendations of the Assessment is to apply to development where people congregate, not provide a blanket control to all buildings.

In addition to the above, we also note that there are various ways to achieve a BAL-29 exposure levels, not just via construction. One example is closing buildings/facilities on high fire risk days, which we understand is what happens on Total Fire Ban days for the Loy Yang Coal Mine lookout. The policy doesn’t seem to take this sort of approach into account, instead relying on construction methods.

Accordingly, it is our submission that further consideration should be given to the proposed policy changes, particularly Clause 13.02-1L, in the context of our comments above.

We have also undertaken a review of the various rezonings that are proposed in the context of the Delburn Wind Farm site and its neighbouring land. Whilst we consider that the rezonings as proposed are unlikely to impact the wind farm, we note that any subsequent changes to the rezonings that might be advocated at a Panel Hearing, could have some impact. For example, if the Yinnar Precinct B, which directly abuts the wind farm site and is proposed to be rezoned to the Farming Zone Schedule 2, was to instead be rezoned to the Rural Living Zone, this may require further assessment by us to determine any impacts. Accordingly, we would appreciate being kept informed of rezoning proposals and submissions seeking changes to the exhibited material as we may then need to make further submissions in relation to the rezonings.

We would be pleased to discuss these matters with Council further and reserve the right to respond to any further issues, including any made in submissions, if we consider they might affect the progress of the wind farm project. We ask that Council keep us abreast of the Amendment process post this exhibition period.

Should you have any queries regarding this submission, please do not hesitate to contact the undersigned.

Yours sincerely,



Debra Butcher
Director

Submission 25a

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From: [REDACTED]
To: [Strategic Planning](#)
Cc: [Latrobe Central Email](#); [Miriam Turner](#); [Kristy Crawford](#)
Subject: RE: LATROBE PLANNING SCHEME AMENDMENT, C126 (TOONGABBIE STRUCTURE PLAN), & AMENDMENT C127 (BUSHFIRE AND RURAL REZONINGS) – NOTICE OF PREPARATION OF AN AMENDMENT
Date: Friday, 6 August 2021 3:34:31 PM
Attachments: [image002.png](#)
[image005.png](#)
[Final Signed Response Latrobe C126 & C127 20210805 .pdf](#)

Attention: Strategic Planning

Good afternoon,

Please see attached for EPA's response to abovementioned planning scheme amendments.

Please feel free to contact me should you have any questions.
Have a great weekend.

Many thanks,

[REDACTED]
Senior Planning Officer
Major Projects & Planning



Environment Protection Authority Victoria
Southern Metropolitan Office - Dandenong
☎ 1300 372 842 (1300 EPA VIC) | [E \[REDACTED\] | \[www.epa.vic.gov.au\]\(http://www.epa.vic.gov.au\)](#)

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5 August 2021

Miriam Turner
Strategic Planner
Latrobe City Council
141 Commercial Road
Morwell Vic 3840



Our Ref: REQ001019

Dear Miriam,

RE: Latrobe Planning Scheme Amendments C126 (Toongabbie Structure Plan) and C127 (Bushfire and Rural Rezoning)

Thank you for the opportunity to provide a response in relation to the exhibited Planning Scheme Amendments C126 and C127, referred to the Environment Protection Authority (EPA) on 24 June 2021.

EPA Previous Advice

EPA previously provided advice in relation to the amendments (EPA Ref 5011473) specific to the 'Draft Potentially Contaminated Land Report – Toongabbie Study Area'. EPA raised concerns in regard to:

- Generally, the assignment of risk rankings and the appropriate levels of further environmental assessment recommended in the report.
- The rationale for downgrading of sites in risk ranking from medium to low.
- How Council is considering the site at 43 High Street Toongabbie.
- The absence of any mention of 'medium' risk categorised sites within the Toongabbie Structure Plan.

Further, EPA provided advice on the draft Development Plan Overlay.

Importantly, it should be noted that this advice was provided on the basis of the *Environment Protection Act 1970* and did not consider the changes that would apply in accordance with the *Environment Protection Act 2017* and subsequent policy post 1 July 2021.

Ministerial Direction No 19

EPA's previous comments were requested after a request for authorisation from the Minister for Amendment C126 and therefore previous comments were not provided as a response to Ministerial Direction No. 19.

Environment Protection Authority Victoria
GPO Box 4395, Melbourne VIC 3001 DX210082
1300 372 842 (1300 EPA VIC) www.epa.vic.gov.au



Our Understanding of the Proposal

EPA understands that Council prepared the 'Draft Potentially Contaminated Land Report – Toongabbie Study Area' (the Report), which was intended to inform both proposed Planning Scheme Amendment C126 and C127 (dated 16 June 2020).

EPA highlights that the Report is not included in the exhibited documents, however it is cited on page 43 of the exhibited Toongabbie Structure Plan. It is unclear whether the report has been used to inform the draft amendment documentation and further, if EPA's previous comments on the Report have been incorporated.

The Report relates to properties to be rezoned from the Farming Zone (FZ) to the Rural Residential Zone (RRZ) and Low Density Residential Zone (LDRZ) through both planning scheme amendments. Additionally, the amendments will update the Toongabbie Structure Plan and introduce the recommendations of the Latrobe City Municipality Bushfire Risk Assessment 2020 and draft Latrobe City Rural Living Strategy 2020.

We understand the draft Structure Plan identifies land to be rezoned from Farming Zone-Schedule 1 (FZ1) to Rural Living Zone (RLZ) through the amendments. The surrounding land uses and zoning consist predominantly of farmland and rural residential development with one rural living precinct to the north of the study area.

In providing the following comments, EPA have reviewed the following documents:

- Draft Explanatory Report C126;
- Draft Explanatory Report C127;
- Toongabbie Structure Plan prepared by *Latrobe City Council* dated July 2020;
- Background Reports, Toongabbie Structure Plan prepared by *Latrobe City Council* dated June 2020; and
- Draft Development Plan Overlay – Schedule 10 (DPO10)

EPA Current Advice

43 High Street Toongabbie.

Whilst we understand that this site is not proposed to be rezoned, Council have correctly identified the site as having a high potential for contamination. This is because the site has been used as a service station/fuel storage, and in accordance with *Planning Practice Note 30 – Potentially Contaminated Land* (DELWP, 2021)(PPN30), this use carries a high potential for contamination. As the site is currently zoned to allow sensitive uses, EPA recommended that an Environmental Audit Overlay (EAO) be applied to the site, given there are currently no triggers for environmental assessment of the land in a situation where a proponent may demolish the existing development and construct a single dwelling.

Whilst Council have sought to require an environmental audit for this site in the draft Structure Plan, this is not an enforceable planning control. In fact, Council would be relying on any future landowner or occupier of the site to review the structure plan before changing the use of the site, or redeveloping the site for sensitive use, and undertaking the audit on a voluntary basis.

Sites with a 'medium' potential for contamination

EPA previously raised concerns regarding:

- The rationale for downgrading of sites in risk ranking from medium to low; and
- The absence of any mention of 'medium' risk categorised sites within the Toongabbie Structure Plan.

EPA's previous comments regarding the 'medium' risk sites remain relevant if the Report is being relied upon to inform the amendments, noting it is not included in the amendment documentation.

In addition, PPN30 2021 has updated the type of assessment required where sites are identified as having a medium potential for contamination and a sensitive use may be carried out on the land.

As such, the content included in DPO10 should be updated to reflect current approach as set out in PPN30. Additionally, the term 'medium' should not be used as a 'capture all' for sites to require further assessment. PPN30 2021 steps out the process for assessing a planning proposal for potentially contaminated land. These steps should be undertaken to identify potentially contaminated sites and to inform any further assessment needed.

Ministerial Direction No 1

The draft Explanatory Report for both amendments state that they are consistent with Ministerial Direction No. 1 (MD1). EPA note that neither of the Explanatory Reports identifies MD1 is satisfied, and this should be addressed.

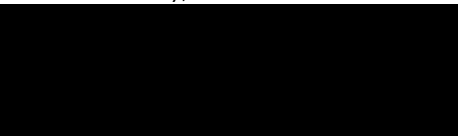
Summary and Recommendation

In reviewing the exhibited documents, EPA wish to highlight that:

- The Report does not form part of the exhibited documents;
- Council should review and become familiar with PPN30 2021 and consider any changes in accordance with the *Environment Protection Act 2017* and subsequent policy post 1 July 2021;
- Advice previously provided in relation to 43 High Street Toongabbie is still relevant; and
- The wording in the draft DPO10 requires updating in accordance with PPN30 2021.

EPA welcomes further engagement with Council in regard to planning scheme amendments. If our assessment is not aligned with your view of the environmental risks, or if the proposal is amended, please contact Planning Officer Monika Zuscak on 1300 EPA VIC (1300 372 842).

Yours sincerely,



Planning Team Lead – Strategic
Major Projects and Planning
Environment Protection Authority Victoria

Submission 25b

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From: [REDACTED]
Sent: 16 Feb 2022 16:16:47 +1100
To: Kristy Crawford
Subject: RE: C1271atr - Updated DPO10 and info for Explanatory Report

Good afternoon Kristy,

Thanks for sending this through. Having reviewed the updated Schedule 10 to the Development Plan Overlay, I consider the draft largely addresses EPA's comments and recommended changes sent to Council on 22 December 2021.

Happy to discuss on [REDACTED]

Many thanks,

[REDACTED]
Planning Advisor
[REDACTED]

Environment Protection Authority Victoria
200 Victoria St, Carlton
(1300 372 842 (1300 EPA VIC) | M
E [REDACTED] | www.epa.vic.gov.au

From: Kristy Crawford [REDACTED]
Sent: Thursday, 10 February 2022 12:03 PM
To: [REDACTED]
Subject: C1271atr - Updated DPO10 and info for Explanatory Report

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

H [REDACTED],

Hope you've been well.

Please see attached the updated DPO10. I'm confident it's consistent with your feedback. Thank you so much for your support and guidance on this.

Also, forgive me if I have deleted it by accident, but I was waiting on an email you were going to share with me after your discussions with Tom Anderson around how the Explanatory Report could address the DELWP public land rezoning when it came to MDI and PPN30. If you could share that with me when you get a chance, I'll update the Explanatory Report for your review.

Many thanks



P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



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Submission 26



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06/08/21

Kristy Crawford
PO Box 264,
Morwell, VIC, 3840

Via email: kristy.crawford@latrobe.vic.gov.au

Re: Amendment C127 Bushfire and Rural Rezoning

Dear Kristy,

Hancock Victorian Plantations Pty Limited (HVP) manages over 240,000ha of land in Victoria, including approximately 40,000ha in the Latrobe City LGA. HVP is a major supplier of logs to Australian Paper at Maryvale.

Bushfires are a major risk to our community, customers, staff and business. HVP has a Gippsland Forestry Brigade operating under the CFA framework. HVP actively participates in the Joint Fuel Management Program and the Gippsland Arson Prevention Program. HVP's Gippsland Forestry Brigade includes a fleet of 10 tankers, 35 slip-on's, over 100 trained fire fighters, one firebombing helicopter during the fire season and numerous pieces of civil equipment to protect our estate and support CFA operations.

HVP supports planning amendments designed to protect life and property. HVP's concerns with C127 centre around 14.04-3L - **Forestry and Timber production**, '*Ensure timber production does not increase the level of bushfire risk on surrounding sensitive land uses*'. This could be used to limit the establishment of new plantations in Gippsland, which is inconsistent with current Government policy. The Victorian Government has committed to support the expansion of Plantation Forestry in Gippsland:

In 2019 the Victorian Government announced the Victorian Forestry Plan to cease large-scale native forest harvesting in State Forests by 2030. As part of the plan, Victorian industries relying on native forest sourced wood are being supported to move to a plantation-sourced wood supply where possible.

The program will use government's \$110 million commitment to new plantation development to leverage and accelerate private investment and boost new plantation development in Gippsland.

www.djpr.vic.gov.au/forestry/plantations#gpiip, Accessed 06 Aug 2021

HVP is also concerned about changing land uses on the interface with our plantations, which increases the risk of fire to our Estate. This is acknowledged on page 31 of the Municipal Bushfire Risk Assessment: '*indicates that the larger the town, the more ignitions that occur which would be a direct correlation to the increased population in those areas.*' Our concern is that the document implies that the risk is from the plantations to the changing land use, whereas HVP considers that the risk to our plantations is increased as a consequence of changing land use. This is supported by the fact that, historically, very few significant fires start in plantations.

In summary, the proposed amendments could significantly impact HVP's ability to expand our Plantation Forestry program and the implementation of Victorian Government's Gippsland Plantations Investment Program.

Yours sincerely,

[Redacted signature]

Hancock Victorian Plantations Pty Ltd
World Trade Centre, Tower 4, Level 12,
18-38 Siddley Street, Melbourne VIC 3005

PO Box 534
Collins Street West, Melbourne VIC 8007

hvp.com.au
ABN 20 084 801 132
+61 3 9289 1422

Submission 27



cfa.vic.gov.au

ur patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Fire Prevention and Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 27000-73439-110841
Council Ref: Amendment C127

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6 August 2021

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Strategic Planning
Latrobe City
PO BOX 264
MORWELL VIC 3840

Dear Strategic Planning,

SUBMISSION TO PLANNING SCHEME AMENDMENT

Proposal: Planning Scheme Amendment C127 Latrobe

Thank you for providing CFA with the opportunity to comment on Amendment C127 to the Latrobe Planning Scheme.

CFA has reviewed the associated amendment material and provides the following information for consideration:

General

CFA recognises that many aspects of this amendment have been developed to address bushfire risk and, in an effort to improve the integration of bushfire considerations into the wider planning policy within the Latrobe Planning Scheme.

There are many positive aspects of this amendment which CFA supports, including its underlying intent and much of its justification.

However, CFA has some concerns regarding the key underpinning bushfire assessment and some areas of proposed policy that are unclear, overly complex, encourage development in higher risk locations, resolve one issue whilst creating another and at times contradict or conflict with existing bushfire policies or fail to add significant value to decision making.

The assessment of the amendment against relevant bushfire policy is also lacking in some areas, including the rezoning of various sites that have been captured as a 'fix it' or 'anomaly' component of the application.

CFA supports the development of a bushfire policy driven amendment in principle, however, believes it is too premature for it to proceed at this stage.

Early Engagement

Council has engaged heavily with CFA throughout the drafting process. CFA recognises that Council has made a number of changes to the final amendment subsequent to CFA feedback. Unfortunately, there are some key elements of the proposed policy that remain a concern or somewhat outstanding.

Municipal Bushfire Risk Assessment

CFA appreciates Council's commitment to recognising bushfire risks in their municipality. However in developing a bushfire risk assessment at the municipal scale there have been a number of challenges and points of difference between CFA and Council. It is considered useful in the context of this amendment to be aware that CFA has concerns with the report, yet has continued to engage with Council.

Any discussion around this report is complex, as is any discussion around nominating bushfire risks at a landscape scale or drawing a line on a map with such dynamic hazard involved where modelling has significant limitations. Thus why there are currently no land use planning based landscape bushfire mapping available and why there is such a strong emphasis on undertaking assessments of bushfire in the landscape over such significant distances within existing bushfire planning policy. It is an area of research that continues.

This conversation is further complicated when such an assessment is developed to respond to both land use planning and fire prevention activities. Each have different approaches to identifying, assessing and responding to hazard and risk.

It is CFA's view that this type of assessment report would be a more useful tool to assist the responsible authority in their decision making rather than as a formal incorporated or referred planning policy document. CFA accepts that Council does not share this view and that there are some aspects of the report where it can assist in directing policy outcomes.

It is important to highlight that CFA and Council's opinions on the report differ and that CFA has a number of issues with the report. Key areas of concern with the assessment report include:

- The purpose and function of the report;
- The coverage and location/settlement considerations within the report;
- The factors that have been used to underpin the assessment;
- The risk framework/matrix;
- The reliance on unplanned / high cost fire prevention works;
- The either over simplification or complication in various parts of the reports;
- The shifting between different concepts of risks etc.

However, it is also evident that Council seeks to proceed with moving the proposal forward based on the information in the report. CFA has therefore considered whether we are in a position to provide comments, despite these issues.

Ultimately, CFA found that whilst there are various aspects of the report that we are still uncomfortable with and we may not necessarily agree with how the ultimate mapping exercise was undertaken, that the bushfire risk map that underpins much of the proposed policy response is still generally reflective of areas of risk at a wider scale. For example the areas shown red and green mostly respond to higher and lower risk areas and the area shown orange is the transitional space where fire behaviour is likely to vary in severity. This plan is probably satisfactory for broadly applying general planning policies regarding bushfire.

However, CFA is less convinced using this information to justify settlement growth or site based development is warranted.

Planning Policy and Controls

Settlement Planning and Growth

Bushfire planning policy at Clause 13.02-1s seeks to direct population growth and development to low risk areas and consider alternative locations for development opportunities. There are substantial bushfire hazards across large parts of the council area where landscape scale fires as well as localised events have significant potential to adversely affect local communities. Many of these landscape risks are difficult to reduce.

CFA is concerned that policy seems to support directing development to townships such as Glengary, Boolarra and Toongabbie, where nearby landscape risks are high to extreme.

There are a number of larger and more suitable locations to encourage growth that are at a lower risk of bushfire. Rural residential areas or the implementation of older planning policies should not be developed/undertaken at the expense of community or life safety.

CFA also questions whether it is appropriate to support development in areas identified as red on the bushfire map. It is noted that Clause 13.02-1S makes no distinction between existing zoned or future zoned land.

Council appears comfortable to nominate areas at higher risk from bushfire, yet have not taken all the available opportunities to provide strong clear policy outcomes to ensure development, particularly residential development in these high risk areas are avoided.

CFA notes that Council has actively sought to try and minimise sensitive uses in higher risk areas. However, we encourage policy that goes further to minimise risks if Council believes them

Localised bushfire policy

Whilst CFA defers to Council to determine the appropriate local policy that reflects their risk appetite and policy outcomes to help mitigate against bushfire risks, there does appear to be some duplication in the proposed policy and Clause 13.02-1S and areas that may lead to unintended consequences or conflicts with other planning policies including state bushfire policy and Clause 53.02.

CFA supports the inclusion of a local bushfire planning policy at Latrobe that is clear, functional and adds purpose and weight to decision making. Some areas that could be further reviewed include:

- Whether local bushfire policy is consistent with the objectives of other proposed policy that forms part of the amendment i.e. policy around rural residential development in Clause 16.01-5.
- Whether changes could be made to minimise any policy conflicts around radiant heat benchmarks, defensible space requirements and construction standards?
- Further consideration be provided to how construction standards are used to improve community resilience to bushfire and whether there are any unintended consequences of the proposal to require BAL 29 construction standard. Whilst there may be significant justification to require higher construction in some areas, there are associated policy considerations that also need to be addressed when this protection measure is adopted. This does not appear to have occurred as part of this amendment.
- What additional policies could be included to ensure the intent of building community and structural resilience through enhanced construction measures can be met without reducing other protection requirements?
- Reconsidering whether development should be supported in areas identified as 'red'.

- Whether other uses and developments should be encouraged or discouraged in certain areas?
- Whether any other particular bushfire protection measures should be encouraged in certain areas?
- Whether there are any particular circumstances unique to Latrobe that need special bushfire consideration?

Using the term sensitive use in a bushfire context

CFA supports policy that deals directly with minimising use and development proposals associated with vulnerable people in areas at high or moderate risks from bushfire. Council has used the 'term' sensitive uses to capture these proposals.

CFA notes that recent Environmental Protection policy has been released that has helped define the concept of 'sensitive use' and that there is some bushfire guidance that refers to the term. Also that the term is widely used in planning more broadly.

CFA only seeks to highlight the term to identify the distinction between the use of the term around land uses versus people who use the land. For example CFA would consider a group accommodation facility a vulnerable / sensitive use in a bushfire sense as the people using the land are not permanent occupants of the land and may be less aware of their surrounding or risk. Other examples of vulnerable uses include aged care facility, hospital or education facility.

Rural Residential Development

Any future facilitation of rural residential development should ensure that it is, both, directed to lower risk areas and that it does not create bushfire risks. Rural residential development tends to create lot sizes where over time vegetation can increase bushfire risks if not managed appropriately.

CFA also notes that the policy considers rural residential development in yellow and red areas. It is unclear what this policy is referring to and how it adds any additional considerations to those already required under Clause 13.02-1S i.e. rezoning land? new development in existing rural residential zoned land?

CFA recommends to ensure consistency that the reference to in the low in the third to last policy be changed to green.

CFA continues to maintain that areas shown red should not be encouraged for consideration.

It is also not clear how the introduction of this policy has been considered against Clause 13.02-1S.

Tourism

CFA supports the consideration of bushfire risks under the tourism policy. There are opportunities to better capture bushfire policy and ensure ancillary uses associated with tourism facilities are discouraged in certain higher risk environments.

Emergency management planning is a key measure to ensure bushfire risks are reduced and the likelihood of the use of these facilities is minimised during days of highest fire danger. This sentiment could be further captured/clarified in policy outcomes.

Design and Development Overlay

Whilst CFA leaves it to the discretion of Council to determine the appropriate bushfire response in areas shown as yellow on the bushfire map and we offer no particular objections

per se to the bushfire protection measures sought under the control. There are however opportunities to improve the operation and practical implementation of the policy. For example, simplifying references to radiant heat, setbacks and defensible space and ensuring consistency with other policies sought under this amendment.

Other opportunities include improving requirements for bushfire protection measures to reduce risks.

Subdivision

Certain elements of this policy require additional consideration in terms of practicality, implementation and consequence. For example, how is defensible space to be addressed and implemented? Will onsite defensible space be required and how? If not, can offsite defensible space be implemented if the land is in outside ownership?

Defensible space can become difficult to implement on an ongoing basis when located outside of the subject property. CFA recommends that defensible space be provided on-site or that there is reasonable assurance that areas that will be relied upon for defensible space is likely to be in place in perpetuity. This may require a restriction on title i.e. Section 173 agreement.

Other items that could be further investigated include, the management of interim bushfire risks, fencing requirements and consideration of buildings associated with vulnerable/sensitive uses.

Subdivisions on the bushfire interface are encouraged to consider the settlement interface guideline.

How will subdivisions be required to address radiant heat policy alongside construction standard policy? Is policy clear enough to establish that a setback that is akin to a BAL 12.5 construction or 12.5kw/m² is required but the building must be constructed to BAL 29 standard?

Application Requirements

The application requirements could be simplified and clarified to avoid confusion or misunderstanding. CFA has assumed that the application requirements for the Bushfire Management Overlay (BMO) have been used as a starting point for these requirements. Whilst CFA does not fault this approach, there are some potential pitfalls that need some further consideration.

For example, there is reference to 'alternative measure' under the Bushfire Management Plan. This concept of 'measures' works under the BMO as each type of measure is defined. In this case, the concept is not defined and doesn't work here and may result in a higher likelihood of being misinterpreted. Therefore, it is recommended that this be changed.

CFA also discourages the reference to Bushfire Management Statement as again this is a defined term under the BMO. Other references that could be removed include Clause 53.02-3 under the landscape hazard assessment as this reference applies to applications assessed under Pathway 1 (Clause 53.02-1) of the BMO, where landscape is turned off under the clause – it remains a consideration under Clause 13.02-1s.

Decision Guidelines

Given that applications are required to submit a landscape hazard bushfire assessment, CFA recommends that this be a relevant consideration in the decision guidelines.

CFA notes the bushfire protection exemptions for vegetation removal are unlikely to apply to new applications that trigger a permit under the new DDO. It is therefore recommended that this also form some form of decision guideline to ensure bushfire risks are managed into the future and any ecological and bushfire management conflicts are resolved as part of decision making.

Development Plan Overlay

CFA has provided a submission to Amendment C126 which addresses changes to the planning scheme that focus on the Toongabbie township. CFA has raised concerns with this amendment.

The proposed DPO under Amendment C127 has inextricable links to the Toongabbie structure plan and proposed policy under Amendment C126.

CFA recommends that substantial changes to the DPO would be required to better justify any future development growth of the Toongabbie township. The DPO should be designed to ensure the existing township strengthens its response to bushfire.

Putting CFA's concerns aside, there are still additional opportunities to improve the bushfire response and create a safer community, including better incorporation of the suggestions in the associated structure plan and the Toongabbie section of the Bushfire Risk Assessment.

Bushfire Management Overlay

The amendment makes changes to the mandatory condition requirements and alters the format of the decision guidelines under the schedule. These schedules were developed and implemented across the state and CFA discourages any unnecessary changes to these provisions in order to maintain their consistency.

It is also noted that the addition of the mandatory condition appears to duplicate the existing mandatory requirement under the BMO which relies on a very similar rationale for entering into an agreement.

Anomaly Amendment Sites

The amendment fails to provide any supporting bushfire information to justify the rezoning of the sites that have been grouped under the 'anomalies' banner.

Whilst these sites very well may be anomalies, the change to their zoning still requires bushfire considerations. For example, changing the zone from Farming Zone Schedule 1 to Schedule 2 reduces the size for subdivision? What does this mean from a bushfire perspective? How would this be perceived under the bushfire policies that are being sought to be introduced? What are the impacts of changing the zone to a PPRZ, will this change the risk profile or management of requirements?

CFA requests that more information be provided in respect to how each of the sites that are being rezoned meets the requirements of Clause 13.02-1s. Without this information, CFA does not support the rezoning of the sites.

Conclusion

Whilst CFA agrees in principle with the intent of the bushfire sections of the amendment and supports a number of the proposed policy changes, there are still significant areas of policy that CFA believes warrants further consideration or additional information to be provided.

Therefore CFA believes it would be premature to move forward with the amendment at this stage. CFA also recommends that Council seek that a Panel be convened to consider the merits of the proposal.

If you wish to discuss this matter in more detail, please do not hesitate to contact Jude Kennedy (Manager Community Safety) on [REDACTED] or Anne Coxon (Land Use Planning Team Manager) on [REDACTED]

Yours sincerely,



Anne Coxon
Land Use Planning Team Manager
CFA Fire Prevention and Preparedness

Submission 28

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13th August 2021

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Latrobe City Council
Attention: Strategic Planning Department
PO Box 264
Morwell Vic 3840

Re: Amendment C127 Bushfire and Rural Rezoning

Whilst generally supportive of the initiative, **we object to the above amendment in its current form** and believe the land identified as [REDACTED] should be included in the rural rezoning amendment.

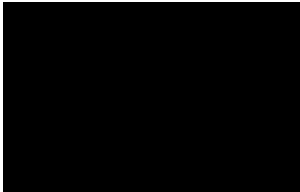
As identified by Council, there is overwhelming commercial demand for rural living allotments within Latrobe City. Vacant land in the area is minimal and there is increasing demand for these lots when they become available for purchase. Churchill's location is a key factor to this demand being in close proximity to the townships of Traralgon and Morwell, which all provide various facilities and services to support living in Churchill. Churchill also has its own facilities and services including sport and recreation, education, and retail. This is in contrast to areas like Toongabbie which is significantly more remote and included in this amendment.

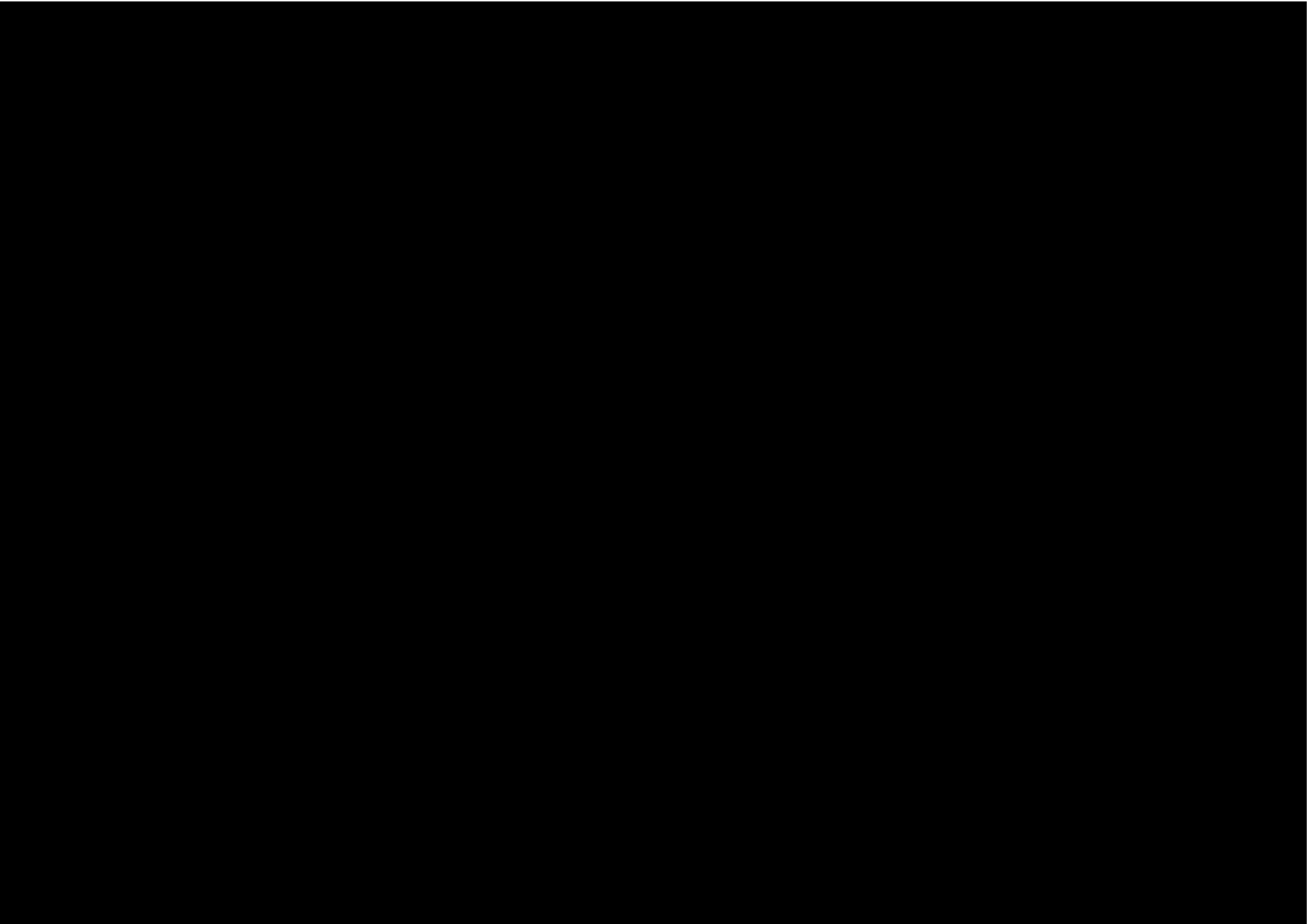
We have engaged the services of Millar Merrigan to prepare a concept plan that shows how our site could be developed along with the overall surrounding area. The concept provides a road network, all lots of a minimum 2ha and how the area could integrate and connect with residential land to the north. However, we are open to the availability of smaller lots if a range of schedules to the rural living zone are proposed. We suggest that the best option for the subject site is Rural Living Zone and as such we wish for it to be considered in the C127 Amendment to facilitate that process. We are of the view that the site has the potential to provide for various lot sizes within the various Rural Living Zone schedules available to Council, with lots ranging from 6000sqm through to 5 acres or more based on the opportunities and constraints presented by the site and surrounding area.

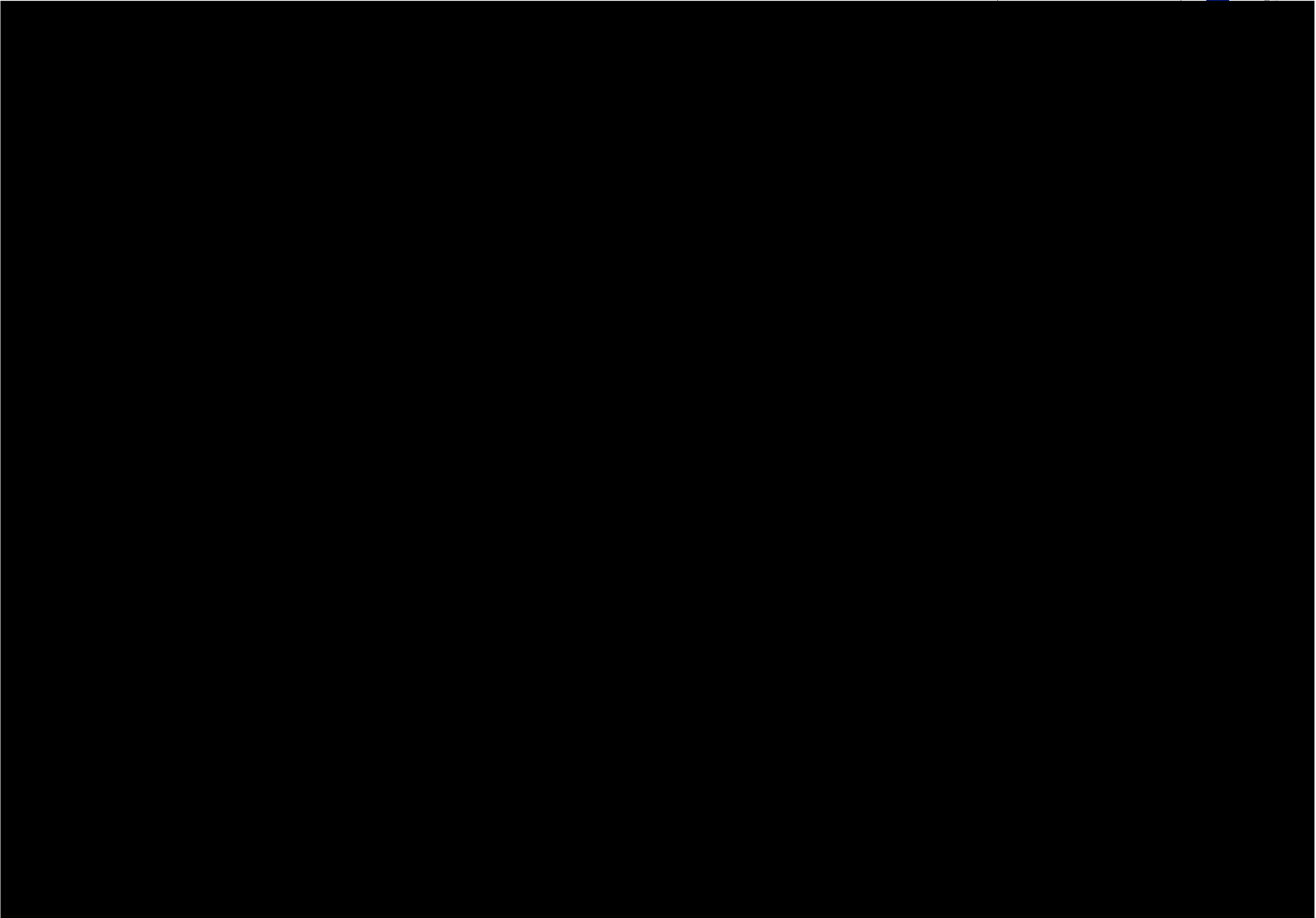
While our site is not directly included the Latrobe City Municipal Bushfire Risk Assessment, we submit that our site is a better option for rezoning than Precincts B, C and D in Churchill. The site is not impacted by the Bushfire Management Overlay and is further removed from the existing plantations to the east. We have reviewed the Latrobe City Municipal Bushfire Risk Assessment and our opinion is that the document and assessment process contain a fundamental flaw. **The assessment should consider the risk of the existing/current conditions versus the risk of the proposed conditions (if a rezoning was to occur) rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland which is an opportunity that should not be missed.** This is, in fact, essential to address the appropriate Ministerial Directions; *How does the potential rezoning address any relevant bushfire risk?; To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.* It seems that this is currently being applied to ensure no risk for future development when it should be read as how can we improve existing risk profiles through considered development of land use interfaces.

Thank you for the opportunity to provide a submission on this proposed amendment, we look forward to the next part of this process.

Regards,







Submission 29

From: [REDACTED]
Sent: Wed, 18 Aug 2021 18:47:03 +1000
To: Latrobe Central Email
Subject: Latrobe Planning Scheme Amendment C126 Toongabbie Structure Plan and
Amendment C127 Bushfire and Rural Rezoning

Dear Sir or Madam
I write as the executor of the estate of Carmelo Pizzi.

My submission is that at minimum, the following parcels should be included in the rezoning area:

[REDACTED]

I believe the following parcel should also be considered for inclusion in the rezoning area:

[REDACTED]

Kind regards

[REDACTED]

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Submission 30

From: [REDACTED]
Sent: Friday, 20 August 2021 9:18 AM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>; Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Cc: Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>
Subject: Submission to Amendment C126 and C127

Hi Please find my Submission to Amendments C126 and C127.

Thank you for the understanding and accepting my late submission due to reasons discussed with you.

Any Questions please contact me

Kind regards

[REDACTED]

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Submission to Amendment C126- Toongabbie Structure Plan
Submission to Amendment C127- Bushfire and Rural Rezoning



Our view on both these amendments is OBJECTION.

Personal Reasons:

We bought our property in 2006 because we wanted a rural country life with acres to have cattle and to raise our children with a country lifestyle. We do not agree with the Amendment C126 taking Toongabbie from "District Town" to "District and Small Town" and we do not want the Amendment of C127 which allows the area to be rezoned Rural Living which allows subdivisions to happen if this goes ahead and we want to live our dream of country farming land we are forced to look for properties that allow us to have the life we want for our family but there is lack of properties for us to re-home in a location suitable or price affordable.

In Amendment C126 it shows our property [REDACTED] to be rezoned in the First Stage Future Rural Living. This should not be allowed as our property was only subdivided approximately 16 yrs ago with the purpose of staying Rural Farming. The smallest properties could only be around 20 acres to keep the Rural Farming life and look of the Toongabbie country township.

We have firearm licenses for vermin control on property which enable us to pursue our hobbies of duck and rabbit hunting which we have a Victoria Game License for if rezoned to Rural living this will make the requirement to hold a gun license limited and without gun licenses we will be unable to continue our hobbies or family traditions.

The new Animal limit which goes with the rezoning is unfair as we have already over the capacity animal stock and we would have to sell or euthanise our animals or pay for an excessive permit to keep them.

The affordability of having Rural living Shire Rates is way too high for people that do not wish to subdivide and keep their current amount of land. We feel also that because of this cost we will be forced to subdivide and the costs of this e.g. Permits, building of fences and roads, access to power and water will be too high for people, especially us, to be able to complete.

Reasons against the rezoning of Afflecks road:

The way property houses are situated along Afflecks Road makes it very hard to have road access to subdivided land therefore lots of roads would need to be added and this will make it more a town area not rural living.

Along the north side of Afflecks road is Wellington shire which is zoned Farming it has large farms that at times can have a herd of 100 or more cows. Large Cattle trucks and Tractors

frequent up and down the road, also they Fertilise on regular bases to cut hay which can cover everyone's land and smells quite bad at times. At the moment with the south side of Afflecks Rd still being zoned farming and being able to do this kind of large farming it doesn't really affect anyone I would think if if Latrobe rezone the south side of Afflecks road and subdivision happens and more homes are around this would be a conflict with residual areas.

Maintenance of Afflecks road is completed by The Wellington Shire and quite frankly it doesn't happen enough the road is always rough with corrugations and potholes sometimes very large that fill with water and become dangerous as the speed limit is 100 km and cars fly down the road. I believe that because there are only 4 houses and large farms Wellington shire do not think Afflecks Road warrants maintenance on a regular schedule and with the rezoning of this area on the south side (Latrobe shire) will result in more properties and more traffic which will become very dangerous.

Infrastructure along Afflecks road is non existent apart from gravel/dirt roads there is large overgrown nature strips with no water drainage, footpaths, or lighting, with children walking/riding to bus stop every morning and afternoon I feel this is quite dangerous and with expected more traffic with subdivision it'll be even worse.

Reasons concerning Toongabbie Township:

Town Infrastructure- With the rezoning in Toongabbie there will obviously be a higher population this will change the dynamics of our small town more traffic more noise which is not what most people that move to country towns want. Where will there be more parks, the more nature walking paths, the lovely tree areas to keep the country feel of toongabbie?

We only have a general store which at times is flat out busy with the small population we have! With the rezoning and likely subdivision, higher population how will this cope is the next stage a large town supermarket.

If this rezoning does go ahead I would like Latrobe shire to at least consider changing a section of Afflecks road outlined in the amendment C126 as First Stage Rural Living and keep it as farming and I would like to be contacted to at least have a discussion about where it should be.

Kind Regards

[REDACTED]

Submission 31

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[Redacted signature]

Name

[Redacted name]

Address

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Phone number

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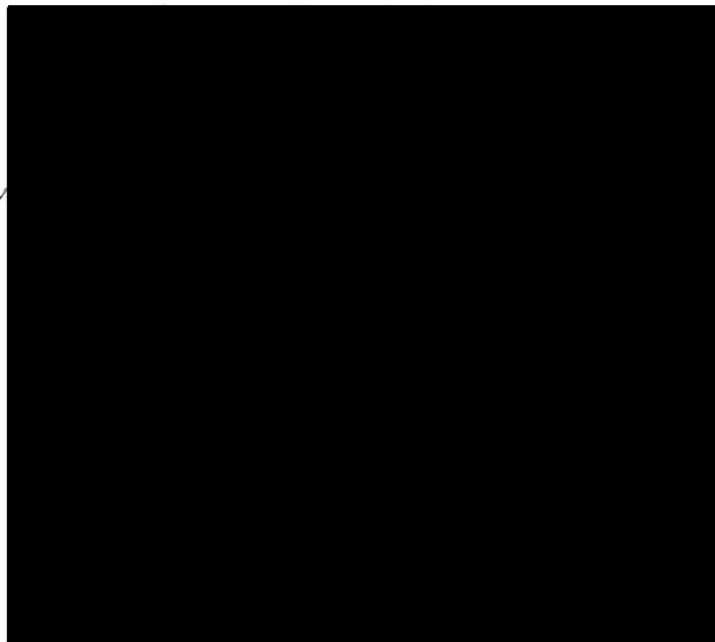
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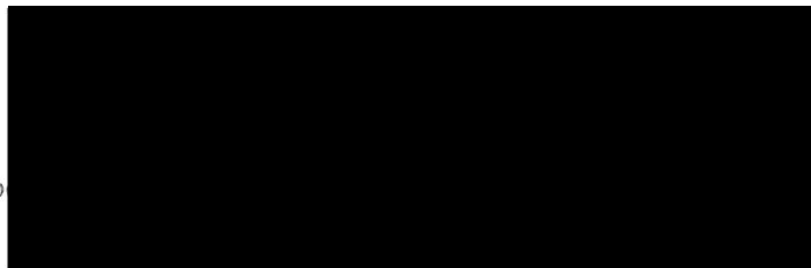
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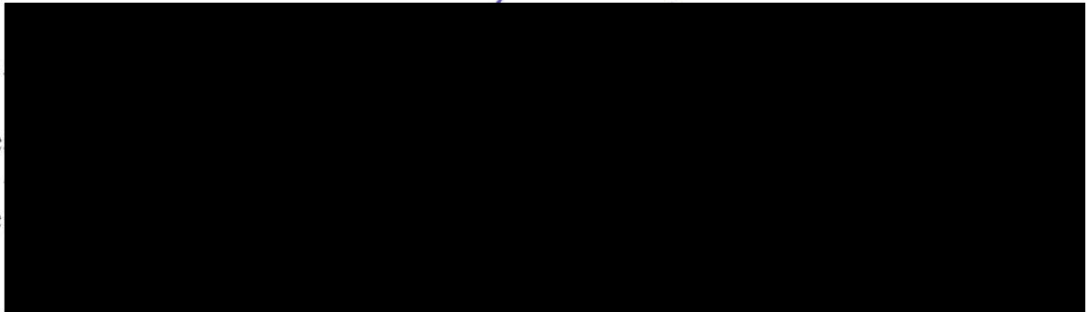
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Address [REDACTED]

Phone number [REDACTED]

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Name

Address

Phone number

Submission 45

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Latrobe City Council
Attention: Strategic Planning Department
PO Box 264
Morwell Vic 3840

Re: Amendment C127 Bushfire and Rural Rezoning

Whilst generally supportive of the initiative as presented, we object to the above amendment in its current form and believe the land identified as *Hazelwood North – Precinct C* should be included in the rural rezoning amendment.

As identified by Council, there is overwhelming commercial demand for rural living allotments within Latrobe City, the majority of this in the Hazelwood North area. Vacant land in the area is minimal and there is increasing demand for these lots when they become available for purchase. Hazelwood North's location is a key factor to this demand being centrally located to the townships of Traralgon, Morwell and Churchill which all provide various facilities and services to support living in Hazelwood North. This is in contrast to areas like Toongabbie which is significantly more remote.

Out of all the areas for rezoning put forward by Council, we believe the *Hazelwood North – Precinct C* is the best from an overall perspective. As mentioned above the access to amenity is important with 10 mins to each of the townships of Traralgon, Morwell and Churchill. We acknowledge the importance of bushfire in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. Therefore, the assessment of such sites should be balanced and take into account the various opportunists and constraints rather than just bushfire.

We would like to make a comparative with the land that is proposed for rezoning to rural living in Tyers and the *Hazelwood North – Precinct C*. The Tyers site is identified in the Latrobe City Municipal Bushfire Risk Assessment that the land was a quarry that has been rehabilitated and that a submission was received through Live Work Latrobe

requesting this parcel be zoned to Rural Living Zone. We have applied for a Section 96a rezoning and subdivision application which included a detailed assessment of the site, surrounds and future development potential and consisted of:

-
- Site and Context Plan
- Proposed Plan of Subdivision
- Landscape Concept Plan
- Vegetation Removal Plan
- Bushfire Management Plan
- Planning Report
- Biodiversity Assessment Report
- Stormwater Management Plan
- Traffic Report
- Bushfire Management Statement
- Economic Analysis
- Infrastructure Servicing Report

While the response from the CFA on this proposal wasn't overwhelmingly positive, we have since discussed various options to try to address the CFA concerns with an alternate lot layout and improvement from the existing interface to farmland. We would also like to draw attention to the fragmented land in the Hazelwood North – Precinct C location. There are various small farming zone parcels that front Clarkes Road and abut the mentioned site. The existing zone boundary doesn't match the current land use and the current risk to these properties should be considered in any assessment.

We have read the Latrobe City Municipal Bushfire Risk Assessment and our opinion is that the document and assessment process is flawed. We believe the assessment should consider the risk of the existing/current conditions versus the risk of the proposed conditions (if a rezoning was to occur) rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland. As identified in the risk level scoring, sites with a score of 29 or less identify that development can reduce the risk to adjoining land and on the site. We believe the score of 30 attributed to *Hazelwood North – Precinct C* is close to this and with a suitable subdivision design the proposal could assist in reducing risk. The proposal does not adequately address the gap in zoning between existing settlement and Precinct D.

The precinct score assigned to each of the Tyers and Hazelwood North precincts is extreme. In fact, the overall score for the Tyers site is 39 which is higher than the 30 allocated to Hazelwood North. We would also like to note that the score of 30 for the Hazelwood North site sits just above a score 29 which would place the site in a lower risk level where development would likely reduce the risk to adjoining land and on the site.

Thank you for the opportunity to provide a submission on this proposed amendment, we look forward to the next part of this process.

Regards,

Name [REDACTED]

Address [REDACTED]

Phone number [REDACTED]

Submission 46

From: [REDACTED]
To: [REDACTED]
Subject: Options for 106 Tyers Walhalla Road Tyers under Planning scheme amendment C127/latr
Date: Tuesday, 17 May 2022 10:50:03 AM

[REDACTED]

Thank You for your correspondence.

Of the options presented to us in your email, the landholders have decided to progress with removing the site from the amendment and abandoning the rezoning at this point in time.

There are too many unknown factors at this stage to proceed with the other options provided.

Thank You for your patience and regard in regard to this matter.

Regards

[REDACTED]

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**SUMMARY OF SUBMISSIONS & PLANNING COMMENT TO
[C127 – BUSHFIRE AND RURAL REZONINGS]**

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
1			Object	Wishes for farmland to remain farmland as she is unable to subdivide her own land (in Wellington Shire).	There is a need for additional supply of rural living land (as per the Rural Living Strategy 2020). This amendment proposes to meet that need.	No	30/06/2021
2			Object	Believes his 9.8 hectare site should be rezoned to rural living from farming. The land is close to town and in the yellow bushfire risk area.	The land that is proposed to be opened up for further subdivision in Toongabbie is to the north east and all located in the 'green bushfire risk area'. This is the level of risk we and Clause 13.02-1S have essentially deemed acceptable for a rural living zone area.	No	30/06/2021
3	Wellington Shire Council	N/A	Support	No objection.	N/A	No	01/07/2021
4			Support	Fully supports amendment and what is proposed for her property.	N/A	No	01/07/2021
5			Object	Believes property should be considered Yellow/Green fire risk. Would like to be considered for future rezoning.	The matrix containing the 13 risk indicators is considered to be an appropriate mapping tool that holistically looks at bushfire risk. The scoring matrix has seen [REDACTED] property come out as yellow and red and this is considered to be appropriate.	No	20/07/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
6	Cardinia Shire Council	N/A	Support	Interested in observing Panel as Cardinia are considering how to best address bushfire risk at a municipal-wide level.	N/A	No	22/07/2021
7	Telstra Networks and IT	N/A	Support	No impacts on Telstra Fixed Access network.	N/A	No	22/07/2021
8	[REDACTED]	[REDACTED]	Object	<ol style="list-style-type: none"> 1. The land should not be in the Farming Zone due to the existing lot sizes and their inability to be farmed. 2. Their property is in a well-established rural living area and the Live Work Latrobe Rural Land Use Strategy suggested the land could be rural living. 3. Rezoning the land would provide an interface to any potential fire hazard and reduce the bushfire risk to the area. 	<ol style="list-style-type: none"> 1. It is understood that the [REDACTED] property is heavily vegetated and only 7.59ha. However, current state planning policy, including practice notes do not support the property being zoned for rural living purposes. The most appropriate zoning change that can be applied in the view of Council officers is the Farming Zone, Schedule 2. 2. Planning policy changed as a result of Ministerial Amendment VC130. Bushfire considerations changed and became more stringent. The rural living zone may have been appropriate under planning policy prior to 23 November 2018, however it is not appropriate under current state planning policy. 3. Rezoning would have negligible impact on reducing 	No	26/07/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
					bushfire risk. Instead, it would allow an additional 2-3 households at this property alone to have their property and life at risk in a bushfire event. The level of risk for this area is too high to justify introducing any additional residents.		
9			Object	<ol style="list-style-type: none"> 1. The land should not be in the farming zone due to the existing lot sizes and their inability to be farmed. 2. Their property is in a well-established rural living area and the Live Work Latrobe Rural Land Use Strategy suggested the land could be rural living. 3. Rezoning the land would provide an interface to any potential fire hazard and reduce the bushfire risk to the area. [REDACTED] is aware as a CFA member of 40-odd years. 	<ol style="list-style-type: none"> 1. It is understood that the [REDACTED] property is heavily vegetated and only 6.68ha. However, current state planning policy, including practice notes do not support the property being zoned for rural living purposes. The most appropriate zoning change that can be applied in the view of Council officers is the Farming Zone, Schedule 2. 2. Planning policy changed as a result of Ministerial Amendment VC130. Bushfire considerations changed and became more stringent. The rural living zone may have been appropriate under planning policy prior to 23 November 2018, however it is not appropriate under current state planning policy. 	No	28/07/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
					3. Rezoning would have negligible impact on reducing bushfire risk. Instead, it would allow an additional 2-3 households at this property alone to have their property and life at risk in a bushfire event. The level of risk for this area is too high to justify introducing any additional residents.		
10			Object	<p>1. Believe the property should be rezoned to rural living, consistent with the existing zone on surrounding land.</p> <p>2. The property consists of 2/3 cleared pasture that is low fire risk and is within 500 metres of the Moe residential zoning.</p> <p>3. Council should not approve the Delburn Wind Farm as it will be contradictory to Council and the CFA's advice on bushfire when the turbines in plantations and bush will impact on the ability to fight fires aerially.</p> <p>4. If the Delburn Wind Farm is approved, [REDACTED]</p>	<p>1. It is appreciated that much of the land to the north, east and west lies within a rural living zone. However, the land directly to the south is plantation and the bushfire risk in the area is too high to introduce additional households to the area. Legacy sites will continue on with their existing use rights and enjoying the benefit of the zoning they were included within at the time of their rezoning. However, for sites to change zones, they must meet the planning requirements at the time. In this case, the site cannot meet the requirements of Clause 13.02-1S of the Victorian Planning Schemes.</p>	No	30/07/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>█ should be rezoned to rural living.</p>	<p>2. The Municipal Landscape Bushfire Risk Map clearly identifies the site in the red level of bushfire risk. The same is true for numerous properties along the fringe of the residential area.</p> <p>3. Delburn Wind Farm is not an application for which Council is the Responsible Authority. The Minister for Planning will make a decision on the application based on the applicable assessment criteria and policy in place at the time.</p> <p>4. A decision by the Minister of Planning on a wind farm will not set a precedent to change planning considerations for rezoning land from farming to rural living. The decision for Delburn will have no bearing on this proposed Planning Scheme Amendment.</p>		
11	█	█	Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire</p>	No	01/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p> <p>3. Acknowledge the importance of bushfire in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p>	<p>risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.	<p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it is proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not allow for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning is justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy,</p>		

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					Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.		
12			Object	<ol style="list-style-type: none"> 1. Supports the rezoning of [redacted] and Hazelwood North – Precinct C. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill. 3. Acknowledge the importance of bushfire in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The BAL applied to Precinct C is excessive. 5. The development of [redacted] would likely 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme</i> 	No	02/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				reduce the risk of the adjoining land.	<p><i>amendments.</i> In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The Municipal Bushfire Risk Assessment uses a scoring matrix that produces a score between 13 and 30 based on a 13 risk indicator scoring matrix. This score is not the same as a BAL level. A BAL level of 30 is not being identified for Precinct C, rather a Municipal Landscape Bushfire Risk matrix scoring of 30 has been identified.</p> <p>5. Ministerial Directions, Planning and Advisory Notes and State Planning Policy do not allow dwelling to be put in high bushfire risk areas to reduce the risks to existing dwellings. This would be counterproductive and prioritising the human life within an existing home over</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
					the human life of a household within a new development.		
13	Department of Environment, Land, Water and Planning	71 Hotham Street, Traralgon 3844	Support	DELWP does not oppose the amendment.	N/A	No	03/08/2021
14		Unknown	Object	<ol style="list-style-type: none"> 1. Supports the rezoning of [REDACTED] and Hazelwood North – Precinct C. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill. 3. Acknowledge the importance of bushfire in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The BAL applied to Precinct C is excessive. 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment</i> 	No	03/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
					<p><i>Guidelines for preparing and evaluating planning scheme amendments.</i> In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The Municipal Bushfire Risk Assessment uses a scoring matrix that produces a score between 13 and 39 based on a 13 risk indicator scoring matrix. This score is not the same as a BAL level. A BAL level of 30 is not being identified for Precinct C, rather a Municipal Landscape Bushfire Risk matrix scoring of 30 has been identified.</p>		
15			Object	1. It is unclear what changing an area of Farming Zone, Schedule 1 (FZ1) land to Farming Zone, Schedule 2 (FZ2) will achieve in fire, flood and landslip prone Koornalla. This entire area should be considered for restructure.	1. The rezoning does not rezone land that is of 40ha or larger. Therefore, there is no increase in subdivision or dwelling development potential. The only benefit is that justification for a dwelling from a farm management plan perspective is lessened for dwelling	Yes. Definition of 'large shed' to be updated in Rural Living Strategy.	03/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>2. It is suggested that consideration be given to restructuring areas of high natural hazard to create a safer environment for remaining residents.</p> <p>3. Subdivision below 40ha is not prohibited and occurs when Council exercises its discretion. Subdivision and dwellings on lots below 40ha should be prohibited throughout the Koornalla, Callignee and Traralgon South districts. And dwellings and subdivision should be prohibited on any undersized lots within the Bushfire Management Overlay.</p> <p>4. The area along Traralgon Creek and Traralgon Creek Road should be retained as broadacre farming in the FZ1.</p> <p>5. Rural Living areas around Callignee and Loy Yang should be rezoned to reflect the actual use and lot sizes in the area, however it may not be endorsed by the CFA or a fire consultant.</p>	<p>applications received as it is acknowledged that the precinct is not operating as an intensive agricultural precinct.</p> <p>2. Rural restructure overlays are not within the scope of this amendment. If this were appropriate, it would be at the discretion of the State government to provide for a buy-back scheme based on bushfire risk.</p> <p>3. The Farming Zone and Bushfire Management Overlay are state planning provisions that are to operate at the direction of the State government. Council do not have the ability to prohibit the creation of second lots in the Farming Zone or prohibit dwelling and subdivision applications on lots within the BMO.</p> <p>4. This precinct is clearly operating as a defacto rural living area and the slope and vegetation cover of the land is not conducive to agricultural production. Therefore, a</p>		

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				6. The Rural Living Strategy refers to 'large shed' in the Clause 13.02 assessments. However, 'large shed' is not a defined planning term.	rezoning to FZ2, as opposed to the FZ1. 5. Rezoning is being proposed based on land supply requirements, quality of agricultural land, land constraints and the Municipal Landscape Bushfire Risk Map. These areas therefore were not identified for rural rezoning. 6. A 'large shed' referred to an outbuilding ancillary to a dwelling with a floor area exceeding 100sqm as these sheds are not exempt from a planning permit under the BMO. The Rural Living Strategy can be updated to reflect this.		
16	Department of Transport	120 Kay Street, Traralgon 3844	Support with changes	No objection to the proposed amendment, however request the following items be included under Schedule 10 to Clause 43.04 Development Plan Overlay: The Development Plan should include: <ul style="list-style-type: none"> • The whole development area (e.g. DPO10) • Bus capable routes (if applicable) 	Changes requested are reasonable and can be made, however given the RLZ context, bus capable routes and paths need reconsideration.	Yes. Changes to the DPO10.	04/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<ul style="list-style-type: none"> Path network <p>The Traffic Impact Assessment to be provided as part of the Development Plan Overlay should address the impact of the development on the intersections of:</p> <ul style="list-style-type: none"> Traralgon-Maffra Road & Afflecks Road; Traralgon-Maffra Road & Nippe Lane; and Traralgon-Maffra Road & Sparks Lane. 			
17			Object	Supports amendment but does not agree with the BAL rating applied to [REDACTED] and Precinct C within which it sits.	The Municipal Bushfire Risk Assessment uses a scoring matrix that produces a score between 13 and 39 based on a 13 risk indicator scoring matrix. This score is not the same as a BAL level. A BAL level of 30 is not being identified for Precinct C, rather a Municipal Landscape Bushfire Risk matrix scoring of 30 has been identified. Email sent to [REDACTED] on 12/08/2021. No response received.	No	04/08/2021
18	West Gippsland Catchment Management Authority	16 Hotham Street, Traralgon 3844	Support	Does not object.	N/A	No	04/08/2021

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19			Object	Supportive of amendment, however wishes for to be rezoned from FZ1 to RLZ1.	Council attempted to contact the CFA to obtain their feedback on correction zoning. The CFA did not provide their support and it was therefore not proposed as part of this amendment. It is acknowledged that the land falls within the red landscape bushfire risk area. However, if the CFA were supportive of a correction zoning, Council would be happy to include that as a post exhibition change.	No	05/08/2021
20			Object	Supportive, however object to Hazelwood North – Precinct C being in a 30 BAL rating when is BAL 39 and proposed to be rezoned to RLZ1.	The property in Tyers is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it is proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not allow for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning is justified. The Municipal Bushfire Risk Assessment uses a scoring matrix that produces a score between 13	No	05/08/2021

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					and 39 based on a 13 risk indicator scoring matrix. This score is not the same as a BAL level. A BAL level of 30 is not being identified for Precinct C, rather a Municipal Landscape Bushfire Risk matrix scoring of 30 has been identified.		
21			Object	Wishes for [REDACTED] to be rezoned to Rural Living Zone as it is not suitable for agriculture. There are two residences along the east boundary of Traralgon Maffra road and twelve adjacent forming a rural zone corridor.	The Rural Living Strategy has recognised the potential for this land and concluded that it would be an unwise use for this site and its surrounds to be RLZ. The site is identified for future investigation for a Low Density Residential Zone land rezoning.	No	06/08/2021
22a			Object	The site is identified as 'future residential' in the Moe-Newborough Town Structure Plan. After meetings with Management and the GM at Council, it is thought that excessive land supply around Moe-Newborough deem the site more appropriate for Rural Living Zone.	It is acknowledged that there is a flood of standard residential land available in Moe-Newborough and soon with Narracan Lakes. A RLZ zoning may be appropriate, however justification under Clause 13.02-1S will be required to justify a rezoning, particularly given about 50% of the site is identified as yellow bushfire risk (the remainder is green). Consideration for rural rezoning was outside of the scope of this amendment as the site is identified as 'Long-Term Future Residential' by the Moe-Newborough Structure Plan.	No	06/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
22b			Object	<ol style="list-style-type: none"> 1. [REDACTED] should be rezoned for Rural Living purposes given its location in regards to main townships, desirability, serviceability and strategic justification point of view. 2. There is a current oversupply of standard residential land within the Moe-Newborough Structure Plan area, particularly Lake Narracan Precinct Structure Plan area and undeveloped existing GRZ parcels within Moe which conservatively represent supply for the next 50+ years. 3. Review of the Latrobe City Municipal Bushfire Risk Assessment shows that the subject site can comfortably be developed to comply with the relevant, evolving, Bushfire Legislation at the subdivision stage of the land development process. Good design and proactive pre-lodgement design consultation with the Council and the CFA at the 	<ol style="list-style-type: none"> 1. It is acknowledged that the site is well located and serviced and may be appropriate for RLZ. However, it is identified in the structure plan as 'Long-Term Future Residential' and therefore its consideration for rural living was outside of the scope of this amendment. The landowner has the ability to submit a proponent-led Planning Scheme Amendment. 2. It is acknowledged that further work is required to ascertain whether or not further residential land is required to meet 15 year supply. 3. The site is approximately 50% in the yellow bushfire risk area and the remainder in the green risk area. Therefore, justification would be needed to appease the CFA's concerns with a rezoning. At this stage, the advice we have received is that the CFA won't entertain rezonings that allow additional lots and dwellings in the yellow or red risk areas. 	No	12/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				subdivision stage can ensure a fully compliant outcome.			
23			Object	Wishes to be rezoned for rural living.	The land is within a yellow bushfire risk area. The surrounding land is of a size where rural living rezoning would be considered a correction zoning and will not increase development potential. This is not the case at [REDACTED] as it is 12.12ha and rezoning would allow for additional lots and dwellings in a yellow bushfire risk area.	No	06/08/2021
24a			Object	<p>1. The proposed local policy at Clause 13.01-2L suggests that the policy is to apply to all buildings, regardless of whether or not they accommodate people. There is concern that these standards will apply to the turbines and other works proposed at the Delburn Wind Farm.</p> <p>2. Similar policy direction is proposed at Clause 17.04-1L in relation to tourism, although it is noted that in the case of tourism clauses reference is also made to the</p>	<p>1. The existing provisions mentioned apply to BPA areas that are outside of the BMO only. The BMO applies to developments associated with a wider range of uses. The second last strategy of Clause 13.02-1L Municipal Landscape Bushfire Risk Areas could be updated to be consistent with the BMO land uses specified.</p> <p>2. This is appropriate as the requirement applies to tourism facilities, a place where people congregate. All buildings associated with tourism should meet the standard specified.</p>	Yes – updates to Clause 13.02-1L	06/08/2021

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				<p>siting of buildings, not just construction standards.</p> <p>3. The existing Clause 13.02-1L(BPA) recommends a BAL-29 apply to development, subdivision and uses identified in Clause 13.02-1S (i.e. subdivisions of more than 10 lots; accommodation, child care centre; education centre; emergency services facility; hospital; 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'). Policy proposed under Clause 13.02-1-L should be applied the same way.</p> <p>4. Consideration should be given to the other ways to achieve BAL-29 exposure levels, not just via construction. One example is closing buildings/facilities on Total Fire Ban days.</p>	<p>3. As per point 1 above, the existing provisions mentioned apply to BPA areas that are outside of the BMO only. The BMO applies to developments associated with a wider range of uses. The second last strategy of Clause 13.02-1L Municipal Landscape Bushfire Risk Areas could be updated to be consistent with the BMO land uses specified.</p> <p>4. The planning system and the CFA focus on design and siting appropriately for specified land uses. Closure of facilities on certain days is not a suitable future-planning tool in regards to bushfire risk. This is a band-aid solution that may be appropriate for legacy developments. However, land use planning directs to prioritise human life and property. Simply closing facilities on Total Fire Ban days does nothing in the way of considering protection of property. This is inconsistent with the direction of Clause 13.02-1S.</p>		

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					Email sent to Debra on 26/08/2021		
24b				<ol style="list-style-type: none"> 1. Suggested wording updates by Council would partially alleviate concerns. However, do question if its necessary to include building related requirements in policy. 2. Council's position has been accepted in relation to previous concern point 2. 3. Wording changes to Clause 13.02-1L would partially alleviate concerns. 4. Continue to mention the ability for Council to consider managing fire risk with tools outside of building construction standards. 	<ol style="list-style-type: none"> 1. Changes proposed as post-exhibition changes to partially alleviate concerns. 2. No changes necessary. This concern has been resolved. 3. Changes proposed as post-exhibition changes to partially alleviate concerns. 4. Incorporating changes suggested by Terramatrix. This should partially alleviate concerns here. 	Yes. Updates to Clause 13.02-1L	23/09/2021
25	EPA	Level 3, 14 Mason Street, Dandenong 3175 DX211566	Support with changes	Wording changes to DPO10 requested.	Changes can be made as post-exhibition edits. We have emailed the EPA to seek clarification as to the wording they'd like to see.	Yes, to DPO10, the Explanatory Report and the Rural Living Strategy.	06/08/2021

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26			Object	<p>1. Updated Clause 14.01-3L Forestry and Timber Production states '<i>Ensure timber production does not increase the level of bushfire risk on surrounding sensitive land uses</i>' which could limit the establishment of new plantations, which is inconsistent with current Victorian government policy which is supporting the expansion of plantation forestry in Gippsland.</p> <p>2. Concerned about changing land uses on interfaces with HVP plantations which increases risk of fire to HVP estates.</p>	<p>1. Wording is to be revisited to read so as to apply to proposals to establish new timber production facilities, as opposed to established facilities. However, it is in the interest of the community for harvesting activities and timber coup operations to have regard to reducing bushfire risk. It is also noted that existing use rights will apply.</p> <p>2. Clarification was sought as to what the particular areas/addresses of concern are. However, it was stated that HVP have approximately 120,000ha of land across Gippsland, so they would find it hard to provide this detail. It is noted that the rezonings likely being referred to are essentially correction zonings and will not increase the number of lots or dwellings in proximity to the interfaces.</p> <p>Emailed 20/08/2021 and spoke about concerns verbally, with no further written submission provided.</p>	Yes, Change to Clause 14.01-3L.	06/08/2021

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27	CFA	8 Lakeside Drive, Burwood East, Vic 3151	Object	<p><u>Municipal Bushfire Risk Assessment</u></p> <p>1. Key areas of concern with the Municipal Bushfire Risk Assessment report include:</p> <ul style="list-style-type: none"> a) The purpose and function of the report. b) The coverage and location/settlement considerations within the report c) The factors that have been used to underpin the assessment d) The risk framework/matrix e) The reliance on unplanned / high cost fire prevention works f) The either oversimplification or complication in various parts of the reports g) The shifting between different concepts of risks, etc. <p>(However, the CFA note that the plan is probably satisfactory for broadly applying general planning policies regarding bushfire).</p> <p><u>Settlement Planning and Growth</u></p>	<p>1. These broad concerns were raised with Council very late in the piece after a significant period of time during which Council's proactive attempts to work with the CFA went unanswered. We will continue to proactively work with the CFA to try and resolve any unresolved submission comments.</p> <ul style="list-style-type: none"> a) This is to be a background report that supports this PSA, but also a multi-use document that supports the Latrobe Integrated Bushfire Risk and Fuel Management Planning project and advocacy. The purpose of the report is discussed in section 1.1 of the report at page 7. b) The assessment has measured risk municipal-wide and assessed 72 logical sub-precincts in detail. c) The CFA have never provided direct information on what factors that have concern with. d) No specific detail has ever been provided in regards to 	Yes. Numerous local policies, the DPO10 and DDO12 were updated in response to the CFA feedback	06/08/2021

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				<p>2. Concerned that policy seems to support directing development to townships such as Glengarry, Boolarra and Toongabbie, where nearby landscape risks are high to extreme. There are larger and more suitable locations to encourage growth that are at lower bushfire risk.</p> <p>3. Questions appropriateness of supporting development in areas identified as red bushfire risk. Clause 13.02-1S makes no distinction between existing or future zoned land.</p> <p>4. Haven't provided strong, clear policy outcomes to ensure development, particularly residential development, in red risk areas is avoided.</p> <p><u>Localised Bushfire Policy</u></p> <p>5. Consider whether proposed local bushfire policy is consistent with the objectives of other proposed policy that forms part of the amendment (e.g. Clause 16.01-5).</p>	<p>which components of the assessment matrix are of concern. We are confident it's a well-balanced, all-encompassing assessment matrix.</p> <p>e) The risk assessment is not underpinned by planned future work. The risk assessment identifies the level of risk under current conditions, with no intervention. The works identified are to inform the Latrobe Integrated Bushfire Risk and Fuel Management Planning project.</p> <p>f) Further clarity on this has never been provided.</p> <p>g) It is the view of Council that the report is consistent in its discussion of risk.</p> <p>2. The areas selected for rezoning so as to allow for further subdivision and additional development are within the 'green' risk areas. We must balance a range of factors when selecting sites, with bushfire given the highest consideration.</p>		

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				<p>6. Consider whether changes could be made to minimise local policy conflicts around radiant heat benchmarks, defensible space requirements and construction standards.</p> <p>7. Consider how construction standards are used to improve community resilience to bushfire and whether there are any unintended consequences of the proposal to require a BAL-29 construction standard. There are associated policy considerations that also need to be addressed when this protection measure is adopted.</p> <p>8. Consider what additional policies could be included to ensure the intent of building structural and community resilience through enhanced construction measures can be met without reducing other protection requirements.</p> <p>9. Reconsider whether development should be supported in 'red' risk areas.</p>	<p>3. This amendment does not seek to allow for additional as of right dwellings or ability to subdivide in areas identified as being in 'red' bushfire risk areas.</p> <p>4. The proposed draft Clause 13.02-1L Municipal Landscape Bushfire Risk Areas provides policy direction around what is suitable in each bushfire risk colour. This policy seeks to discourage sensitive land uses and rezoning for more intensive development purposes in red areas. Proposed local policies have been updated with a bushfire consultant to try and appease these concerns.</p> <p>5. It is the view of Council that the local policies drafted are not in conflict. However, proposed local policies have been updated with a bushfire consultant to try and appease these concerns.</p> <p>6. Examples of the conflicts identified by the CFA would be helpful. Proposed local policies have been updated with a</p>		

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				<p>10. Consider whether other uses should be encouraged or discouraged in certain areas.</p> <p>11. Consider whether any other particular bushfire protection measures should be encouraged in certain areas.</p> <p>12. Consider whether there are any particular circumstances unique to Latrobe that need special bushfire consideration.</p> <p><u>Using the Term 'Sensitive Use' in a Bushfire Context</u></p> <p>13. Noted that recent Environmental Protection Policy has been released that has helped defined the concept of 'sensitive use'. There is some bushfire guidance that refers to the term and its used in planning more broadly. Planning and bushfire definitions of sensitive use may differ.</p> <p><u>Rural Residential Development</u></p>	<p>bushfire consultant to try and appease these concerns.</p> <p>7. The intent is to still achieve a BAL-12.5 attack level when siting, but to build to a BAL-29 for added protection to property and life. It is unclear what the concerns are in relation to unintended consequences. Further advice and guidance from the CFA, as always, would be greatly appreciated. Proposed local policies have been updated with a bushfire consultant to try and appease these concerns.</p> <p>8. It is unclear what reduction to which 'other protection requirements' is being referred to. Council actively sought feedback and advice from the CFA for over 9 months in relation to the policies proposed. Collaboration on this project was greatly desired. If there are additional policy opportunities to protect property and life within the scope of this project, Council would be happy to consider their inclusion with the advice of the CFA. However, this</p>		

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				<p>14. Areas shown as red should not be encouraged for rural living consideration.</p> <p>15. The reference to 'low' in the third to last policy should be changed to 'green'.</p> <p>16. Unclear how the introduction of this policy has been considered against Clause 13.02-1S.</p> <p><u>Tourism</u></p> <p>17. Tourism policy could be strengthened to ensure bushfire risks are reduced and facilities are less likely to be used on days of highest fire danger.</p> <p>18. Facilities and ancillary activities should be discouraged in certain higher risk environments.</p> <p><u>Design and Development Overlay</u></p> <p>19. Opportunities to simplify references to radiant heat, setback and defensible space and to ensure consistency with other</p>	<p>comment contradicts the previous point raised above. Proposed local policies have been updated with a bushfire consultant to try and appease these concerns.</p> <p>9. Support of development of these lots is only offered where it can be demonstrated that Clause 13.02-1S and Clause 13.02-1L can be adequately met. This is consistent with the existing Planning Scheme. Proposed local policies have been updated with a bushfire consultant to try and appease these concerns.</p> <p>10. Uses have been limited in regards to the CFA desired term of 'vulnerable uses' as a post exhibition change. Proposed local policies have been updated with a bushfire consultant to try and appease these concerns.</p> <p>11. Council would be happy to take advice and recommendations for the CFA in relation to this.</p>		

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				<p>policies sought under amendment C127.</p> <p>20. Opportunity to improve requirements for bushfire protection measures to reduce risks.</p> <p><i>Subdivision</i></p> <p>21. Clarification as to how defensible space is to be addressed and implemented. Will onsite defensible space be required and how? If not, can offsite defensible space be implemented if the land is in separate ownership? CFA's preference is for defensible space to be on site or that S173 agreements are entered into.</p> <p>22. Could further consider management of interim bushfire risks, fencing requirements and buildings associated with vulnerable/sensitive uses.</p> <p>23. Clarification as to how subdivisions will be required to address radiant heat policy alongside construction</p>	<p>12. Council would be happy to take advice and recommendations for the CFA in relation to this.</p> <p>13. Planning refers to 'sensitive' land use whereas the CFA refer to 'vulnerable' use. These definitions are slightly different. Defining a 'vulnerable land use' and reference to it in policy has been included as a post exhibition change.</p> <p>14. The proposed amendment does not encourage 'red' risk areas to be considered for rural living. It does the opposite. However, it is acknowledged that some properties that have been identified as 'red' risk are within the rural living zone and are not yet developed. Policy proposed directs to support development of these lots is only offered where it can be demonstrated that Clause 13.02-1S and Clause 13.02-1L can be adequately met. This is consistent with the existing Planning Scheme.</p>		

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				<p>standard policy. The policy is considered clear enough to establish that a setback akin to a BAL-12.5 or 12.5kw/m² is required even though the building must be constructed to a BAL-29 standard.</p> <p><i>Application Requirements</i></p> <p>24. Remove reference to 'alternate measure'.</p> <p>25. Discouraging references to Bushfire Management Statement as it is a term defined under the BMO</p> <p>26. Consider removing references to Clause 53.02-3 under the landscape hazard assessment as it is a consideration under Clause 13.02-1S.</p> <p><i>Decision Guidelines</i></p> <p>27. Landscape Hazard Bushfire Assessments are an application requirement and should therefore be a consideration in the decision guidelines.</p>	<p>15. This is an oversight and a change that can be made.</p> <p>16. Proposed local policies, including this one, have been updated with a bushfire consultant to try and appease these concerns.</p> <p>17. Restricting use of facilities on certain fire risk days would be appropriate as a condition of any subsequent planning permit issued. Restrictions will then be able to be better tailored to specific sites and the activities proposed. Proposed local policies have been updated with a bushfire consultant to try and appease these concerns.</p> <p>18. This is the aim of the updated draft policy. The current local policy does not give great consideration to bushfire risk, relying more so on the application of Clause 13.02-1S. The drafted policy highlights the importance of bushfire risk as a consideration in a tourism context. If the CFA had more specific advice, Council would be happy to</p>		

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				<p>28. Vegetation bushfire protection exemptions are unlikely to apply to applications that trigger a permit under the DDO. Should therefore also be a decision guideline to ensure bushfire risks are managed into the future and any ecological and bushfire management conflicts are resolved.</p> <p><u>Development Plan Overlay</u></p> <p>29. Substantial changes to the DPO would be required to better justify any future development growth of the Toongabbie township. The DPO should be designed to ensure the existing township strengthens its response to bushfire.</p> <p>30. There are additional opportunities to improve the bushfire response and create a safer community, including better incorporation of the suggestions in the associated structure plan and the Toongabbie section of the Bushfire Risk Assessment.</p>	<p>consider it. Proposed local policies have been updated with a bushfire consultant to try and appease these concerns.</p> <p>19. Council has continued to actively invite the CFAs feedback on matters such as this with limited communication or direction given. Council would be happy to work with the CFA to achieve this if it is felt that the proposed schedule is not already simple enough. The draft Schedule has been updated with a bushfire consultant to try and appease these concerns.</p> <p>20. Some more specific direction on this would be helpful. The DDO Schedule 12 has been influenced by the BMO. Council would be happy to consider any more detailed suggestions/feedback. The draft Schedule has been updated with a bushfire consultant to try and appease these concerns.</p> <p>21. This is largely addressed at Clause 13.02-1-L Bushfire Prone Areas. Furthermore, the</p>		

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				<p><u>Bushfire Management Overlay</u></p> <p>31. The CFA discourage changes to the BMO and it is noted that the proposed mandatory condition duplicates an existing mandatory requirement under the BMO with similar rationale for entering into agreements.</p> <p><u>Anomaly Amendment Sites</u></p> <p>32. Amendment fails to provide supporting bushfire information to justify the rezoning of anomaly sites. What does changing from FZ1 to FZ2 mean from a bushfire perspective? Impacts of changing to PPRZ, will it change the risk profile or management requirements?</p> <p>33. The CFA want information as to how each site meets Clause 13.02-1S.</p>	<p>first decision guideline of Schedule 12 to the DDO is <i>'Whether appropriate siting can occur to provide for sufficient defensible space to protect development against bushfire risk.'</i> And the final decision guideline is <i>'Whether a Section 173 Agreement pursuant to the Planning and Environment Act 1987 is required to ensure ongoing maintenance of defensible space and other bushfire protection measures included within the Vegetation Management Plan.'</i> Therefore, the issue is appropriately addressed.</p> <p>22. This Schedule isn't seeking to retrospectively require bushfire safety measures for legacy issues. The Schedule seeks to ensure that the future use and development of the site is resilient when it comes to bushfire.</p> <p>23. The drafted Schedule is largely consistent with the BMO. It is the view of Council that the schedule has been appropriately drafted to</p>		

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					<p>achieve the level of bushfire protection sought. The draft Schedule has been updated with a bushfire consultant to try and appease these concerns.</p> <p>24. It is acknowledged that the alternate measures at Clause 53.02 only apply to applications in the BMO. It will therefore be removed from the draft DDO Schedule.</p> <p>25. The requirement/reference to bushfire management statements has been removed as a proposed post exhibition change.</p> <p>26. It is the view of Council at Clause 13.02-1S does not adequately address what is sought to be achieved under the DDO. It is Council's preference to not make changes here.</p> <p>27. The decision guidelines have been reviewed to make mention of the landscape Hazard Bushfire Assessments.</p> <p>28. If vegetation is to be removed, it may likely trigger the need</p>		

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					<p>for a planning permit under Clause 52.17. Appropriate consideration of ecological issues will occur as part of the considerations under Clause 52.17.</p> <p>29. Council are happy to take advice on how the DPO could be equitably imposed to ensure the existing township strengthens its response to bushfire. The draft Schedule has been updated with a bushfire consultant to try and appease these concerns.</p> <p>30. The DPO10 and DDO12 seek to impose the appropriate recommendations identified in the Municipal Bushfire Risk Assessment. It is unclear what components of the Toongabbie Structure Plan are being referred to. Further advice is required.</p> <p>31. Council has no concerns with dropping the proposed mandatory condition and therefore making no changes to the BMO1.</p>		

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					<p>32. The proposed rezonings have given adequate consideration to Clause 13.02-1S, as per the Rural Living Strategy. The anomaly amendments seek to acknowledge the existing land use and development pattern, as opposed to allowing for any additional subdivision or development, as per the justification against Clause 13.02-1S in the rural Living Strategy. The rezonings to PPRZ and PCRZ are essentially at the request of DELWP.</p> <p>33. Assessments against Clause 13.02-1S are provided in the Rural Living Strategy.</p> <p>Emailed Anne Coxon of the CFA on 27/08/2021. The CFA continue to be elusive, and though we've engaged a third party to liaise with the CFA on our behalf, we continue to receive no feedback and reach no resolutions.</p>		
Late Submissions							
28	Jason Nardone		Object	1. Lot 2 on PS341052 should be included in the rural rezonings as its appropriately located	1. The subject site is 26.59ha in size and is wholly affected by the Environmental Significance	No	13/08/2021

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				<p>compared to more remote areas identified and rural living is sought after in the area.</p> <p>2. The site is not within the BMO and is separated from the plantations to the east.</p> <p>3. The Municipal Bushfire Risk Assessment is flawed as it should consider the risk of the existing/current conditions versus the risk of proposed conditions. It would allow for improvements to settlement interfaces.</p>	<p>Overlay, Schedule 1 (ESO1) – Urban Buffer. This buffer is in place to ensure land use planning considers the compatibility of land uses within this buffer area. Due to the presence of the ESO1, the site has not been deemed suitable for rezoning.</p> <p>2. The site is not within the BMO and sits within the 'green' bushfire risk level in the Municipal landscape Bushfire Risk Map. However, bushfire risk is not the only consideration given to the rezoning of land. In this case, the ESO1 makes the site unsuitable. The landowner(s) have the ability to approach DJPR to discuss possible reviews of the buffer to facilitate a future proponent-led planning scheme amendment.</p> <p>3. The intent of the MBRA and Ministerial Direction 1 is not to put additional lives in areas of bushfire risk in an attempt to reduce bushfire risk on existing developments. The assessment must consider the current risk across the</p>		

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					municipality based on the existing land use and development pattern.		
29			Object	should be included in the rezoning and considered also.	All three parcels are within a red bushfire risk area with no strategic justification for rezoning. Rezoning would be at odds with bushfire policy.	No	18/08/2021
30			Object	<ol style="list-style-type: none"> 1. Do not wish to be rezoned from Farming Zone. Property was subdivided 16 years ago with the purpose of staying rural farming and keeping the rural farming life and look of Toongabbie. 2. Does not wish to be surrounded by rural living properties. 3. Rezoning will impact on gun licenses. 4. The new animal limit that goes with the RLZ is unfair and is already exceeded at the site. Will have to sell or euthanise or pay for excessive permit fees. 5. Increase in rates. 	<ol style="list-style-type: none"> 1. A zoning applied to land is not in perpetuity, there is always a chance that land will be rezoned. 2. As mentioned, land use and zones can change over time depending on supply, demand and suitability of land for transition to another purpose. This site ticks all of the boxes for rural living. 3. Shooting on the property can continue if it can be done in accordance with Regulation 8 under Part 3 of the Firearms Regulations 2018. The ability to shoot on private property is not tied to land zoning, but rather the ability to comply with the Firearms Regulations 2018. It is noted that there are already several houses within 	No	20/08/2021

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				<p>6. Will be forced to subdivide but won't be able to afford to complete all that is required with a subdivision.</p> <p>7. More roads will be needed to facilitate subdivision, making it a town area, not rural living.</p> <p>8. Land use conflicts with farms directly to the north in Wellington Shire. Fertilisers have a bad smell at times.</p> <p>9. Afflecks Road is poorly maintained by Wellington Shire and isn't suitable for additional traffic.</p> <p>10. There is no drainage, paths or lighting along Afflecks Road making it very dangerous for the children walking/riding to the bus stop. This will be worse with more traffic.</p> <p>11. Rezoning will increase population and traffic and change the dynamics of the small town. Will more parks and reserve be provided? Will a supermarket be required?</p>	<p>250m of the property meaning neighbour consent would already be required to shoot on the property.</p> <p>4. Section 6(3) of the <i>Planning and Environment Act 1987</i> states that "<i>Subject to subsections (4) and (4A), nothing in any planning scheme or amendment shall (a) prevent the continuance of the use of any land upon which no buildings or works are erected for the purposes for which it was being lawfully used before the coming into operation of the scheme or amendment (as the case may be)</i>".</p> <p>5. Rates are not a valid planning consideration.</p> <p>6. Council cannot force someone to subdivide their land if they do not wish to. If it were decided that the landowner wanted to subdivide, options are available in partnership with other developers. However, this is not a valid planning consideration.</p>		

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					<p>7. The density proposed is 2ha minimum lot sizes which is rural living in nature. Presence of roads has no bearing on this.</p> <p>8. Wellington Shire's planning team have reviewed the amendment with consideration to matters such as land use conflict and offered no objection to the proposed amendment. The land to the north does not contain any crops, so issues with fertilisers and pesticides/herbicides are not a current risk.</p> <p>9. The state of the road will be considered as part of any future subdivision applications along Afflecks Road. The state of the road is a matter that should be brought up with Wellington Shire as the asset owner.</p> <p>10. Infrastructure provision along Afflecks Road and future need will be considered as part of future subdivision applications. However, for any current concerns, the landowner</p>		

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					<p>should contact Wellington Shire to discuss.</p> <p>11. The Toongabbie Town Structure Plan proposed as part of Amendment C126 has assessed and identified the needs for Toongabbie in relation to land use and services.</p>		
31			Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p> <p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p> <p>3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to</p>	No	20/08/2021

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				<p>the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is</p>	<p>planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in</p>		

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				close to the 29 that would classify it as 'yellow' risk.	<p>this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Only land in the 'green' bushfire risk areas has been identified for rezoning in a manner that will allow additional lots to be created and dwellings established. Areas of 'yellow' and 'red' risk have only been identified for correction zonings that are consistent with Clause 13.02-1S.</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
32			Object	<ol style="list-style-type: none"> 1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote. 3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30. 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire 	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
					<p>Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		
33			Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p> <p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p> <p>3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high,</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the</p>	No	20/08/2021

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				<p>however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p>	<p>first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares.</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as ‘yellow’ risk.</p>	<p>Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being ‘yellow’ risk, the site falls to the ‘red’ risk side.</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
34			Object	<ol style="list-style-type: none"> 1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote. 3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30. 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the 	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and</p>		

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					<p>subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		
35			Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p> <p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p> <p>3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the</p>	No	20/08/2021

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				<p>can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p>	<p>first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares.</p>		

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				<p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		

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36			Object	<ol style="list-style-type: none"> 1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote. 3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30. 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the 	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and</p>		

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					<p>subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		
37			Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p> <p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p> <p>3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the</p>	No	20/08/2021

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				<p>can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p>	<p>first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares.</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p> <p>8. Eight other people signed this submission.</p>	<p>Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		

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					8. For the purposes of Local Law 1 this is not a relevant petition. However, it can be considered as a submission to this amendment.		
38			Object	<ol style="list-style-type: none"> 1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote. 3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and</i> 	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p><i>evaluating planning scheme amendments.</i> In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire</p>		

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					<p>Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		
39			Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p> <p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The</p>	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions</p>	<p>locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for</p>		

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				<p>rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p>		

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					7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.		
40			Object	<ol style="list-style-type: none"> 1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote. 3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme</i> 	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as ‘yellow’ risk.</p>	<p><i>amendments.</i> In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
					<p>by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		
41			Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p> <p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned</p>	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in</p>	<p>for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being</p>		

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					'yellow' risk, the site falls to the 'red' risk side.		
42			Object	<ol style="list-style-type: none"> 1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote. 3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment 	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area.</p>		

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					<p>It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		
43			Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p> <p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p> <p>3. Acknowledge the importance of bushfire risk in</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by</p>	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements</p>	<p>the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone,</p>		

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		

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44			Object	<ol style="list-style-type: none"> 1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings. 2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote. 3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high, however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas. 4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30. 	<ol style="list-style-type: none"> 1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map. 2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the first consideration to be made for any land rezoning proposal. 3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire 	No	20/08/2021

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				<p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p> <p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as 'yellow' risk.</p>	<p>risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares. Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a</p>		

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					<p>Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being 'yellow' risk, the site falls to the 'red' risk side.</p>		
45			Object	<p>1. The land identified as Hazelwood North – Precinct C should be included in the rural rezonings.</p> <p>2. There is high demand for rural living lots in Hazelwood North, especially given its proximity to Traralgon, Morwell and Churchill, whereas Toongabbie is more remote.</p> <p>3. Acknowledge the importance of bushfire risk in communities where the risk to people and property is high,</p>	<p>1. Precinct C was considered as part of this amendment; however, it was removed from contention based on it falling within the red level of bushfire risk in the Municipal Landscape Bushfire Risk Map.</p> <p>2. When assessing land supply, we are to provide for 15 years at a municipal-level rather than a township based level. The locations of land to be rezoned for more sensitive land uses had to be informed firstly by the Municipal Bushfire Risk Assessment as bushfire is the</p>	No	20/08/2021

Sub No.	Name / Organisation	Address	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required ? Yes / No	Date submission received
				<p>however in a rural context it can't be the only driver for development to not be considered as there will always be some risk due to the typical landscape of rural areas.</p> <p>4. The ex-quarry to be rezoned in Tyers is comparative to Precinct C in Hazelwood North and it should also be recommended for rural living rezoning. Tyers scored 39 in the risk ratings where Precinct C scored 30.</p> <p>5. Have applied for a Section 96(A) rezoning and subdivision. Response from CFA unfavourable at this time.</p> <p>6. The Municipal Bushfire Risk Assessment is flawed. The document should consider the risk of the existing/current conditions versus the risk of the proposed conditions rather than each parcel in isolation. This would allow identification of improvements to settlement interfaces with adjoining farmland.</p>	<p>first consideration to be made for any land rezoning proposal.</p> <p>3. <i>Ministerial Direction No. 11 Strategic Assessment of Amendments</i> applies to planning scheme amendments. It is supported by <i>Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments</i>. In preparing a planning scheme amendment a planning authority must address any relevant bushfire risk and determine whether the changes proposed will result in any increase to the risk to life, property and community infrastructure from bushfire.</p> <p>4. The property in Tyers [REDACTED] is a 3.34ha rehabilitated quarry in the Special Use Zone, Schedule 6 (Earth and Energy Resources Industry). As this land is no longer used for quarrying activities, it was proposed to correction zone the site to Rural Living Zone, Schedule 1 which has a minimum lot size of 2 hectares.</p>		

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				<p>7. Hazelwood North – Precinct C scores 30 in the bushfire risk assessment, which is close to the 29 that would classify it as ‘yellow’ risk.</p>	<p>Therefore, this rezoning would not have allowed for the subdivision of the land or development of any more than a single dwelling. Therefore, in this case, a correction zoning was justified.</p> <p>5. The site is within the red bushfire risk area under the Municipal Landscape Bushfire Risk map, is partially affected by the BMO and is wholly within the Bushfire Prone Area. It is understood that it would be difficult to argue for a Section 96(A) rezoning and subdivision application within Precinct C.</p> <p>6. The assessments undertaken have been considerate of relevant State Planning Policy, Ministerial Directions and Planning and Advisory Notes. The assessment has been undertaken correctly.</p> <p>7. Though the scoring may be on the cusp of almost being ‘yellow’ risk, the site falls to the ‘red’ risk side.</p>		

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46			Support with changes	The site was a quarry that has been remediated. Under Ministerial Direction 1 and Planning Practice Note 30 the site is considered to have a high potential for contamination. In order to facilitate the rezoning, an Environmental Audit and remediation works would be required, or an Environmental Audit Overlay applied to the site. The landowners have decided to have their site removed from this amendment.	The site is to be removed from the rezoning component of this Planning Scheme Amendment.	Yes. Edits to Planning Scheme Zone Maps 44 and 46 to remove the site.	

Latrobe Planning Scheme Amendment C127 (Bushfire and Rural Rezoning)

Post Exhibition Changes Table

24 May 2022

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Latrobe City Rural Living Strategy 2020			
1	On pages 94, 113, 235, 261, 421, 444, 494 and 528 change current text in response to 'Consider the risk of bushfire to people, property and community infrastructure' from: <i>'The existing BMO at the site will ensure that risk of bushfire to people, property and community infrastructure is adequately considered if any dwelling redevelopment or large shed applications are made.'</i> To: <i>'The existing BMO at the site will ensure that risk of bushfire to people, property and community infrastructure is adequately considered if any dwelling redevelopment applications or applications for outbuildings ancillary to dwellings of 100sqm or larger are made.'</i>	In response to a submission received to provide clarification of what is meant by the term 'large shed' which is an outbuilding ancillary to a dwelling that would not be exempt from requiring a planning permit under the Bushfire Management Overlay (BMO). Therefore, it is an outbuilding ancillary to a dwelling that is 100sqm or larger.	15
2	The following was added to the end of sections 6.3.5 and 6.5.5 of the Rural Living Strategy: <i>'Is the site potentially contaminated?'</i> <i>'At the time of preparation of this strategy, the site(s) was considered to have low potential for contamination under Planning Practice Note 30.'</i>	The EPA requested that the strategy be updated to confirm that there are no contamination issues for the Hazelwood North site to be rezoned for Rural Living purposes.	25 - EPA
Clause 02.03-1 – Settlement			
3	Update the final dot point under the heading 'District towns, small towns and rural living precincts' from: <i>'Encourage the growth of towns to be commensurate with bushfire risk.'</i> To: <i>'Direct growth to lower risk areas preferentially and encourage the growth of towns responsive to the bushfire risk.'</i>	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 - CFA
Clause 02.03-3 Environmental Risks and Amenity			
4	Under the sub-heading of 'Bushfire', update the dot-points of what planning for bushfire seeks to do from: <ul style="list-style-type: none">'Reduce bushfire risk through various bushfire protection measures.'Decrease the level of risk to life, property, the environment and biodiversity from bushfire.' To: <ul style="list-style-type: none">'Direct development to lower risk areas where possible.'Mitigate bushfire risk to an acceptable level through application of appropriate bushfire protection measures.'	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 - CFA

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> Decrease the level of risk to life, property and the environment and biodiversity from bushfire.' 		
Clause 02.03-4 – Natural Resource Management			
5	<p>Under the sub-heading of 'Timber' update the third dot-point from:</p> <p><i>'Encourage the establishment of new timber coup operations in locations where there is no increase in the level of bushfire risk to sensitive land uses.'</i></p> <p>To:</p> <p><i>'Encourage the establishment of new timber coup operations in locations where there is no increase in the level of bushfire risk to existing development, and where any associated risk can be acceptably mitigated.'</i></p>	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 - CFA
Clause 02.02-6 – Housing			
6	<p>Under the sub-heading 'Rural residential development' edit dot-point 2 from:</p> <p><i>'Support development of existing rural living land in yellow and red bushfire risk areas, as depicted in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9, where the objectives and strategies of Clause 13.02 can be met.'</i></p> <p>To:</p> <p><i>'Support development of existing rural living land in yellow and red bushfire risk areas, as depicted in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9, where the objectives and strategies of Clause 13.02-1S and Clause 13.02-1L can be met.'</i></p>	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 - CFA
Clause 02.03-9 – Infrastructure			
7	<p>Under the sub-heading 'Open space' add a fifth dot-point:</p> <ul style="list-style-type: none"> <i>'Avoid any increase in bushfire risk to existing development and ensure any associated risk can be acceptably mitigated.'</i> 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 - CFA
Clause 13.02-1L – Municipal Landscape Bushfire Risk Areas			
8	<p>After the objectives of the policy, add the following 'objectives' section:</p> <p><i>'Objectives:</i></p> <p><i>To provide guidance for the definition of, assessment of, and decisions about applications with bushfire risk implications.</i></p> <p><i>To identify lower bushfire risk locations within the municipality, where settlement growth, vulnerable uses and development may be appropriate.</i></p> <p><i>To identify potential bushfire protection measures for settlement growth, vulnerable uses and development to be considered an acceptable risk.'</i></p>	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 - CFA

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
9	<p>Remove the following proposed 'Strategies':</p> <p><i>'Support rural living in the green areas of the Municipal Landscape Bushfire Risk Map at Clause 02.04-9, only if Clause 13.02-1S can be met and the requirements of relevant Planning Practice Notes.</i></p> <p><i>Direct sensitive land uses and land rezoning that intensifies the development potential of land to areas identified as green in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9, only if Clause 13.02-1S can be met and the requirements of relevant Planning Practice Notes.</i></p> <p><i>Discourage sensitive land uses in areas identified as yellow risk in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9, unless it can be demonstrated that Clause 13.02-1S can be met.</i></p> <p><i>Discourage sensitive land uses in areas identified as red in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9.</i></p> <p><i>Discourage land rezoning that intensifies the development potential of land to areas identified as yellow risk in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9, unless it can be demonstrated that Clause 13.02-1S can be adequately met.</i></p> <p><i>Discourage land rezoning that intensifies the development potential of land to areas identified as red in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9.</i></p> <p><i>Support development of existing lots in areas identified as red in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9 only where it can be demonstrated that Clause 13.02-1S can be met.</i></p> <p><i>Ensure buildings achieve a construction standard not less than BAL-29.</i></p> <p><i>Ensure that development is assessed with regard to the bushfire risk identified in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9.'</i></p> <p>And replace with:</p> <p>'Consider the following land uses as vulnerable uses in relation to bushfire risk:</p> <ul style="list-style-type: none"> ▪ Camping and caravan park ▪ Group accommodation ▪ Hospital ▪ Host farm ▪ Bed and breakfast ▪ Education centre ▪ Residential aged care facility ▪ Residential building that is not rural worker accommodation ▪ Residential village ▪ Retirement village 	<p>These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA. Also, changes are in response to a submission received concerned that BAL construction standards should only apply to development associated with specified uses.</p>	<p>24</p> <p>27 - CFA</p>

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p>Support settlement growth, vulnerable uses and the intensification of use and development in lower risk parts of the municipality, being green areas in the Municipal Landscape Bushfire Risk Map.</p> <p>Discourage settlement growth, vulnerable uses and the intensification of use and development in higher risk parts of the municipality, being red areas in the Municipal Landscape Bushfire Risk Map.</p> <p>Encourage vulnerable uses and the intensification of use and development in yellow areas in the Municipal Landscape Bushfire Risk Map to consider the need for additional bushfire protection measures that can be implemented in an ongoing manner associated with the use and development.</p> <p>Allow that settlement growth, vulnerable uses and intensification of use and development may be considered an acceptable risk in green and yellow areas of the Municipal Landscape Bushfire Risk Map, where the guidelines for this policy are met.'</p>		
10	<p>Update:</p> <p>'Policy guideline</p> <p><i>Consider as relevant:</i></p> <ul style="list-style-type: none"> For a subdivision or dwelling, a section 173 agreement pursuant to Planning and Environment Act 1987 to ensure ongoing maintenance of defensible space and other bushfire protection measures for bushfire risk mitigation. <p><i>The views of the Country Fire Authority, as appropriate.'</i></p> <p>To:</p> <p>'Policy guidelines</p> <p><i>Consider as relevant:</i></p> <ul style="list-style-type: none"> Whether the risk associated with use and development in green and yellow areas of the Municipal Landscape Bushfire Risk Map, can be deemed to be acceptably mitigated if: <ul style="list-style-type: none"> The characteristics of the landscape within 1 kilometre of the site accord best with the BMO broader landscape types 1 or 2. The location is at least 1 kilometre away from any contiguous area of forest or woodland more than 4 hectare in size, especially if the area of forest or woodland occurs in the higher risk north, west or southwest directions. Any area of forest or woodland within 1 kilometre of the location is at least 150 metres from the location and does not exceed 1 hectare in size. The topography in, and within 1 kilometre of, the location is relatively benign from a bushfire perspective. The proposal has considered and can implement as appropriate, design guidelines for settlement planning on the bushfire interface. 	<p>These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.</p>	27 - CFA

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> - It can be demonstrated that the use or development will not be exposed to radiant heat flux exceeding 12.5kW/m². - Vegetation associated with the proposal will be able to be managed in a low threat state, in an ongoing manner in conjunction with the use. - A reliable supply of water for fire fighting can be provided by a reticulated hydrant system and/or a static water supply that complies with the requirements of Table 4 to Clause 53.02-5. - Access and egress for site occupants and emergency services is provided that complies with the requirements of Table 4 to Clause 53.02-5. ▪ Whether the risk associated with use and development in yellow or red areas of the Municipal Landscape Bushfire Risk Map can be deemed to be acceptably mitigated if one, or more, of the following additional bushfire protection measures are achieved: <ul style="list-style-type: none"> - Building to a higher wind loading, and/or Bushfire Attack Level (BAL) construction standard/s, and/or providing defendable space that extends further than the required minimum distance for the specified BAL. - Ensuring access is readily available to an area/s of relative safety from the impacts of bushfire, including the distance, time and hazard exposure associated with the travel route/s to places of relative safety. - Providing a Private Bushfire Shelter, Community Fire Refuge or other building that can function as a viable shelter-in-place location for site occupants, including its ability to provide sufficient capacity, tenability and level of resistance to bushfire attack. - Implementing bushfire emergency management arrangements and/or plans associated with the use or development can ensure the site will not be occupied on specified days of elevated fire danger, or can be safely evacuated if a bushfire threat arises on a specified day of elevated fire danger. ▪ For a subdivision or dwelling, the need for a section 173 agreement pursuant to the Planning and Environment Act 1987 to ensure ongoing maintenance of any defendable space or other bushfire protection measures for bushfire risk mitigation. ▪ The extent to which any local, municipal or regional bushfire protection plans, policies or actions can reasonably be expected to contribute to bushfire risk mitigation for the use or development. ▪ The views of the relevant fire authority, as appropriate.' 		
Clause 14.01-3L – Forestry and Timber Production			
11	<p>Change the wording of strategy 6 from:</p> <p>'Ensure timber production does not increase the level of bushfire risk on surrounding sensitive land uses.'</p>	In response to a submission that was concerned about the proposed ordinance	26

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	To: <i>'Ensure the establishment of new timber production facilities does not increase the level of bushfire risk on surrounding vulnerable land uses.'</i>	change retrospectively applying to existing, established timber production facilities.	
Clause 15.01-3L – Subdivision design			
12	Change the third strategy listed from: <i>'Ensure subdivision design minimises the risk to people from bushfire by considering development setbacks, vegetation management requirements, permitter roads, location and design of access and egress and strategic location of public open space.'</i> To: <i>'Ensure subdivision design minimises the risk from bushfire by bushfire responsive layout and design, including:</i> <ul style="list-style-type: none"> ▪ Development setbacks; ▪ Lot sizes; ▪ Vegetation management requirements; ▪ Permitter roads; ▪ Water supply for fire fighting; ▪ Location and design of access and egress; and ▪ Strategic location of public open space.'	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA
Clause 16.01-3L – Rural Residential Development			
13	Change the wording of the seventh strategy from: <i>'Support rural living in low bushfire risk locations or where bushfire risk can be reduced to an acceptable level.'</i> To: <i>'Support rural living in green bushfire risk locations or where bushfire risk can be reduced to an acceptable level.'</i>	In response to a submission from the CFA who have requested that bushfire risk levels be referred to by the colours identified on the Municipal landscape Bushfire Risk Map.	27 - CFA
14	Change the wording of the eight strategy from: <i>'Consider rural living in areas identified in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9 as Yellow or Red Municipal Landscape Bushfire Risk Areas where bushfire risk can be reduced to an acceptable level.'</i> To: <i>'Consider rural living in areas identified in the Municipal Landscape Bushfire Risk Map at Clause 02.04-9 as Yellow or Red Municipal Landscape Bushfire Risk Areas only where additional bushfire protection measures are able to be provided that can acceptably mitigate risk and the objectives and strategies of Clause 13.02-1S can be met.'</i>	In response to a submission from the CFA who requested that the policy consider Clause 13.02-1S.	27 - CFA
Clause 17.04-1L – Major attractions and commercial tourism in Latrobe			

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
15	<p>Update the dot-points under the last (sixth) strategy from:</p> <ul style="list-style-type: none"> ▪ <i>'Siting of development that maximises the setback from any area of bushfire hazard and ensures any buildings can achieve a construction standard no higher than BAL-29</i> ▪ <i>Adequate access for emergency services</i> ▪ <i>An adequate water supply for fire fighting and property protection</i> ▪ <i>A Bushfire Emergency Management Plan (BEMP) to the satisfaction of the fire referral authority, detailing emergency management arrangements and procedures for the site on days of elevated fire danger. Details of any other bushfire protection measures to be relied upon for the application.'</i> <p>To:</p> <ul style="list-style-type: none"> ▪ <i>'Siting of development that maximises the setback from any area of bushfire hazard and ensures any buildings can achieve a construction standard no higher than BAL-29</i> ▪ <i>Adequate access for emergency services</i> ▪ <i>An adequate water supply for fire fighting and property protection</i> ▪ <i>A Bushfire Emergency Management Plan (BEMP) to the satisfaction of the relevant fire authority, detailing emergency management arrangements and procedures for the site on days of elevated fire danger. Details of any other bushfire protection measures to be relied upon for the application.'</i> 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 - CFA
Clause 17.04-1L – Facilitating rural tourism			
16	<p>Change the first dot-point under strategy 5 from:</p> <p><i>'Siting of buildings that responds to the hazard such that buildings can achieve a construction standard no higher than a BAL-29.'</i></p> <p>To:</p> <p><i>'Siting of development that maximises the setback from any area of bushfire hazard and ensures that buildings can achieve a construction standard no higher than BAL-29.'</i></p>	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA
17	<p>Change the fourth dot point under strategy 4 under the sub-heading 'Tourism in the Farming Zone Schedule 2' from:</p> <ul style="list-style-type: none"> ▪ <i>'Any risk from bushfire is reduced to an acceptable level and any bushfire protection measures can be implemented in accordance with an appropriate bushfire emergency management plan.'</i> <p>To:</p> <ul style="list-style-type: none"> ▪ <i>'Any risk from bushfire is reduced to an acceptable level and any bushfire protection measures can be implemented in accordance with the use, including a bushfire emergency management plan to the satisfaction of the relevant fire authority.'</i> 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA
Schedule 12 to Clause 43.02 – Design and Development Overlay			

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
18	<p>Clause 1.0 'Design objectives' updated (including the deletion of the last dot-point) from:</p> <p><i>'To ensure that the construction standards of new development appropriately respond to the localised 'significant' landscape bushfire risk.</i></p> <p><i>To ensure that development is sited to appropriately respond to landscape bushfire hazards.</i></p> <p><i>To ensure that development is provided with adequate defendable space.</i></p> <p><i>To prevent the bushfire landscape risk from increasing.'</i></p> <p>To:</p> <p><i>'To ensure that bushfire protection measures for new development appropriately respond to the landscape bushfire risk.</i></p> <p><i>To ensure that development is appropriately sited to respond to bushfire hazards.</i></p> <p><i>To ensure that development is provided with adequate defendable space.'</i></p>	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA
19	<p>Remove the following from Clause 2.0 Buildings and works:</p> <p><i>'A permit is required to construct a building or construct or carry out works associated with the following uses:</i></p> <ul style="list-style-type: none"> ▪ <i>Accommodation (including a dependent person's unit)</i> ▪ <i>Education centre</i> ▪ <i>Hospital</i> ▪ <i>Industry</i> ▪ <i>Leisure and recreation</i> ▪ <i>Office</i> ▪ <i>Place of assembly</i> ▪ <i>Retail premises</i> ▪ <i>Service station</i> ▪ <i>Timber production</i> ▪ <i>Warehouse'</i> 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA and the Ministerial Direction on Form & Content.	27 - CFA
20	<p>Update the application requirements under Clause 2.0 from:</p> <p><i>'An application to construct a building or construct or carry out works should meet the following requirements:</i></p> <ul style="list-style-type: none"> ▪ <i>Any development must be setback from a bushfire hazard at least the minimum distance specified in Table 1 Column A of Clause 53.02 based on a vegetation and slope assessment undertaken against Australian Standard AS3959-2009.</i> ▪ <i>Provide defendable space to achieve radiant heat benchmarks consistent with Column A of Table 2 at Clause 53.02-5.</i> ▪ <i>Defendable space must be maintained in accordance with the vegetation management requirements provided at Table 6 in Clause 53.02 with the following variation:</i> 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> The canopy trees must be separated by at least 2 metres. Ensure buildings achieve a construction standard not less than BAL-29. Ensure a minimum of 2,500 litres static water supply for firefighting purposes, with fire authority fittings and access, is provided for developments on lots under 1,000 square metres. Ensure a minimum of 5,000 litres static water supply for firefighting purposes, with fire authority fittings and access, is provided for all lots over 1,000 square metres. Ensure vehicle access design and construction meets the standards specified in Table 5 at Clause 53.02-5. <p>An application for construction of a building or to construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.'</p> <p>To:</p> <p>'An application to construct a building or construct or carry out works should meet the following requirements:</p> <ul style="list-style-type: none"> Any habitable building must be setback from a bushfire hazard with defensible space for the minimum distance specified in Column A of Table 1 of Clause 53.02-5 according to a vegetation and slope assessment undertaken in accordance with the most recent version of Australian Standard AS 3959. The defensible space area must be maintained in accordance with the vegetation management requirements in Table 6 to Clause 53.02-5 with the following variation: <ul style="list-style-type: none"> The canopy trees must be separated by at least 2 metres. Buildings must be designed and constructed to a minimum BAL-29 in accordance with the most recent version of Australian Standard AS 3959. Ensure a minimum of 2,500 litres static water supply for firefighting purposes, with fire authority fittings and access, is provided for developments on lots under 1,000 square metres. Ensure a minimum of 5,000 litres static water supply for firefighting purposes, with fire authority fittings and access, is provided for all lots over 1,000 square metres. Ensure vehicle access design and construction meets the standards specified in Table 5 to Clause 53.02-5. <p>An application for construction of a building or to construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.'</p>		
21	Change the first dot-point requirement under the sub-heading 'Subdivision' from:	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p><i>'Each lot must be of a sufficient size to ensure that the future development of the land can achieve bushfire exposure levels of no more than 12.5 kilowatts/square metre under AS 3959-2009 Construction of Buildings in Bushfire-Prone Areas (Standards Australia, 2009).'</i></p> <p>To:</p> <p><i>'Any habitable building must be setback from a bushfire hazard with defensible space for the minimum distance specified in Column A of Table 1 of Clause 53.02-5 according to a vegetation and slope assessment undertaken in accordance with the most recent version of Australian Standard AS 3959.'</i></p>		
22	<p>Delete the following dot-point (point 2) under Clause 5.0 Application requirements as the landscape hazards in the areas affected by the proposed overlay are known:</p> <ul style="list-style-type: none"> ▪ <i>'A Bushfire Hazard Landscape Assessment including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all the approved measures specified in Clause 53.02-3.'</i> 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA
23	<p>Dot point three under the Clause 5.0 Application Requirements is to have the second sentence deleted so it changes from:</p> <p><i>'A Bushfire Management Plan describing how the proposed development responds to the requirements in this clause including siting, defensible space, vegetation management, construction standards and other bushfire protection measures. If the application proposes an alternate measure, a bushfire management statement must explain how the alternative measure meets the objectives of this clause.'</i></p> <p>To:</p> <p><i>'A Bushfire Management Plan describing how the proposed development responds to the requirements in this clause including siting, defensible space, vegetation management, construction standards and other bushfire protection measures.'</i></p>	In response to a submission from the CFA who were concerned about the use of the term 'alternate measure'.	27 - CFA
24	<p>Changes to be made to sub-dot points (including deletion of the last one) under application requirement point 4 at Clause 5.0 Application requirements. From:</p> <ul style="list-style-type: none"> ▪ <i>'A Vegetation Management Plan prepared to scale and with dimensions to show, to the satisfaction of the responsible authority:</i> <ul style="list-style-type: none"> - <i>The setbacks of the development to all site boundaries.</i> - <i>The defensible space zone.</i> - <i>The vegetation management requirements, derived from Table 6 at Clause 53.02.</i> - <i>How the vegetation management requirements will be practicably implemented.'</i> <p>To:</p>	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> ▪ 'A Vegetation Management Plan prepared to scale and with dimensions to show, to the satisfaction of the responsible authority: <ul style="list-style-type: none"> - The setbacks of the development to all site boundaries. - The defensible space area. - The vegetation management requirements, in accordance with Table 6 to Clause 53.02-5, except that the canopy of trees must be separated by at least 2 metres.' 		
25	<p>The Decision Guidelines at Clause 6.0 are to be updated to insert a new dot point that will appear first in the list of decision guidelines. The dot point is to read:</p> <p><i>'Whether the bushfire hazard landscape assessment submitted with the application is appropriate.'</i></p>	In response to a submission from the CFA who raised that the bushfire hazard landscape assessment should be a decision guideline.	27 - CFA
Schedule 10 to Clause 43.04 – Development Plan Overlay			
26	<p>Change dot point 3 under Clause 1.0 'Objectives' from:</p> <ul style="list-style-type: none"> ▪ <i>'To minimise access points to designated Category 1 Roads.'</i> <p>To:</p> <ul style="list-style-type: none"> ▪ <i>'To minimise access points to land that forms part of the Principal Road Network.'</i> 	Update in wording so as to be consistent with Amendment VC205.	N/A
27	<p>Under Clause 1.0 'Objectives' add a new dot point at 5 and moved previous point 5 to point 6 and edit from:</p> <ul style="list-style-type: none"> ▪ <i>'To ensure that lots created can be developed in a manner that appropriately mitigates bushfire risk and ensures the protection of property and life.'</i> <p>To:</p> <ul style="list-style-type: none"> ▪ <i>'To ensure that the design of any proposed subdivision and interface with an area of bushfire hazard appropriately mitigates bushfire risk.'</i> ▪ <i>To ensure that lots created can be developed and maintained with appropriate bushfire protection measures.'</i> 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA
28	<p>Update Clause 3.0 from:</p> <p><i>'Preliminary site investigation</i></p> <p><i>An application to subdivide land or use or develop land for a sensitive land use (residential use, child care centre, pre-school centre or primary school) and is ranked as having a 'Medium' Potential for Contamination as described in Table 2 to the Potentially Contaminated Land General Practice Note June 2005, DSE (PPN30) must be accompanied by a Preliminary Site Investigation of the land prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority, that:</i></p> <ul style="list-style-type: none"> ▪ <i>Takes account of the report titled Potentially Contaminated Land Report 2020.</i> 	Changes requested by the EPA so as to be consistent with current Ministerial Direction 1 and Planning Practice Note 30.	25a and 25b – EPA

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ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<p>Potentially Contaminated Land General Practice Note July 2021, DELWP (PPN30)) must be accompanied by either:</p> <ul style="list-style-type: none"> ▪ A preliminary risk screen assessment statement in accordance with the Environmental Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or ▪ An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use. <p>Any permit to subdivide land or use and develop land for a sensitive use (residential use, childcare centre, pre-school, centre, primary school, secondary school or children's playground) and where an environmental audit has or will be undertaken on the land, must contain the following conditions:</p> <ul style="list-style-type: none"> ▪ Prior to the occupation of the development or issue of a statement of compliance under the Subdivision Act 1988 (whichever of these occurs first), the permit holder must, to the satisfaction of the responsible authority ensure: <ul style="list-style-type: none"> - All recommendations in an environmental audit statement under the Environment Protection Act 2017 are complied with to the satisfaction of the responsible authority. - Where the recommendations require verification of works or compliance, written confirmation of compliance must be provided by a suitably qualified environmental professional or other suitable person acceptable to the responsible authority. Compliance sign-off must be in accordance with any requirements in the conditions or recommendations regarding verification of works. <p>The following conditions and/or requirements apply to permits:</p> <ul style="list-style-type: none"> ▪ Effluent from each lot must be treated, retained and disposed of within each individual lot boundary, in accordance with the background document Code of Practice – Onsite Wastewater Management (Environment Protection Authority, July 2016). ▪ Defendable space must be maintained in accordance with the vegetation management requirements provided in Table 6 in Clause 53.02 with the following variation: <ul style="list-style-type: none"> - The canopy trees must be separated by at least 2 metres.' 		
29	<p>Update Clause 4.0 – Requirements for development plan to include two new first dot points:</p> <ul style="list-style-type: none"> ▪ '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'. 	In response to a submission received from the Department of Transport (DOT) seeking confirmation that the DPO was to apply to the entire area affected.	16 – Department of Transport

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
30	<p>Update dot point 7 under Clause 4.0 sub-heading of 'Land use and subdivision' from:</p> <ul style="list-style-type: none"> 'Regard must be had to the background document Design Guidelines Settlement Planning at the Bushfire Interface (Country Fire Authority and Department of Environment, Land, Water and Planning 2020).' <p>To:</p> <ul style="list-style-type: none"> 'Regard must be had to the background document Design Guidelines Settlement Planning at the Bushfire Interface (Country Fire Authority and Department of Environment, Land, Water and Planning 2020) including considering the need for perimeter roads where lots interface with a permanent bushfire hazard.' 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA
31	<p>Update dot point 3 and add sub-dot points under Clause 4.0 sub-heading of 'Waterways' from:</p> <ul style="list-style-type: none"> 'Revegetation works must be undertaken in a way that will not increase bushfire risk for any future dwellings.' <p>To:</p> <ul style="list-style-type: none"> 'Revegetation works must be undertaken in a way that will not increase bushfire risk to existing development and allow future lots to be setback from the revegetation: <ul style="list-style-type: none"> A distance in accordance with Column A, Table 1 to Clause 53.02-5; or A distance in accordance with the exclusions for low threat vegetation in the most recent version of Australian Standard AS 3959; or A distance agreed to in writing with the relevant fire authority.' 	These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.	27 – CFA
32	<p>Update Clause 4.0 – Requirements for development plan under sub-heading 'Infrastructure services' by including the following sub-points 4 and 5 under dot point 2:</p> <ul style="list-style-type: none"> 'Bus capable routes.' Path networks.' 	In response to a submission received from the Department of Transport (DOT) seeking the consideration of bus routes and path networks in the Traffic Impact Assessment.	16 – Department of Transport
33	<p>Update Clause 4.0 – Requirements for development plan under sub-heading 'Infrastructure Services' by adding a new dot point 3 with three sub-points as follows:</p> <ul style="list-style-type: none"> 'The Traffic Impact Assessment to be provided as part of the Development Plan must address the impact of the development on the intersections of: <ul style="list-style-type: none"> Traralgon-Maffra Road and Afflecks Road; Traralgon-Maffra Road and Nippe Lane; and Traralgon-Maffra Road and Sparks Lane.' <p>This will see the pushing of previous dot points 3, 4 and 5 back to dot points 4, 5 and 6 respectively.</p>	In response to a submission received from the Department of Transport (DOT) wishing for three intersections to be appropriately considered in the traffic Impact Assessment.	16 – Department of Transport

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
34	<p>Update Clause 4.0 under the sub-heading of 'Bushfire risk' from:</p> <ul style="list-style-type: none"> ▪ <i>'The location, design and construction of development that considers the need to implement bushfire protection measures.'</i> ▪ <i>Building envelopes that ensure development will be setback from a bushfire hazard to ensure the radiant heat exposure is equal to or not greater than 12.5kw/m2 or alternatively at least the minimum distance specified in Table 1 at Column A of Clause 53.02 based on a vegetation and slope assessment undertaken against Australian Standard AS3959:2009.</i> ▪ <i>Identify areas for the provision of defensible space that will achieve radiant heat benchmarks consistent with Column A of Table 2 at Clause 53.02-5.</i> ▪ <i>Vehicle access to each lot that is of good condition, in a suitable location that provides a route that is suitable for safe and efficient egress before and after a bushfire. Dead-end roads are discouraged.</i> ▪ <i>Staging plans that demonstrate that completed lots will not directly abut unmanaged vegetation.</i> ▪ <i>The development plan must adequately address the objectives and strategies identified at Clause 13.02-1S of the Planning Scheme.</i> ▪ <i>The development must adequately address the Design Guidelines Settlement Planning at the Bushfire Interface (Department of Environment, Land, Water and Planning 2020), as appropriate.'</i> <p>To:</p> <ul style="list-style-type: none"> ▪ <i>'The location, design and construction of development that considers the bushfire risk and implements appropriate bushfire protection measures.'</i> ▪ <i>A lot layout with building envelopes specifying a BAL-29 construction standard for buildings requiring a BAL and showing they will be setback from a bushfire hazard the minimum defensible space distance for radiant heat exposure to not exceed 12.5kw/m2 as specified in Column A of Table 1 to Clause 53.02-5 based on a hazard assessment undertaken in accordance with the most recent version of Australian Standard AS 3959.</i> ▪ <i>Identify defensible space areas and measures to ensure they will be managed in accordance with the vegetation management requirements provided in Table 6 to Clause 53.02-5 with the following variation:</i> <ul style="list-style-type: none"> - <i>The canopy trees must be separated by at least 2 metres.</i> ▪ <i>Vehicle access and water supply for fire fighting must be provided in accordance with the CFA document Preferred Requirements: Water Supplies and Access for Subdivisions in Rural Zones (CFA, November 2006).</i> ▪ <i>Staging plans that demonstrate that completed lots will not directly abut unmanaged vegetation.</i> 	<p>These changes have been suggested by a bushfire consultant following consideration of the submission by the CFA.</p>	<p>27 – CFA</p>

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
	<ul style="list-style-type: none"> The development plan must adequately assess the hazard and respond to risk in accordance with the objectives and strategies identified at Clause 13.02-1S and Clause 13.02-1L of the Latrobe Planning Scheme. The development plan must adequately address the Design Guidelines Settlement Planning at the Bushfire Interface (Department of Environment, Land, Water and Planning 2020), as appropriate.' 		
Schedule 1 to Clause 44.06 – Bushfire Management Overlay			
35	<p>One change to Schedule 1 to the BMO was proposed which was the inclusion of the following mandatory condition:</p> <p><i>'Before the commencement of the approved development the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:</i></p> <ul style="list-style-type: none"> <i>Ensure the ongoing maintenance of defensible space and other bushfire protection measures as per the requirements of the plans endorsed under the planning permit.'</i> <p>This mandatory condition is to be deleted and there will therefore be no changes to the Schedule 1 to the BMO.</p>	In response to a submission from the CFA who felt that the mandatory condition proposed was repetitive of an existing requirement under the parent clause. They were also unsupportive in seeing changes to the BMO.	27 - CFA
Explanatory Report			
36	<p>Under 'What the amendment does' remove:</p> <ul style="list-style-type: none"> 'Rezone 106 Tyers-Walhalla Road, Tyers from Special Use Zone, Schedule 6 to Rural Living Zone Schedule 1. Amend Schedule 1 to Clause 44.06 (Bushfire Management Overlay to update the mandatory condition requirements and decision guidelines;' 	Following the preparation of a Preliminary Site Investigation, the landowner chose to withdraw the property from the rezoning as it had high potential for contamination under PPN30.	46
37	<p>Include under 'Environmental Effects':</p> <p>'DELWP requested that a number of public rezonings be undertaken as part of this amendment, essentially as correction rezonings. These sites were each reviewed under PPN30 and given their extensive public ownership history and previous land uses (or essentially, in many cases, lack thereof) it was determined that the sites proposed to be rezoned to Public Park and Recreation Zone and Public Conservation and Resource Zone, along with all other sites to be rezoned for sensitive land uses, do not meet the definition of 'potentially contaminated land'.'</p>	The EPA requested that the potential for contamination be addressed in the Explanatory Report in relation to public rezonings.	25 – EPA
38	In Attachment 1 Mapping reference table remove reference to 106 Tyers-Walhalla Road, Tyers and replace proposed zone maps 44 and 46.	Following the preparation of a Preliminary Site Investigation, the landowner chose to withdraw the property from the rezoning as it had high potential for contamination under PPN30.	46

Agenda Item: 7.8

**Agenda Item: Amendment C121 (Major Pipelines Mapping Update) -
Consideration of Submissions**

Sponsor: General Manager, Regional City Planning and Assets

Proposed Resolution:

That Council:

- 1. Having formally considered all written submissions received to Amendment C121, endorses the officer's response to the issues outlined in Attachment 2;**
- 2. Adopt Amendment C121 without post exhibition changes (see Attachment 1 and 3) in accordance with section 29 of the *Planning and Environment Act 1987*;**
- 3. Submit adopted Amendment C121 together with the prescribed information to the Minister for Planning for approval, in accordance with section 31 of the *Planning and Environment Act 1987*; and**
- 4. Advise those persons who made written submissions to Amendment C121 of Council's decision.**

Executive Summary:

- Planning Scheme Amendment C121 (Amendment C121) seeks to implement the changes to the Latrobe Planning Scheme outlined in the Major Pipeline Infrastructure Review (May 2020). The Amendment will aid in ensuring safe and appropriate land use and development around licensed pipelines, aiding in protecting human life, property and the environment from the effects of pipeline failure. It also seeks to prevent damage to licensed pipelines from development activities.
- Latrobe City Council formally requested Ministerial authorisation to prepare and exhibit Amendment C121 on 13 October 2021.
- The Minister for Planning authorised Council to prepare Amendment C121 on 15 December 2021.
- Amendment C121 was placed on Public Exhibition from 3 March 2022 to 2 May 2022.
- A total of five submissions were received to Amendment C121. Three submissions supporting the amendment and two objecting or requesting changes to the amendment which have now been withdrawn.
- There are no outstanding objections to the amendment, all submissions and concerns have been resolved.

Background:

At the 4 October 2021 Council Ordinary Meeting, it was resolved:

That Council

1. *Endorse the draft Latrobe City Council Design and Development Overlay Schedule 1 Major Pipeline Infrastructure Review (May 2020).*
2. *Request authorisation from the Minister for Planning to prepare and exhibit Amendment C121 to the Latrobe Planning Scheme, in accordance with section 8A of the Planning and Environment Act 1987.*
3. *Prepare Planning Scheme Amendment C121 to the Latrobe Planning Scheme to introduce the Buffer Area Overlay, make minor policy changes, delete the Design and Development Overlay Schedule 1.*
4. *Place Amendment C121 on exhibition in accordance with the requirements of section 19 of the Planning and Environment Act 1987, subject to Ministerial Authorisation.*

As per Attachment 1 (exhibited instruction sheet), the Amendment proposes to:

- Delete Schedule 1 to Clause 43.02 (Design and Development Overlay);
- Insert Schedule 1 to Clause 44.08 (Buffer Area Overlay) Major Pipeline Infrastructure;
- Amend Morwell Town Structure Plan under Clause 11.01L to show the Morwell-Tramway Road licensed pipeline;
- Amend Clause 19.01-3L Pipeline Infrastructure by replacing 'measurement length' with 'notification area';
- Amend Schedule to Clause 66.04 (Referral of Permit Applications Under Local Provisions) to list Energy Safe Victoria as a recommending referral authority;
- Amend the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of) to reflect the new BAO1 mapping and deleted DDO1 mapping;
- Amend the Schedule to Clause 72.08 (Background documents) by adding the Pipelines Report into the schedule; and
- Amend the Schedule to Clause 74.01 (Schedule to Clause 74.01 Application of zones, Overlays and Provisions) to include the Buffer Area Overlay.

A request for authorisation to the Minister for Planning was lodged on 13 October 2021. Authorisation from the Minister for Planning was not received until 15 December 2021 due to delay of approval by the Department of Environment, Land, Water and Planning (DELWP). DELWP authorised the preparation of Amendment C121 subject to the following conditions;

1. *Prior to exhibition, provide the required information to the Department of Environment, Land, Water and Planning in accordance with the written authorisation implementation process in Planning Practice Note 92 'Managing buffers for land use compatibility';*

2. *Amend the explanatory report to describe how the amendment is consistent with Planning Practice Note 92, particularly in relation to licensed pipelines and informed by any work being undertaken by Energy Safe Victoria (ESV) on licensed pipelines;*
3. *The amendment exhibition period is to be extended to a total of two months to allow ample opportunity for all relevant stakeholders to provide submissions;*
4. *During exhibition of the amendment, council must directly seek the views of ESV in relation to the proposed local provisions in the Schedule to the BAO; and*
5. *Prior to adopting the amendment, council must obtain written confirmation from ESV that the local BAO controls proposed by Amendment C121 do not conflict with the work ESV is undertaking to develop a standard approach for planning controls to licensed pipelines.*

Council satisfied the conditions by;

- Providing the relevant information necessary within Planning Practice Note 92 to DELWP;
- Amending the explanatory report to describe how the amendment is consistent with Planning Practice Note 92 and is supported by Energy Safe Victoria;
- Extending the exhibition time to a total of two months to allow ample time and opportunity for stakeholders to provide submissions;
- Seeking the views of ESV in relation to the proposed local provisions in the Schedule to the BAO; and
- At the adoption stage seeking to obtain written confirmation from Energy Safe Victoria that the proposed local BAO controls proposed within Amendment C121 do not conflict with the work Energy Safe Victoria is undertaking to develop a standardised approach to planning controls on licensed pipelines.

Amendment C121 was placed on exhibition from 3 March 2022 to 2 May 2022.

Details regarding the exhibition process and outcomes are provided in the communication and consultation sections below.

The key issues raised in submissions are outlined in community implications below and in the Summary of Submissions table, see Attachment 2.

Section 22 of the Act requires Council to consider all submissions received to Amendment C121 during the exhibition process. Council may also consider a late submission.

Having considered the submissions received for Amendment C121, Council officers consider that there are no outstanding issues raised by submitters, and therefore recommends Council adopt Amendment C121 in accordance with section 29 of the Act without changes (Attachment 3).

Issues:

Strategy Implications

Amendment C121 aligns with the following objectives within the *Council Plan 2021-2025*:

- *Healthy: Delivery of the objectives in Living Well Latrobe, our community's Municipal Public Health and Wellbeing Plan by promoting community safety, mental and physical health and activity, incorporating active design principles in open space, neighbourhood design and supporting community resilience.*

Amendment C121 will seek to ensure community health, wellbeing and safety is achieved by identifying major gas pipeline locations and restricting the activities that may occur within their vicinity.

Communication

Amendment C121 was subject to the prescribed processes in accordance with the public notices and consultation requirements of section 19 of the Act.

As part of the exhibition of Amendment C121 the following activities were undertaken:

- Amendment C121 documents were placed on Latrobe City Council's website;
- The Amendment C121 'Have Your Say' page was created;
- A total of 489 notification letters were sent to affected owner and occupiers;
- A total of 122 notification letters were sent to agencies, public authorities and Ministers believed to be materially affected by Amendment C121 or prescribed under the Act;
- Notices placed in the Latrobe Valley Express on 2 March 2022, 16 March 2022, and 23 March 2022;
- Notice placed in the Government Gazette on 3 March 2022;
- Multiple social media posts on Facebook;
- Three virtual community consultation sessions were held through Zoom on Wednesday 9 March 10am-7pm; Wednesday 16 March 10am-7pm; and Thursday 24 March 10am-7pm; and
- Information placed at service centres and libraries in Morwell, Moe, Traralgon and Churchill.

As a result of the exhibition process Council:

- Received 24 landowner / stakeholder telephone enquiries;
- Received 374 hits on have your say and Amendment C121 website pages;
- Responded to 12 requests for further information; and
- Received five submissions.

Public Submissions

Following public exhibition 5 written submissions were received by Council in response to Amendment C121. Section 22 of the Act requires that Council consider all submissions to Amendment C121 received during the public exhibition process. Council may also consider late submissions.

Table 1:

Amendment C121 Submissions	
Support	2
Support with changes	1
Object	2
Total Submissions	5

A Copy of all submissions received to Amendment C121, a summary of issues raised and officers response can be found at Attachment 2 to this report.

The community implication section of this Council Report provides a summary of issues of the submissions received.

Financial Implications

The Planning Scheme Amendment has been undertaken with the Strategic Planning BAU budget for the 2021/2022 financial year.

It is believed there are sufficient funds to cover the proposed Planning Scheme Amendment fee within the Strategic Planning BAU budget for the 2022/23 financial year.

The Planning Scheme Approval fee is increased annually, but will be approximately \$488.50 (*Inc. GST*).

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Occupational Health and Safety Risk The recommendations will allow for development of land uses which will not trigger a planning permit within the BAO1.	2 (Unlikely)	The Amendment will assist in ensuring safety and management of pipeline assets while providing protective measures to prevent negative health and safety risks to the community and natural environment.
Reputational Risk A negative perception of Council if there are land uses and/or buildings and works that are not permitted within the BAO1.	2 (Unlikely)	The Amendment seeks to manage the reputational risk in the event that pipeline failure were to occur. By enforcing appropriate requirements to land parcels affected by the BAO1, there will be decreased risk to humans and the built and natural environment.

Inherent Likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

Legal and Compliance

In accordance with the Act, the municipal Council, as a planning authority, has a number of duties and powers when considering a Planning Scheme Amendment. These duties and powers are listed in Section 12 of the Act which states the Planning Authority must have regard to:

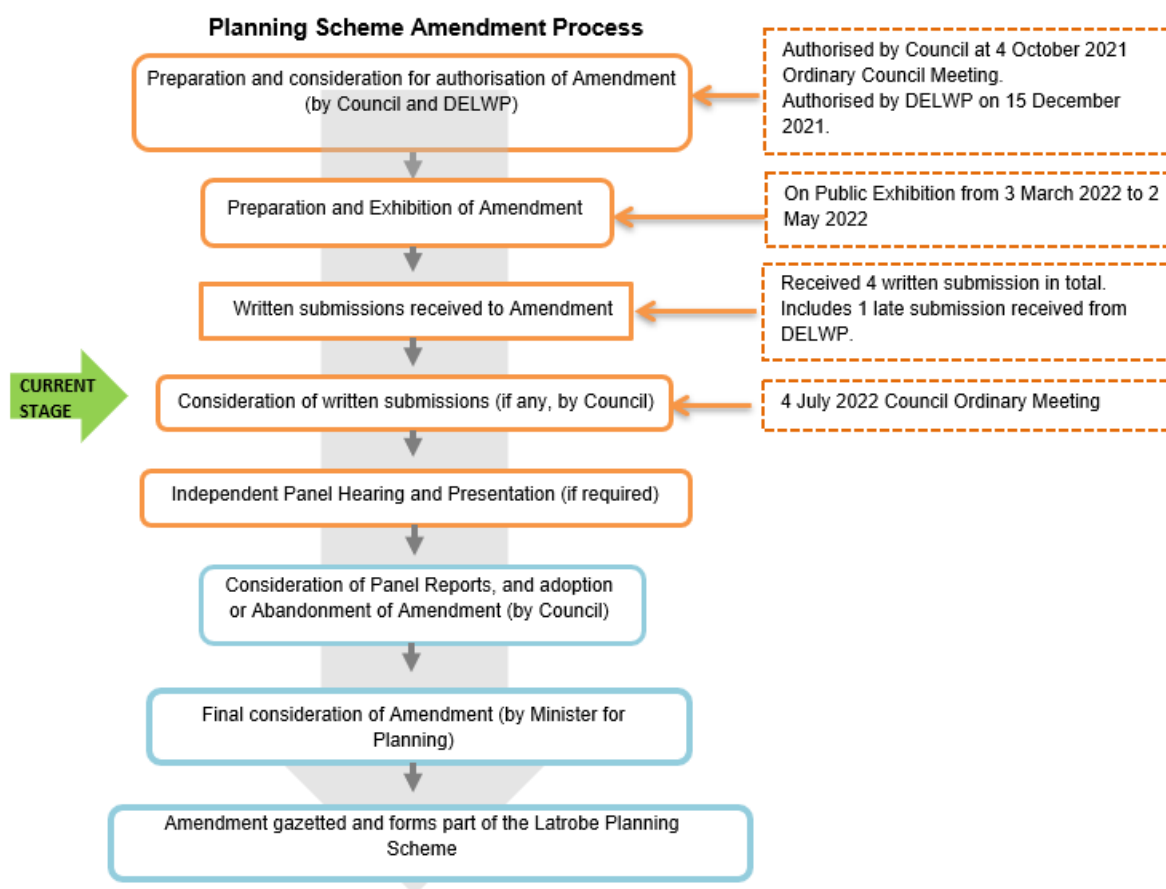
- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme; and
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any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

Amendment C121 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12. A response to Section 12 of the Act is outlined in the exhibited Explanatory Report (see attachment 3).

Community Implications

The planning scheme amendment process is shown in Figure 1 below, which identifies the current stage Amendment C121 is at in the process.

Figure 1 – Amendment C121 Planning Scheme Amendment Process



A total of five submissions were received to Amendment C121. The themes that were raised in the submissions are summarised below:

- Majority of submissions received were generally supportive of the proposed Amendment.
- Submitter 1 raised an objection to the proposed Amendment but was subsequently withdrawn.
- Submitter 5 supported the amendment, but requested changes to the Buffer Area Overlay Schedule 1. The submission and request for changes has now been withdrawn.

A detailed response to all submissions is provided at Attachment 2

Health Implications

The recommendations are expected to have positive health impacts as they will aid in providing for appropriate land use congregation in the vicinity of licensed pipelines. This will ensure that in the event of pipeline failure, sensitive land uses where people have a limited capacity to protect themselves will not be sited in close proximity to pipelines.

Environmental Implications

The recommendations will impact 2,893ha of land throughout Latrobe City Council. These recommendations are considered to have a positive impact on the environment, by addressing land parcels that are in close proximity to pipelines. This will aid in ensuring safe management of these assets to prevent negative and damaging environmental impacts.

Declaration of Interests:

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

Supporting Documents:

Nil

Attachments

1. [!\[\]\(223f1a84e0bc2cacb9c165f716817dcc_img.jpg\) Instruction Sheet](#)
2. [!\[\]\(c437123967ec19fa50ef7951237304ba_img.jpg\) Summary of Submissions Table & Submissions](#)
3. [!\[\]\(5325e9c836a444f145b8307dfcd1cfab_img.jpg\) Amendment Documents](#)

7.8

Amendment C121 (Major Pipelines Mapping Update) - Consideration of Submissions

1	Instruction Sheet	360
2	Summary of Submissions Table & Submissions.....	362
3	Amendment Documents	400

Attachment 1

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

AMENDMENT C121

INSTRUCTION SHEET

The planning authority for this amendment is the Latrobe City Council.

The Latrobe Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 62 attached map sheet.

Overlay Maps

1. Amend Planning Scheme Map Nos. 43DDO, 44DDO, 47DDO, 52DDO, 64DDO, 70DDO, 79DDO, 82DDO, 83DDO, 84DDO, 85DDO in the manner shown on 11 attached maps marked "Planning Scheme, Amendment C121".
2. Insert new Planning Scheme Map Nos. 11BAO, 12BAO, 13BAO, 21BAO, 34BAO, 37BAO, 38BAO, 43BAO, 44BAO, 45BAO, 46BAO, 47BAO, 51BAO, 52BAO, 63BAO, 64BAO, 65BAO, 66BAO, 67BAO, 68BAO, 70BAO, 78BAO, 79BAO, 82BAO, 83BAO, 84BAO, 85BAO, 87BAO, 88BAO, 90BAO, 91BAO, 92BAO in the manner shown on the 32 attached maps marked "Latrobe Planning Scheme, Amendment C121".
3. Delete Planning Scheme Map Nos. 11DDO, 12DDO, 13DDO, 21DDO, 32DDO, 33DDO, 34DDO, 37DDO, 38DDO, 45DDO, 46DDO, 63DDO, 65DDO, 66DDO, 67DDO, 68DDO, 90DDO, 91DDO, 92DDO in the manner shown on the 19 attached maps marked "Latrobe Planning Scheme, Amendment C121".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

4. In **Planning Policy Framework** – replace Morwell Town Structure Map under Clause 11.01-L in the form of the attached document.
5. In **Planning Policy Framework** – replace Clause 19.01-3L with a new Clause 19.01-3L in the form of the attached document.
6. In **Overlays** – Clause 43.02, delete Schedule 1.
7. In **Overlays** – Clause 44.08, insert a new Schedule 1 in the form of the attached document
8. In **General Provisions** – Clause 66.04, replace the Schedule with a new Schedule in the form of the attached document.
9. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document
10. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

11. In **Operational Provisions** – Clause 74.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document

**SUMMARY OF SUBMISSIONS & PLANNING COMMENT TO
Amendment C121 – Major Pipelines Amendment**

Sub No.	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
1	Object – Objection now withdrawn (see 1b)	<p>Submitters raise issues with the Buffer Area Overlay Schedule 1 (BAO1) that is proposed on assets that run through the existing property. Discuss that this is the third overlay proposed on the land within the previous 5 years.</p> <p>Strongly object to the creation of further overlays on the property as the asset and community are viewed as already protected by the easement.</p> <p>Application of an overlay (BAO1) viewed as impeding on the potential to develop the land in future.</p>	<p>The BAO1 is applied to the property, it impacts on less land than the existing Design and Development Overlay Schedule 1 (DDO1). The BAO1 is also less restrictive on buildings and works within the overlay area than the current DDO1. Based on this knowledge, it is assumed that the application of the BAO1 to the land will actually have a positive benefit for both the landowner/s and the municipality on a broader scale.</p> <p>Met with submitter on 19 May 2022 at Council HQ. Having explained how the BAO1 impacts on the property at Wirraway Street, the submitter has indicated he will determine with his family whether they wish to proceed or withdraw the submission.</p>	No	13 April 2022
1b	Withdrawal	<p>Submitters of submission 1 have informed Council Officer's of their wish to withdraw their previous submission objecting to Amendment C121.</p> <p>This follows discussions with members of the planning team, informing the Submitter of the decreased impacts of the proposed BAO1 on property.</p>	Submission to withdraw Objection (submission 1) has been noted.	No	1 June 2022
No. 2	Support	<p>Department of Transport have no objections to the proposed Amendment C121.</p> <p>Had contacted Council Officers prior to submission, however had no expressed any issues with the Amendment.</p>	Submission of support noted	No	28 April 2022
No. 3	Support	APA Group, made a submission on 2 May 2022 expressing no objection to the proposed Amendment.	Submission of support noted.	No	2 May 2022

		<p>APA supports the introduction of a revised planning control that recognises licensed pipeline and specified notification areas either side of the pipelines.</p> <p>APA supports the proposed land use triggers identified under Schedule 1 to the Buffer Area Overlay. These are consistent with APA Group's list of identified sensitive land uses.</p> <p>APA support the requirement for input/referral of planning permit applications to Energy Safe Victoria.</p> <p>APA have been in contact with Energy Safe Victoria, and expect ESV to consult with APA prior to planning referral responses being provided.</p> <p>APA notes that an APA subsidiary company (APT O&M Services Pty Ltd) may have interests in the study area.</p>			
No. 3b	Support with changes	<p>On 12 May 2022, APA notified Council of an additional area of a pipeline that they believe should be included within the BAO1. This is a lateral offtake from the Longford – Dandenong pipeline that connects to the City Gate facility on Traralgon-Maffra Road, Traralgon.</p>	<p>Additional submission has been noted. The addition to the BAO1 will be included in further work and reviews conducted as part of the planning scheme review in future.</p> <p>APA are supportive of this response.</p>	No	12 May 2022
Late Submissions					
No. 4	Support with changes	<p>DELWP made a joint submission with ESV on 6 May supporting the Amendment on the basis that;</p> <p>It is consistent with Energy Safe Victoria's role as a safety regulator;</p> <p>It is a pilot project contained within the areas subject to the Latrobe Planning Scheme; and evaluated after 6 months; and at 6 monthly intervals;</p>	Submission of support noted	No	6 May 2022

		Energy Safe Victoria supports the participation in this pilot project as part of its role as the pipeline safety regulator.			
No. 5	Support with changes (Submission withdrawn see 5c)	<p>COGENCY made a submission on behalf of their client Mathos Investments.</p> <p>Submission is generally supportive of the proposed Amendment however requests the following;</p> <p>'Industry' be removed from the list of land uses requiring a permit under BAO1, and the types of industry requiring a permit is limited to 'high risk' types rather than such a broad range of industrial operations. The permit requirement for buildings and works for industry could be retained through the inclusion of 'industry' under section 5.0 of the BAO1.'</p>	<p>Submission of support noted.</p> <p>Request for changes cannot be supported. Officers met with the submitter to discuss there concerns and provided time for them to consider the advice and if it resolved their submission.</p>	No	20 May 2022
No. 5b	Support with changes (Submission withdrawn see 5c)	<p>The submission informed Council Officers of wish to withdrawal previous submission subject to conditions.</p> <p>Submitters wish to change wording for the use of land for 'Industry where any of the following applies' to; 'Industry of a high explosive risk, where any of the following applies'.</p>	<p>The proposed wording changes are not supported. Officers provided a response back to the consultants advising that these wording change could not be supported as they are not strategically justified and that the change would make this inconsistent with other sections of the planning scheme.</p>	No	6 June 2022
No. 5c	Withdrawn	Submitters of submission 5 have informed Council Officer's that the outstanding submission requesting changes be withdrawn (on behalf of their client Mathos Investments).	Submission to withdraw outstanding submission requesting changes has been noted.	No	13 June 2022

Submission 1

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Document Set ID: 2312744
Version: 1, Version Date: 16/04/2022

From: [REDACTED]
Sent: Wed, 13 Apr 2022 23:10:12 +1000
To: Latrobe Central Email
Subject: C121 Major Pipeline Overlays Objection

Attention: Strategic Planning
Latrobe City Council

This is the third Overlay proposed to be implemented (CFA, Flooding and Pipeline) over our property [REDACTED] in the past 5 years.

The pipeline running through our Northern Boundary is already subject to Easement rights that have been in place since 1965.

We have had a close relationship with the Asset owner for many years having worked with them at all times when work was carried out in the Easement area i.e. Farming activities.

We strongly object to the creation of further Overlays over our property where the Asset and the Community is protected by an Easement already.

If an Overlay is placed over the property that exceeds the size of the Easement already protecting the asset this will impede our properties prospects for future development.

We will seek financial compensation for the loss in the properties value.

Kind Regards

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: Amendment C121 - Acknowledgement of Submission
Date: Thursday, 21 April 2022 9:42:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear [REDACTED]

I wish to acknowledge receipt of your written submission received at our office on 13 April 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process.
Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal.

If you would like, we can arrange a time over the phone or in person at the Latrobe HQ (141 Commercial Road, Morwell), to discuss Amendment C121.

If you have any questions please do not hesitate to contact [REDACTED] Student Planner on [REDACTED]

Regards,

[REDACTED]
Student Planner

M [REDACTED]

E [REDACTED]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



Please note my working hours are as follows:

Wednesday and Thursday from 8:15am - 4:45pm

Submission 1b

From: [REDACTED]
Sent: Wednesday, 1 June 2022 12:07 PM
To: [REDACTED]
Subject: Re: Amendment C121latr - Follow up from meeting

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Follow Up Flag: Follow up
Flag Status: Flagged

Hi [REDACTED]

As per the information provided at our meeting and the e-mail below we are satisfied that the impact on the property will be reduced by these changes and withdraw our lodged objection to this proposal.

Kind Regards

[REDACTED]

----- Original Message -----

On Thursday, 19 May, 2022 At 10:05 AM, [REDACTED] wrote:

Hi [REDACTED]

Attached are the maps which depict the current Schedule 1 to the Design and Development Overlay (shown on map as DDO-1), and the proposed Schedule 1 to the Buffer Area Overlay (shown on map as BAO-1). The BAO-1 is replacing the existing DDO-1.

The BAO-1 removes extraneous permit requirements that are otherwise associated with the current DDO-1.

Additionally, application of the BAO-1 will decrease the amount of property at [REDACTED], which is impacted by such an Overlay to manage pipeline assets.

If you have any other questions, please don't hesitate to call me or reply to my email.

Thanks,

[REDACTED]
Student Planner

P [REDACTED]

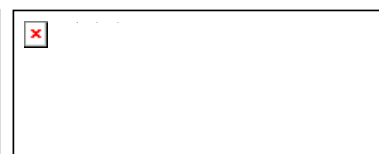
M [REDACTED]

E [REDACTED]

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



Please note my working hours are as follows:

Wednesday 8.15am – 4.45pm

Thursday 8.15am – 4.45pm



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Latrobe City Council
P.O. Box 264
Morwell 3840 Victoria Australia

www.latrobe.vic.gov.au

From: [REDACTED]
To: [REDACTED]
Subject: RE: Amendment C121latr - Follow up from meeting
Date: Wednesday, 1 June 2022 4:40:00 PM

Dear [REDACTED]

I wish to acknowledge receipt of your written submission received at our office on 1 June 2022 in relation to Amendment C121.

Thank you for considering Amendment C121, and informing Council of your wish to withdraw your lodged objection dated 13 April 2022.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process.

Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal.

If you have any questions please do not hesitate to contact [REDACTED], Graduate Planner, on [REDACTED]

Regards,

[REDACTED]
Graduate Planner

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



Please note my working hours are as follows:

Wednesday to Friday 8.15am – 4.45pm

From: [REDACTED]
Sent: Wednesday, 1 June 2022 12:07 PM
To: [REDACTED]
Subject: Re: Amendment C121latr - Follow up from meeting

Hi [REDACTED]

As per the information provided at our meeting and the e-mail below we are satisfied that the impact on the property will be reduced by these changes and withdraw our lodged objection to this proposal.

Kind Regards

[REDACTED]

----- Original Message -----

On Thursday, 19 May, 2022 At 10:05 AM, [REDACTED] wrote:

Hi [REDACTED]

Attached are the maps which depict the current Schedule 1 to the Design and Development Overlay (shown on map as DDO-1), and the proposed Schedule 1 to the Buffer Area Overlay (shown on map as BAO-1). The BAO-1 is replacing the existing DDO-1.

The BAO-1 removes extraneous permit requirements that are otherwise associated with the current DDO-1. Additionally, application of the BAO-1 will decrease the amount of property at [REDACTED], which is impacted by such an Overlay to manage pipeline assets.

If you have any other questions, please don't hesitate to call me or reply to my email.

Thanks,

[REDACTED]
Student Planner

[REDACTED]
[REDACTED]
[REDACTED]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

[REDACTED]

Please note my working hours are as follows:

[REDACTED]
[REDACTED]

[REDACTED]

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Morwell 3840 Victoria Australia

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Submission 2



Department of Transport

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120 Kay Street
Traralgon, VIC 3844 Australia
Telephone: +61 3 5172 2319
www.transport.vic.gov.au
DX 219286

Ref: DOC/22/47140

Latrobe City Council
Strategic Planning Department
Latrobe City Council
PO Box 264
MORWELL VIC 3840

To the Strategic Planning Department,

PLANNING SCHEME AMENDMENT C121 – LICENSED PIPELINE INFRASTRUCTURE

This letter is in response to the exhibition of Latrobe Planning Scheme Amendment C121 which seeks to remove the existing Design and Development Overlay Schedule 1 (DDO1) which covers most of the licensed pipelines in Latrobe City and replaces it with a Buffer Amenity Overlay (BAO1) which can guide both use and development of land.

The Department of Transport has no objection to the proposed amendment.

Yours sincerely



Manager Transport Integration | Gippsland

28 / 04 / 2022



From: [REDACTED]
To: [REDACTED]
Subject: Acknowledgement of Submission
Date: Wednesday, 4 May 2022 9:31:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear [REDACTED]

I wish to acknowledge receipt of your written submission on behalf of DoT received at our office on 2 May 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process. Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal.

If you have any questions please do not hesitate to contact [REDACTED], Student Planner on [REDACTED]

Regards,

[REDACTED]
Student Planner

M [REDACTED]
E [REDACTED]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



Please note my working hours are as follows:

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Submission 3

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APA VTS Australia (Operations) Pty Limited ACN 083 009 278
Level 14 60 City Road Southbank VIC 3006
PO Box 423 Flinders Lane Vic 8009
P: +61 3 8626 8400 | F: +61 3 8626 8454
APA Group | apa.com.au



2 May 2022

APA Reference: 451503
Your Reference: Amendment C121

Att: Strategic Planning
La Trobe City Council
P.O. Box 264
MORWELL VIC 3840

EMAIL OUT: Latrobe@latrobe.vic.gov.au

Dear Sir / Madam

RE: LATROBE PLANNING SCHEME AMENDMENT C121

Thank you for your referral request received on 1 March 2022 in relation to Planning Scheme Amendment C121 (Major Pipeline Mapping Update).

APA Group (APA) is Australia's largest natural gas infrastructure business and has direct management and operational control over its assets and investments. APA's gas transmission pipelines span across Australia, delivering approximately half of the nation's gas usage. APA owns and operates over 15,000 km's of high pressure gas transmission pipelines across Australia.

APA is the Pipeline Licensee for the Longford – Dandenong, Rosedale – Tyers, Morwell – Dandenong, Maryvale and Tyers – Morwell pipeline, (see table 1 for details):

Table 1: Transmission gas pipelines in the area of consideration

Pipeline	Pipeline Licence	Easement Width (m)	Diameter (mm)	Measurement Length (m)
Longford – Dandenong	PI 75 (T60)	24.39	750	690
Rosedale - Tyers	PI 117 (T60)	24.39	750	699
Morwell – Dandenong	PI 50 (T1)	20.1	450	240
Maryvale	PI 67 (T37)	20	150	113
Tyers – Morwell	PI 121 (T63)	20	500	438

Note: Measurement Length is applied to either side of the pipeline.

APA's Role

As a Licensee under the Pipelines Act 2005 (VIC), APA is required to operate high pressure gas transmission pipelines (HPGTP) in a manner that minimises adverse environmental impacts and protects

the public and property from health and safety risks. Once a HPGTP is in place, APA is required to constantly monitor both the pipeline easement and also a broader area within which we are required to consider land use changes and development and to assess what such changes means to the risk profile of the HPGTP.

APA Group comprises two registered investment schemes: Australian Pipeline Trust (ARSN 091 678 778) and APT Investment Trust (ARSN 115 585 441) the securities in which are stapled together. Australian Pipeline Limited (ACN 091 344 704) is the responsible entity of those trusts. The registered office is Level 25 580 George Street Sydney NSW 2000.

energy. connected.

Comments

On the basis of the information provided, APA does not object to the proposed Amendment.

APA supports the introduction of a revised planning control that recognises licensed pipelines and importantly recognises the notification area either side of the pipelines. APA supports the proposed land uses triggered by Schedule 1 of the Buffer Area Overlay as they are consistent with APA's list of identified sensitive land uses.

APA supports the requirement for the input/referral of Energy Safe Victoria (ESV) into planning permit applications within the notification zone. As discussed with ESV, APA (as the relevant pipeline licensee/operator) expects ESV to consult with APA prior to planning referral responses being provided to the Responsible Authority.

APA VTS notes that an APA subsidiary company, APT O&M Services Pty Ltd (APT) may have interests in the study area. APA VTS recommends that you refer the proposal onto APT for assessment. This response in no way represents the views or interests of APT O&M Services.

For any further enquiries relating to this correspondence, please feel free to contact myself on ([REDACTED]) or the Infrastructure Planning & Approvals team at planningvic@apa.com.au.

Yours faithfully,

[REDACTED]

[REDACTED]

SENIOR URBAN PLANNER
INFRASTRUCTURE PLANNING AND APPROVALS
APA GROUP

From: [REDACTED]
To: [REDACTED]
Subject: Acknowledgement of Submission
Date: Wednesday, 4 May 2022 9:35:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear [REDACTED]

I wish to acknowledge receipt of your written submission on behalf of APA received at our office on 2 May 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process. Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal.

If you have any questions please do not hesitate to contact [REDACTED], Student Planner on [REDACTED]

Regards,

[REDACTED]
Student Planner

M [REDACTED]
E [REDACTED]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



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Submission 3b

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From: [REDACTED]
To: [REDACTED]
Subject: RE: Amendment C121 - Additional APA VTS mapping
Date: Thursday, 12 May 2022 2:40:04 PM
Attachments: [image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image001.png](#)

Dear [REDACTED],

As discussed yesterday, since lodging APA VTS submission to Planning Scheme Amendment C121, APA VTS has noticed that the proposed overlay appears to be missing coverage over a lateral licensed pipeline that is located near Traralgon – Maffra Road (see image below and circled). The pipeline is an offtake from the Longford - Dandenong pipeline that connects to the city gate facility at Traralgon – Maffra Road. APA's engineers have indicated that the same overlay areas which applies to the Longford – Dandenong pipeline should be applied to this offtake pipeline. The change should occur on Map No 63BAO (as shown in extract below).





If you have any further queries regarding this matter please feel free to contact me.

Kind regards,

apa

Senior Urban Planner
Infrastructure Planning and Approvals (IPA)

apa.com.au

always powering ahead

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From: [REDACTED]
Sent: Wednesday, 4 May 2022 9:36 AM
To: PlanningVIC <planningvic@apa.com.au>
Subject: [EXT]: Acknowledgement of Submission

Dear [REDACTED]

I wish to acknowledge receipt of your written submission on behalf of APA received at our office on 2 May 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process. Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal.

If you have any questions please do not hesitate to contact [REDACTED], Student Planner on 0429 [REDACTED]

Regards,

[REDACTED]
Student Planner
M [REDACTED]
E [REDACTED]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840
f t i y



Please note my working hours are as follows:

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Submission 4

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From: [REDACTED] (DELWP)
Sent: Fri, 06 May 2022 14:49:47 +1000
To: Latrobe Central Email
Cc: [REDACTED]@latrobe.vic.gov.au
Subject: OFFICIAL: DELWP Submission - Latrobe Planning Scheme Amendment C121
Attachments: SP4479482dpr - C121.pdf

Good afternoon [REDACTED]

Thankyou for allowing DELWP extra time to incorporate Energy Save Victoria's comments.

Kindest Regards

[REDACTED]

[REDACTED]

Program Manager Planning and Approvals

Planning and Approvals Gippsland

Forest, Fire and Regions | Department of Environment, Land, Water and Planning

574 Main Street Bairnsdale 3875

M: [REDACTED]



We acknowledge Victorian Traditional Owners and their Elders past and present as the original custodians of Victoria's land and waters and commit to genuinely partnering with them and Victoria's Aboriginal community to progress their aspirations.

OFFICIAL



Department of Environment, Land, Water & Planning

71 Hotham Street
Traralgon Victoria 3844
Telephone: +61 3 5172 2111
www.delwp.vic.gov.au

6 May 2022

[REDACTED]
Student Planner
Latrobe City Council
Email: [REDACTED]

Our ref: SP4479482
Your ref: Planning Scheme Amendment C121

Dear [REDACTED]

PROPOSAL: LATROBE PLANNING SCHEME AMENDMENT, C121 (MAJOR PIPELINE MAPPING UPDATE) – NOTICE OF PREPARATION OF AN AMENDMENT
ADDRESS: LATROBE CITY COUNCIL

Thank you for your correspondence dated and received 1 March 2022, in respect to the planning scheme amendment C121 and allowing the Department of Environment, Land, Water and Planning an extended time to incorporate Energy Safe Victoria's comments.

Under Delegation from the Secretary, the Department of Environment, Land, Water and Planning supports the recommended approach, on the basis that:

- It is consistent with Energy Safe Victoria's role as a safety regulator
- It is a pilot project contained within the area subject to the Latrobe Planning Scheme; and evaluated after 6 months; and at 6 monthly intervals
- Energy Safe Victoria supports participation in this pilot as part of its role as the pipeline safety regulator.

If you have any further queries, or require clarification please contact
gippsland.planning@delwp.vic.gov.au

Yours sincerely

[REDACTED]

[REDACTED]
Program Manager Planning Approvals
Central | East Hub, Gippsland

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OFFICIAL

From: [REDACTED]
To: [REDACTED]
Subject: Acknowledgement of Submission - Planning Scheme Amendment C121latr
Date: Wednesday, 11 May 2022 8:47:00 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

Dear [REDACTED]

I wish to acknowledge receipt of your written submission on behalf of DELWP received at our office on 6 May 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process. Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal. Latrobe City Council will consider your recommendation of 6 monthly evaluations, and the role of ESV as a safety regulator.

If you have any questions please do not hesitate to contact [REDACTED], Student Planner on [REDACTED]

Regards,

[REDACTED]
Student Planner
P [REDACTED]
M [REDACTED]
E [REDACTED]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



Please note my working hours are as follows:

Wednesday 8.15am – 4.45pm
Thursday 8.15am – 4.45pm

20 May 2022

Attention: [REDACTED]
Strategic Planning
Latrobe City Council
Strategic Planning
PO Box 264 Morwell VIC 3840
Email [REDACTED]

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Dear [REDACTED],

Submission to Planning Scheme Amendment C121 – Major Pipeline Mapping Update

On behalf of our client, Manthos Investments, we are pleased to lodge this submission to Latrobe City Council regarding Planning Scheme Amendment C121.

Manthos Investments is the owner of 1,100 hectares of land in [REDACTED]

[REDACTED] ('the site'). Please refer to Attachment 1 for an aerial of the site.

Manthos is currently investigating the potential of the site for a major solar farm, and associated uses, and has carried out initial meetings with Council and DELWP in this regard.

Currently, the south-western section of the site is affected by the Design and Development Overlay – Schedule 1 (DDO1) which relates to the route of the existing high pressure pipeline. Please refer to Attachment 2 for the location of the DDO1.

Our understanding is that Planning Scheme Amendment C121 seeks to implement the findings and recommendations of the *Latrobe City Council DDO1 Major Pipeline Infrastructure Review (May 2020)* and applies to all land which is affected by a major licensed pipeline, such as the site. We further understand that the Amendment proposes to replace the DDO1 with the new Buffer Area Overlay – Schedule 1 (BAO1) and makes Energy Safe Victoria (ESV) a recommending referral authority.

In general, we support Planning Scheme Amendment C121, particularly the following aspects:

- The width of the proposed BAO is now based on the 'notification area' calculated by the radiation distance of a pipeline failure and other factors particular to the pipeline, including its size, method of construction, age, etc. This has resulted in the revised area of land covered by the proposed BAO1 on the site being less than the existing DDO1, which is a more accurate reflection of the pipeline's route and potential risks.
- The proposal to replace the DDO1 with the BAO1 would remove extraneous permit requirements that exist under the current DDO1, such as a permit requirement for almost all type of development, to construct a fence within 3 metres of the pipeline, and for subdivision.
- The replacement of the DDO1 would also remove the extraneous specification of 'Category 4' signage requirements for the site.
- The exemption in BAO1 from the need for a permit for use of land for a solar farm



Cogency Australia Pty Ltd. ABN: 90 656 657 984
www.cogencyaustralia.com.au



The above changes are considered appropriate and based on sound advice and consistent with the Victorian planning system.

Conversely, our concerns relate to the following aspects of Planning Scheme Amendment C121:

- The DDO1 only relates to works/development, whereas the proposed BAO1 would trigger permit requirements for both works/development and certain land uses. The use of land for certain types of industry would require a permit under BAO1. This is considered unnecessary, for the following reasons:
 - The low density of human congregation on typical industrial sites.
 - The pipeline already traverses the existing 'Heavy Industrial Precinct' adjacent to the site, which sets a precedent for this pipeline and industrial uses co-existing.
 - The types of industry listed in the BAO1 that would require a permit should be limited to the 'high risk' types of industry that 'have the potential to escalate the impacts of pipeline failure through ignition of pipeline contents'¹. The types of industry requiring a permit under the proposed BAO1 are those where **any** of the following applies:
 - *A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012*
 - *A notification is required under the Occupational Health and Safety Regulations 2017*
 - *A licence is required under the Dangerous Goods (Explosives) Regulations 2011*
 - *A licence is required under Dangerous Goods (HCDG) Regulations 2016*

Accordingly, on behalf of our client, we propose that 'Industry' be removed from the list of land uses requiring a permit under BAO1, and the types of industry requiring a permit is limited to 'high risk' types rather than such a broad range of industrial operations. The permit requirement for buildings and works for industry could be retained through the inclusion of 'industry' under section 5.0 of the BAO1.

We look forward to your response and to receiving any updates regarding the Amendment.

Should you have any questions, please do not hesitate to contact me on [REDACTED] or at [REDACTED]

Yours Sincerely,

[REDACTED]

Director and Co-Founder
Cogency Australia

¹ Description from the Explanatory Report



Attachment 1 – Site aerial

cogency

Attachment 2 – The location of the current DDO1 on the site

Cogency Australia Pty Ltd. ABN: 90 656 657 984
www.cogencyaustralia.com.au

From: [REDACTED]
To: [REDACTED]
Subject: Acknowledgement of Submission to Am C121latr
Date: Wednesday, 25 May 2022 9:37:00 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

Dear [REDACTED]

I wish to acknowledge receipt of your written submission from Cogency on behalf of Mathos Investments, received at our office on 20 May 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process. Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal. Latrobe City Council will consider your recommendation.

If you have any questions please do not hesitate to contact [REDACTED], Student Planner on [REDACTED]

Regards,

[REDACTED]
Student Planner

P [REDACTED]
M [REDACTED]
E [REDACTED]

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



Please note my working hours are as follows:

Wednesday 8.15am – 4.45pm

Thursday 8.15am – 4.45pm



Submission 5b

6 June 2022

Attention: [REDACTED]
Strategic Planning
Latrobe City Council
Strategic Planning
PO Box 264 Morwell VIC 3840
Email: [REDACTED]

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Dear [REDACTED],

Withdrawal (with conditions) of submission to Planning Scheme Amendment C121 – Major Pipeline Mapping Update

Further to our submission on 24 May 2022 and our discussions with Council on 1 June 2022, on behalf of our client, Manthos Investments, we are pleased to withdraw our submission to Latrobe City Council regarding Planning Scheme Amendment C121, provided that the following updates to the wording of Schedule 1 to the Buffer Area Overlay (BAO1) are accepted.

During our meeting on 1 June 2022, Council clarified that the types of industry listed under BAO1 as requiring a permit are those that are highly explosive and that the fire protection quantities, notification and licences mentioned do not normally apply to most industrial premises. Council also confirmed that applications for these types of industries are rare in Latrobe City Council. Therefore, the proposed wording of the BAO1 would not trigger a permit for a wide range of industries that could be considered in the future on our client's site.

With this in mind, we are pleased to withdraw our submission to Amendment C121, on the basis that the following minor amendment can be included in the wording of the BAO1 for clarification purposes:

- Industry **of a high explosive risk**, where any of the following applies:
 - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012
 - A notification is required under the Occupational Health and Safety Regulations 2017
 - A licence is required under the Dangerous Goods (Explosives) Regulations 2011
 - A licence is required under Dangerous Goods (HCDG) Regulations 2016

We look forward to your response and to receiving any updates regarding the Amendment.

Should you have any questions, please do not hesitate to contact me on [REDACTED] or at [REDACTED].

Yours Sincerely,

Director and Co-Founder

Cogency Australia

Cogency Australia Pty Ltd. ABN: 90 656 657 984
www.cogencyaustralia.com.au

From: [REDACTED]
To: [REDACTED]
Subject: Conditional withdrawal of submission - receipt of submission
Date: Wednesday, 8 June 2022 9:50:00 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

Dear [REDACTED]

I wish to acknowledge receipt of your written submission from Cogency on behalf of Mathos Investments, received at our office on 6 June 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process. Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal. Latrobe City Council will consider your recommendation.

If you have any questions please do not hesitate to contact [REDACTED], Graduate Planner on [REDACTED].

Regards,

[REDACTED]
Graduate Planner

P [REDACTED]
M [REDACTED]
E [REDACTED]

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



Please note my working hours are as follows:

Wednesday to Friday 8.15am – 4.45pm

Submission 5c

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Conditional withdrawal of submission - receipt of submission
Date: Monday, 13 June 2022 6:59:01 PM
Attachments: [image002.png](#)
[image008.png](#)
[image009.jpg](#)
[image010.jpg](#)
[image011.jpg](#)
[image012.jpg](#)
[image013.jpg](#)
[image014.png](#)

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Hi [REDACTED]

Thanks for your email and for providing further clarification on those points.

In light of the information provided, namely that the majority of industrial applications do not fall within the categories listed in the proposed BAO1 and that incorporating additional terminology can cause confusion and conflicts with the Planning Scheme, we agree (on behalf of our client) to withdraw our submission to Amendment C121.

Thank you for taking the time to consider and discuss our submission during this process.

Wishing you all the best with the finalisation of the BAO and your discussions with DELWP.

We look forward to receiving updates on the amendment.

Kind regards,

[REDACTED]

—

[REDACTED]
Co-founder & Director
[REDACTED]
cogencyaustralia.com.au



From: [REDACTED]
Sent: Thursday, 9 June 2022 1:23 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Conditional withdrawal of submission - receipt of submission

Hi [REDACTED]

Thank you for your updated submissions to Amendment C121 – Buffer Area Overlay. We have reviewed the request for proposed changes requested, however, we don't believe that the wording changes you have requested under the BAO1 can be accommodated for the following reasons:

- High explosive risk is not defined in the planning scheme as a term and is not defined in the background reports, therefore not strategically justified to be included;
- The terminology we have used is understood and exists in the Planning Scheme (therefore more widely understood). This wording is used in Industrial Zones and clause 66.02-7. I don't think we

should be inconsistent with other wording within the scheme.

Therefore, we have concern that inserting the word change will actually cause more confusion and be legally harder to interpret.

As the wording proposed in the BAO1 comes from existing wording in the Industrial Zone, we know from the application received we do not see a lot of applications to use land for industry because most industries do not fall into these categories. We are a Council which does see a number of industrial applications and advice about industry uses.

Therefore, can you please let us know if you wish to proceed with the updated submission as provided or if the information we have provided now addresses your concerns.

If you wish to proceed with the updated submission, this means your submission will be outstanding and we will have to recommend to proceed to appoint a planning panel. Can you please advise if you would be happy to have the planning panel considered on the papers.

If you can please provide us with a response as soon as possible.

If you have any questions, please feel free to contact me.

Thanks

From: [REDACTED]
Sent: Wednesday, 8 June 2022 10:13 AM
To: [REDACTED]
Subject: RE: Conditional withdrawal of submission - receipt of submission

Hi [REDACTED]

Thanks for your email. I just wanted to confirm – given that our recommended wording is minor and more of a clarification, there is no need for a Panel, is that correct?

Many thanks,

[REDACTED]

—

[REDACTED]
Co-founder & Director
[REDACTED]
cogencyaustralia.com.au



From: [REDACTED]
Sent: Wednesday, 8 June 2022 9:50 AM
To: [REDACTED]
Subject: Conditional withdrawal of submission - receipt of submission

Dear [REDACTED]

I wish to acknowledge receipt of your written submission from Cogency on behalf of Mathos Investments, received at our office on 6 June 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process. Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal. Latrobe City Council will consider your recommendation.

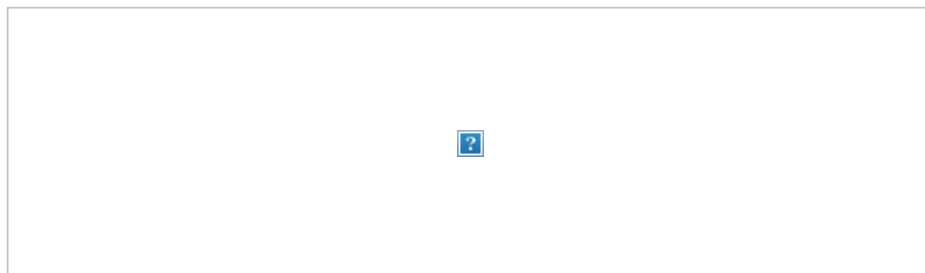
If you have any questions please do not hesitate to contact [REDACTED] Graduate Planner on [REDACTED].

Regards,

<p>[REDACTED] Graduate Planner P [REDACTED] M [REDACTED] E [REDACTED]</p>	<p>P 1300 367 700 W www.latrobe.vic.gov.au PO Box 264, Morwell 3840</p> <p>   </p>	<div style="border: 1px solid black; width: 200px; height: 100px; margin: 0 auto; text-align: center; line-height: 100px;"></div>
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Please note my working hours are as follows:

Wednesday to Friday 8.15am – 4.45pm



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From: [REDACTED]
To: [REDACTED]
Subject: RE: Conditional withdrawal of submission - receipt of submission
Date: Wednesday, 15 June 2022 8:30:00 AM
Attachments: [image008.png](#)
[image009.png](#)
[image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.png](#)

Dear [REDACTED]

I wish to acknowledge receipt of your written submission from Cogency on behalf of Mathos Investments, received at our office on 13 June 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal. We appreciate your willingness to cooperate throughout this process, and thank you for withdrawing your submission requesting changes to Amendment C121.

Please note your submission to Amendment C121 will now become a public document and will be available for public perusal during the amendment process. Latrobe City Council will endeavour to keep you informed of the progress of the amendment proposal.

If you have any questions please do not hesitate to contact [REDACTED], Graduate Planner on [REDACTED].

Regards,

[REDACTED]
Graduate Planner

P
M
E

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



Please note my working hours are as follows:

Wednesday to Friday 8.15am – 4.45pm

From: [REDACTED]
Sent: Monday, 13 June 2022 6:59 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Conditional withdrawal of submission - receipt of submission

Hi [REDACTED]

Thanks for your email and for providing further clarification on those points.

In light of the information provided, namely that the majority of industrial applications do not fall within the categories listed in the proposed BAO1 and that incorporating additional terminology can cause confusion and conflicts with the Planning Scheme, we agree (on behalf of our client) to withdraw our submission to Amendment C121.

Thank you for taking the time to consider and discuss our submission during this process.

Wishing you all the best with the finalisation of the BAO and your discussions with DELWP.

We look forward to receiving updates on the amendment.

Kind regards,

[REDACTED]

—

[REDACTED]

Co-founder & Director

[REDACTED]

cogencyaustralia.com.au



From: [REDACTED]

Sent: Thursday, 9 June 2022 1:23 PM

To: [REDACTED]

Cc: [REDACTED]

[REDACTED]

Subject: RE: Conditional withdrawal of submission - receipt of submission

Hi [REDACTED]

Thank you for your updated submissions to Amendment C121 – Buffer Area Overlay. We have reviewed the request for proposed changes requested, however, we don't believe that the wording changes you have requested under the BAO1 can be accommodated for the following reasons:

- High explosive risk is not defined in the planning scheme as a term and is not defined in the background reports, therefore not strategically justified to be included;
- The terminology we have used is understood and exists in the Planning Scheme (therefore more widely understood). This wording is used in Industrial Zones and clause 66.02-7. I don't think we should be inconsistent with other wording within the scheme.

Therefore, we have concern that inserting the word change will actually cause more confusion and be legally harder to interpret.

As the wording proposed in the BAO1 comes from existing wording in the Industrial Zone, we know from the application received we do not see a lot of applications to use land for industry because most industries do not fall into these categories. We are a Council which does see a number of industrial applications and advice about industry uses.

Therefore, can you please let us know if you wish to proceed with the updated submission as provided or if the information we have provided now addresses your concerns.

If you wish to proceed with the updated submission, this means your submission will be outstanding and we will have to recommend to proceed to appoint a planning panel. Can you please advise if you would be happy to have the planning panel considered on the papers.

If you can please provide us with a response as soon as possible.

If you have any questions, please feel free to contact me.

Thanks

From: [REDACTED]
Sent: Wednesday, 8 June 2022 10:13 AM
To: [REDACTED]
Subject: RE: Conditional withdrawal of submission - receipt of submission

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Many thanks,

[REDACTED]

—

[REDACTED]
Co-founder & Director
[REDACTED]
cogencyaustralia.com.au



From: [REDACTED]
Sent: Wednesday, 8 June 2022 9:50 AM
To: [REDACTED]
Subject: Conditional withdrawal of submission - receipt of submission

Dear [REDACTED]

I wish to acknowledge receipt of your written submission from Cogency on behalf of Mathos Investments, received at our office on 6 June 2022 in relation to Amendment C121.

Latrobe City Council appreciates your interest in the amendment proposal.

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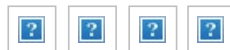
If you have any questions please do not hesitate to contact [REDACTED], Graduate Planner on [REDACTED].

Regards,

[REDACTED]
Graduate Planner

P [REDACTED]
M [REDACTED]
E [REDACTED]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



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Attachment 3

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

AMENDMENT C121

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Latrobe City Council who is the planning authority for this amendment.

The amendment has been made at the request of Latrobe City Council.

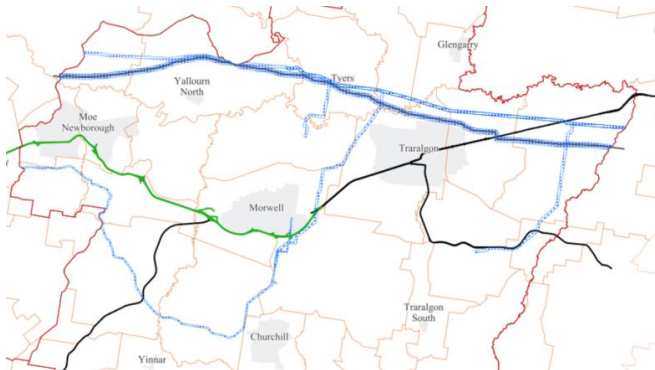
Land affected by the amendment

The Amendment applies to all land within the municipality which is affected by a major licensed pipeline.

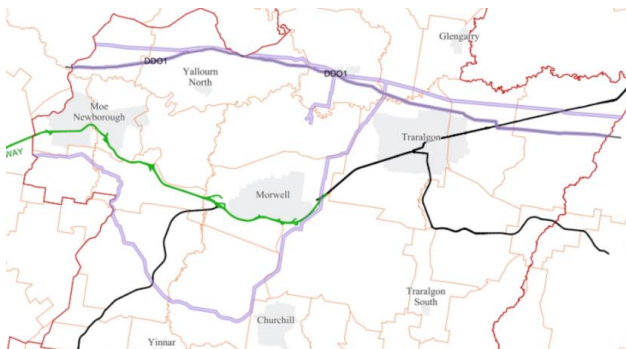
Currently, most of the licensed pipelines which traverse the Latrobe City municipality are protected by the Design and Development Overlay Schedule 1 (DDO1).

The proposal is to remove the existing DDO1 and replace it with a Buffer Amenity Overlay (BAO1). While the Overlay area decreases over most pipelines, there is an increase over the LPG pipeline that runs from Longford to Long Island Point. Two additional pipelines are also proposed to be included, the Morwell-Tramway Road pipeline and the Loy Yang B Gas Pipeline

Within the DDO1, 2,486ha of land is covered, and under the proposed BAO, 2,893ha of land will be impacted by the overlay. The differences translate to a total of 30 properties currently impacted by the DDO1 that will no longer be impacted by the BAO1, and 117 properties impacted by the BAO1 that are currently not impacted by the DDO1,



Above: The pipeline proposed to be covered by the BAO is shown in the hatched blue line traversing the municipality.



Above: The pipeline currently covered by the DDO1 is shown in the purple line traversing the municipality.

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

What the amendment does

The Amendment seeks to implement the findings and recommendations of the *Latrobe City Council DDO1 Major Pipeline Infrastructure Review (May 2020)*. In particular it adjusts the extent of the Overlay coverage and permit requirements for use and development within this area.

The Amendment proposes the following:

- Delete Schedule 1 to Clause 43.02 (Design and Development Overlay).
Insert Schedule 1 to Clause 44.08 (Buffer Area Overlay) Major Pipeline Infrastructure.
- Amends Clause 11.01-1L Morwell so the Morwell Town Structure Plan shows the Morwell to Tramway Road Pipeline.
- Amends Clause 19.01-3L Pipeline Infrastructure by replacing 'measurement length' with 'notification area'.
- Amends the Schedule to Clause 66.04 (Schedule to Clause 66.04 Referral of Permit Applications Under Local Provisions) to list Energy Safe Victoria (ESV) as recommending referral authority.
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the new BAO1 mapping and deleted DDO1 mapping.
- Amends the Schedule to Clause 72.08 (Schedule to Clause 72.08 Background Documents) by adding the *Pipelines Report (May 2020)* into the schedule.
- Amends the Schedule to Clause 74.01 (Schedule to Clause 74.01 Application of Zones, Overlays and Provisions) to include the Buffer Area Overlay – Schedule 1.

Maps

- Delete Planning Scheme Map Nos. 11DDO, 12DDO, 13DDO, 21DDO, 32DDO, 33DDO, 34DDO, 37DDO, 38DDO, 45DDO, 46DDO, 63DDO, 65DDO, 66DDO, 67DDO, 68DDO, 90DDO, 91DDO, 92DDO.
- Amend Planning Scheme Map Nos. 43DDO, 44DDO, 47DDO, 52DDO, 64DDO, 70DDO, 79DDO, 82DDO, 83DDO, 84DDO, 85DDO.
- Insert new Planning Scheme Map Nos. 11BAO, 12BAO, 13BAO, 21BAO, 34BAO, 37BAO, 38BAO, 43BAO, 44BAO, 45BAO, 46BAO, 47BAO, 51BAO, 52BAO, 63BAO, 64BAO, 65BAO, 66BAO, 67BAO, 68BAO, 70BAO, 78BAO, 79BAO, 82BAO, 83BAO, 84BAO, 85BAO, 87BAO, 88BAO, 90BAO, 91BAO, 92BAO.

Strategic assessment of the Amendment

Why is the Amendment required?

The Design and Development Overlay – Schedule 1 was introduced into the Latrobe Planning Scheme on the 2 March 2000 following the recommendations in the *Report of the Panel and Advisory Committee on the Latrobe New Format Planning Scheme*. Previously, the Planning Scheme had only contained local and State policy statements regarding pipelines.

Amendment C121 seeks to replace the Design and Development Overlay – Schedule 1 (DDO1) with the Buffer Area Overlay – Schedule 1 (BAO1) as a means of ensuring safe and appropriate land use and development around licensed pipelines, in order to protect human life, property and the environment from the impacts of pipeline failure. It also seeks to prevent damage to licensed pipelines from development activities.

This is to be achieved by triggering a permit requirement for both use and development where:

- High numbers of people are expected to congregate (e.g. Sports and Recreation facilities, Places of Assembly).
- Sectors of the community have limited ability to protect themselves from the consequences of pipeline failure (e.g. Child care, schools, aged persons facilities, hospitals and corrective institutions).
- Storage of dangerous chemicals and energy production that have the potential to escalate the impacts of pipeline failure through ignition of pipeline contents (e.g. Fuel Depots, Earth and Energy Resources Industry).

The extent of the Overlay is also revised. The DDO1 currently covers land within 100m of all licensed pipelines. The *Latrobe City Council DDO Major Pipeline Infrastructure (May 2020) (Pipelines Report)* carried out on behalf of Energy Safe Victoria (ESV) determines the width of the Overlay be based on the calculated radiation distance of a pipeline failure – most likely through puncture, known as the ‘notification area’. This is particular to each pipeline and is based on a number of factors including the size of the pipeline, method of construction, properties of the contents, age etc. As a result, the width of the BAO1 varies, in some instances being less wide, or wider than the current DDO1. The BAO1 also covers two pipelines that are not subject to the DDO1: the Flynn to Loy Yang B pipeline and the Morwell to Tramway Road pipeline.

The Amendment will involve referral of all permit applications to Energy Safe Victoria (ESV) who will be a recommending authority.

The Amendment also removes extraneous permit requirements that exist under the current DDO1. This includes permit requirements for development such as fences, pools, signs and subdivision.

In order for the new overlay to have statutory weight in the consideration of planning permit applications, it is necessary for the *Pipelines Report* to be included in the Latrobe Planning Scheme. The Amendment therefore gives effect to the recommendations contained within the *Pipelines Report*.

The evaluation and replacement of DDO1 with a more appropriate planning control came about from the comprehensive review of the Latrobe Planning Scheme as detailed in the *Latrobe Planning Scheme Review Report (October 2014)*. This review resulted in a new Municipal Strategic Statement (MSS) to guide future Amendments and permit applications over four years and beyond (Amendment C97).

The *Latrobe Planning Scheme Review Report (October 2014)* contains recommendations for changes to zones and overlays, many of which have been incorporated into other Planning Scheme Amendments as appropriate

Amendment C121 proposes to implement an outstanding item from the Planning Scheme Review in relation to the Design and Development Overlay, Schedule 1 (DDO1) ‘Major Pipeline Infrastructure’.

The Planning Scheme Review Report identified:

- The DDO1 is poorly worded as through the parent clause and the schedule, it triggers a permit for almost all development and subdivision.
- There is no real referral mechanism as at present it reads to “seek the views of the Secretary of the Department administering the *Pipelines Act 1967*.”
- The decision guideline which requires consideration of the appropriateness of constructing any buildings within 3 metres of any pipeline conflicts with, and therefore brings into question the width of the Overlay.
- The DDO1 specifies that sign requirements are ‘Category 4’ within Clause 52.05 (signs). Category 4 signs are for sensitive areas and the purpose is to ‘provide for unobtrusive signs in areas requiring strong amenity control’. This is not considered applicable to land covered by the DDO1.

The change from the DDO1 is further supported through *Amendment C122 – Planning Policy Framework Translation*. A Zones and Overlays report was produced as part of the review of the Latrobe Planning Scheme and its findings recommended the implementation of the *Pipelines Report*.

The BAO1 is sought as a replacement for the DDO1 as:

- The BAO can control both use and development. The Pipelines Report originally identified the DDO1 be replaced with an Environmental Significance Overlay Schedule (ESO). Neither can control 'use'.
- According to Planning Practise Note 92, the BAO is suitable to be applied to licensed pipelines. The BAO was included in Victorian Planning Schemes through Amendment V10, which occurred after the publication of the Pipelines report.

The Amendment will have a net community benefit whereby it will clearly identify, through mapping, the extent of risk posed by underground licensed pipelines. This will provide transparency to potential land owners when purchasing land within such areas due to the Overlay being reported in the Planning Certificate contained within the Section 32 Vendor Statement. Where there is a change of use to one listed under the BAO1, it will be clear for the applicant where the extent of risk lies, and to plan accordingly.

It will remove permit requirements for development considered to be low risk, and allow for one referral agency to co-ordinate assessment with Pipeline Licensees. It also removes permit requirements where there are mechanisms and administrative processes in place to notify and engage the Pipeline Licensee for activities within 3 metres of pipeline and within the easement, subdivision and rezoning.

The amendment does not repeat provisions already in the scheme.

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

The Amendment implements the following objectives in Section 4(1) of the *Planning and Environment Act 1987* by:

- *Providing for the fair, orderly, economic and sustainable uses and development of land*

The amendment clearly identifies the location of licensed pipelines and the extent of the area surrounding which is most at risk from a pipeline failure. This allows for the safe, orderly and appropriate use and development of land within these areas. It protects

- *Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*

The Amendment aims to ensure that land use and development that are at risk of severe impact if a pipeline should fail, are sited and designed appropriately for the protection of human health and safety. This also minimises risk of damage to property and the environment.

- *Protecting public utilities and other assets and enabling the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

The Amendment ensures ESV is aware of all relevant development and activities within the 'notification area' of pipelines. They in turn, with Pipeline Licensees, can take steps to ensure licensed pipelines are protected from potential damage from construction activities. This will ensure a continued safe supply of gas and oil to the community and Victoria.

How is the Amendment consistent with Planning Practice Note 92?

The Amendment will aid in supporting PPN92 particularly in relation to licensed pipelines that traverse Latrobe City Council as PPN92 states;

- *The BAO could potentially be applied to licensed pipelines in certain circumstances.*

The Amendment to utilise and apply BAO1 to all land affected by a major licensed pipeline within Latrobe City Council is consistent with PPN92 by providing a land use 'Buffer' to protect sensitive land uses notified within PPN92.

PPN92 describes a 'Buffer' in the context of land use planning as necessary to protect sensitive land uses from the impacts of incompatible land uses, such as industrial uses, to avoid land use conflict. PPN92 states that Planning Policy Framework *aim to protect industry and infrastructure from encroachment of incompatible uses*, such as that of Clause 19.01-3 *Pipeline Infrastructure*, which would aid in supporting the application of the BAO1 within Latrobe City Council.

The Amendment will aid in appropriately identifying buffers or necessary notification distances between sensitive land uses that may be notified under PPN92. Pipeline Licensees who operate the licensed pipelines that traverse Latrobe City Council have calculated and determined distances appropriate to each pipeline with the help of Energy Safe Victoria, who have nominated themselves to be the relevant expert agency in the application of BAO1, as is notified in the *Pipelines Report*. This is consistent with the requirements of PPN92.

- *The extent of these buffers should be reviewed by the relevant expert agency, based on all available evidence.*

The Amendment would see the application of buffers and notification areas which would aid in managing potential offsite impacts of industry defined within PPN92, such as the potential offsite impacts from licensed pipelines within Latrobe City Council.

- *Buffers are often still needed to protect sensitive uses from these impacts and provided certainty for industry operators.*

The Amendment is expected to aid in ensuring that operators act in accordance with PPN92 and be *compliant with existing regulations and standards relating to offsite impacts or land use compatibility, such as those of EPA Victoria and other regulatory authorities*. This may also include in the case of the Amendment, the *Pipelines Act* Australian Standard AS 2885, which provides the foundation for the Australian pipeline industry's safety performance.

- *The use must have potential for unintended offsite impacts on human health or safety, or significant offsite impacts on amenity;*

As is the case with the licensed pipelines that are to be impacted by the BAO1 within Latrobe City Council.

While PPN92 notes that *ESV is working on a standardised approach for the application of planning controls* to licensed pipelines, at this time ESV has not designed a standardised approach to determine the notification area between licensed pipelines in Victoria. With this information in mind, it is proposed within the *Pipelines Report* undertaken by ESV that the Amendment allow for the BAO1 to be applied according to each licensed pipeline that traverses Latrobe City Council specific characteristics. This is at the recommendation of ESV who are the relevant expert agency.

Should the Amendment be approved, the Amendment will aid in ensuring the application of the BAO1 is undertaken in accordance with PPN92 by accepting ESV as the relevant expert agency that should review any application where a permit trigger occurs under BAO1.

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

The Amendment is expected to have positive environmental, social and economic impacts by providing clearer direction to council officers, pipeline operators and land owners on land use and development in proximity to pipelines. The Overlay will clearly identify land parcels which contain major pipelines and assist in ensuring safety and management of these assets which assist in ensuring that they operate in cohesion with above ground land use and development. It is also a protective measure, with the overarching aim of preventing negative and severely damaging environmental, social and economic effects.

Does the Amendment address relevant bushfire risk?

The amendment will not result in any increase in bushfire risk. As per Clause 13.02-1S Bushfire planning

'Directing population growth 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.'

The areas affected by the Overlay cover existing pipelines. The land is largely cleared of vegetation or covered by urban forms. Further, as the overlay controls seek to minimise risk to life as a priority, property, community infrastructure and the natural environment, the amendment is consistent with Clause 13.02-1S.

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

The amendment is consistent with:

- The Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.
- Ministerial Direction No.11 Strategic Assessment of Amendments.
- Ministerial Direction No.15 The Planning Scheme Amendment Process.
- Ministerial Direction No. 19 (MD19) The Preparation and Contents of Amendments That May Significantly Impact the Environment, Amenity and Human Health. Advice was sought from the EPA on 15 July 2021.

EPA's response (email received 29 July 2021) states that it does not consider MD19 is relevant to a proposal to apply the BAO as it considers its application *would not result in significant impacts on the environment, amenity and human health due to pollution and waste*. However, the EPA does note that Council is required to provide the written views of the EPA or any 'other relevant authority' for authorisation of an amendment, under section 81A of the Planning and Environment Act 1987 (PEA).

The EPA understands that ESV are reviewing the draft BAO1 and considers they are the more appropriate authority to assess the BAO under s8A as they hold the experience relevant to pipeline safety.

Notwithstanding this, EPA has determined the proposal presents a low risk to the environment, amenity, and human health as a result of pollution or waste. Therefore, they do not have any specific advice for consideration and do not need to be consulted further.

- Ministerial Direction No. 20 Major Hazard Facilities. Advice was sought from both Worksafe Victoria and the Minister for Economic Development on 16 July 2021.

The Major Hazards Unit of Worksafe Victoria has made contact (phone conversation 20 July 2021) and advised that a representative of their land use planning department would be in contact. Correspondence dated 15 September advised Council that based on the information provided, Worksafe Victoria had no objection to the proposed Amendment C121 at this time.

Invest Victoria have made contact on behalf of the Minister for Economic Development (email received 21 July 2021) and have been interested in how this impacts Australian Paper in Maryvale as this is the only Major Hazard Facility in the Municipality. Further information has been provided in the form of maps and meeting on the 19 August 2021 discussed the impacts of the BAO1 for the only Major Hazard Facility in Latrobe City – Australian Paper. In correspondence dated 22 September 2021 Invest Victoria provided comments on the amendment in relation to Australian Paper. In summary they had no objection to the amendment proceeding.

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

The amendment directly supports the following objectives and strategies of the Planning Policy Framework and State policy:

- Clause 11 (Settlement)

Clause 11.01-1S and 11.01-1R outline strategies to promote regional development, in particular by:

- *Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.*
- *Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.*

The amendment supports urban growth as it seeks to ensure the security of supply of resources such as gas, and oil, which are critical to local, Regional and State-wide communities. The amendment balances this protection of pipelines with development needs by seeking safely and appropriately sited land use and development within the Overlay area. Permit triggers are removed from use and development that do not pose a threat or increase the consequence of a pipeline failure, or which are subject to existing provisions that provide notification of Pipeline Licensees

- Clause 12 (Environmental and Landscape Values)

Clause 12.01-1S seeks to protect and conserve Victoria's biodiversity and native vegetation. Impacts from land use and development should be avoided or minimised where possible. Clause 12.03-1S seeks to protect and enhance river corridors, waterway, lakes and wetlands. Clause 12.01L seeks to adopt the precautionary principle where there are threats of environmental damage, such as damage or destruction of habitat.

Licensed pipelines traverse the municipality through identified important areas of biodiversity, in particular, the Strzelecki – Alpine Biolink which conserves and restores habitat connections and benefits the movement of wildlife. Pipelines cross designated water catchment areas and waterways. Pipeline failure and the release of contents can have devastating impacts on the environment, including toxic pollution of the water, soil and air, damaging and killing both flora and fauna. The amendment supports the precautionary principle approach as the Overlay clearly defines the calculated extent of pipeline failure and applies controls to ensure that due assessment is given to development and use within to prevent such occurrences.

- Clause 13 (Environmental Risks and Amenity)

Clause 13 states that planning should identify, prevent and minimise the risk of harm to the environment, human health and amenity through: land use compatibility and effective controls to prevent or mitigate significant impacts. Clause 13.07-1S *Land Use Compatibility* seeks to protect community amenity, human health and safety while facilitating appropriate infrastructure with potential adverse off-site impacts.

The overarching aim of the amendment is to protect against pipeline failure and minimise risks to human health, the environment and property. The Overlay clearly identifies the area around pipelines where failure is most likely to impact and provides directions to minimise risks for those most susceptible land uses. Through permit triggers and subsequent notification, Pipeline licensees, through ESV, are able to be involved in the early stages of planning to assist in appropriate site design and management and in turn adjust safety management procedures for pipelines, accordingly.

- Clause 19 (Infrastructure)

Clause 19 seeks to minimise the impact of use and development on the operation of major infrastructure of national, State and regional significance. Clause 19.01-3S relates to *Pipeline Infrastructure* and directly applies to the purpose of Licensed Pipelines. The clause seeks to ensure

that gas, oil and other substances are safely delivered to users at minimal risk to people, other critical infrastructure and the environment.

Relevant Strategies under the policy include:

- *Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.*
- *Provide for environmental management during construction and on-going operation of pipeline easements.*

The Amendment is a direct result of a study undertaken by GPA Engineering on behalf of Energy Safe Victoria and in consultation with Council for the review of planning controls (DDO1) for major pipelines in Latrobe City. This builds upon the ongoing call by Pipeline Licensees for more effective planning controls around major pipelines to ensure for continued safe and efficient operation.

Clause 19-01-3L *Pipeline Infrastructure* seeks to minimise risks associated with land use and subdivision within the measurement length of high pressure gas transmission pipelines and encourages risk sensitive development to be located outside of the pipeline measurement length.

The Amendment will specifically update this clause by replacing 'pipeline measurement length' with 'notification area' as this represents the revised extent of the Overlay. This has been derived from a technical assessment by the Industry of the extent of a pipeline failure. Calculations are based on previous incidents, in conjunction with construction methods and materials, age of pipeline and contents. As a result, the width of the notification area is now particular to each pipeline rather than a one-size-fits-all width.

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

Not applicable.

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

The amendment is strategically supported by the following objectives and strategies of the Municipal Planning Strategy:

- Clause 02.03-7 (Economic Development),

Clause 2.03-7 *Industry* recognises that land use conflicts may arise between industry and sensitive land uses and needs to be managed.

The amendment supports this policy as it seeks to ensure sensitive uses located within the notification area of licensed pipelines are designed to ensure the risk to human life is minimised. Sensitive uses are considered to be those where groups of people have limited capacity to protect themselves, or require assistance for evacuation. The land uses that fall into this category under Victorian Planning Scheme land use definitions in Clause 73.03 are an interpretation and extrapolation of 'Sensitive Uses' under Australian Standards 2885 (Pipelines – gas and liquid petroleum).

- Clause 02.03-9 (Infrastructure)

Clause 02.03-9 *Infrastructure assets*, recognises that several high-pressure gas transmission pipelines run through Latrobe and that development near these can pose risk to human life. Planning for infrastructure assets seeks to:

- *Protect infrastructure assets from encroachment of development that would compromise their efficient functioning and safety.*
- *Manage land use and development in the vicinity of the pipelines to minimise risks to human life and the functional operation of the pipelines.*

The amendment directly supports this policy as it designates land uses, and associated development, within the notification area of a pipeline, where there is a severe risk of impact in the event of a pipeline failure. In addition to sensitive uses, this includes uses where large groups of people are likely to congregate and where there are quantities of combustible substances and energy production that would escalate the impacts of escaped pipeline contents. These land uses are an interpretation and extrapolation of 'Crowd' and 'Heavy Industrial' uses under AS 2885. Referral of applications allow for Pipeline licensees, co-ordinated by ESV, to be consulted and provide input into the process for development approvals and provide design input at an early stage.

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

The Amendment makes proper use of the Victorian Planning Provisions, in particular through the use of the BAO. The BAO improves and simplifies the planning around licensed pipelines by removing and replacing an inappropriate planning tool (DDO1) with one which is designed to clearly define safe land management around such assets. It specifically allows for controls over use and development.

The amendment is generally consistent with the following relevant Planning Practice Notes and Planning Advisory Notes:

- A Practitioner's Guide to Victorian Planning Schemes
- PPN13: Incorporated and Background Documents
- PPN55: Referral and Notice Provisions
- PPN92: Managing buffers for land use compatibility
- AN48: Ministerial Direction No. 15 – The Planning Scheme Amendment Process

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

Relevant agencies and authorities were invited to participate in an information and ideas workshop during the development of the Pipelines Report. Attendees were from:

- APA Group (Networks and Transmission);
- Energy Safe Victoria (ESV);
- Esso Australia;
- Latrobe City Council;
- GPA Engineering;
- Auld Planning & Projects. Note:

The Amendment will again be referred to relevant agencies and authorities as part of the statutory exhibition process.

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

The purpose of the Transport Integration Act 2010 is to create a framework for the provision of an integrated and sustainable transport system in Victoria. The vision statement recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible state.

The amendment will have negligible impact on the requirements of the Transport Integration Act 2010. Its main concern will be with safe construction in the vicinity of licensed pipelines.

Resource and administrative costs

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

The Amendment will have negligible impact on the City's resource and administrative costs. Even though there is an increase in the number of properties that are affected by the BAO1, it is expected to reduce the number of permit applications. The current DDO1 triggers permits for all development and subdivision, whereas the BAO1 triggers permits for a limited number of land uses, and development associated with such. The BAO1 removes permit requirements for low risk development such as fences, pools and signage.

Where you may inspect this Amendment

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

- The service centres of the planning authority Latrobe City Council located at:
 - 141 Commercial Road, Morwell Vic 3840;
 - 34-38 Kay Street, Traralgon Vic 3844;
 - 9-11 Philip Parade, Churchill Vic 3842; and
 - 1-29 George Street, Moe Vic 3825.
- Latrobe City's website: www.latrobe.vic.gov.au/C121-

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

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by *TBA*.

A submission must be sent to:
Latrobe City Council
Strategic Planning Department
PO Box 264
Morwell VIC 3840

Or online at www.latrobe.vic.gov.au/C121- Attention: Strategic Planning Department.



Panel hearing dates

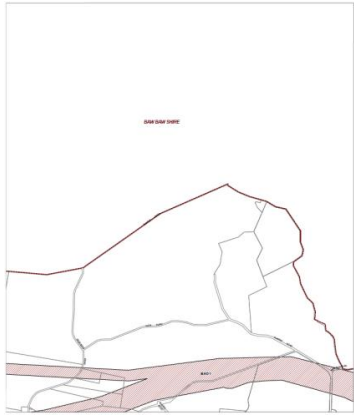
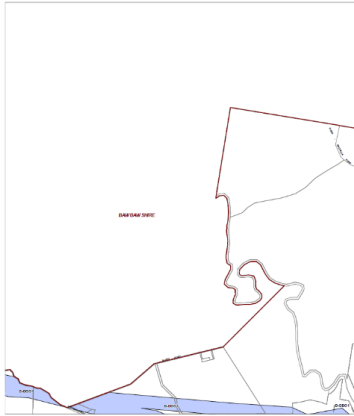
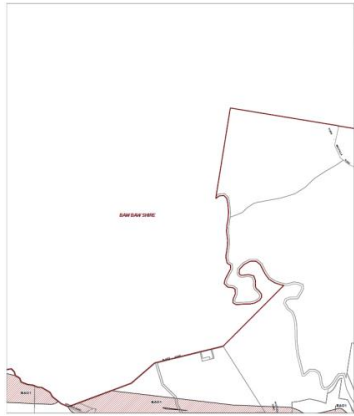
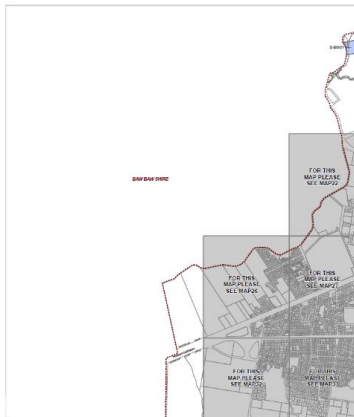
In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

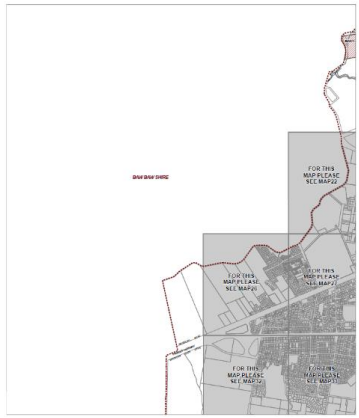


- directions hearing: *Week of 18 July 2022*
- panel hearing: *Week of 22 August 2022*


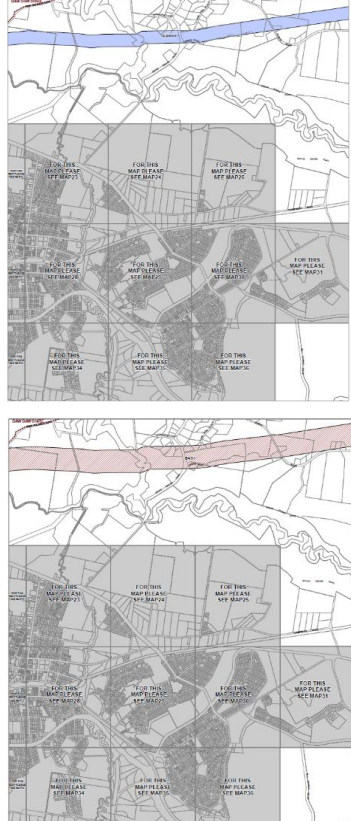
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ATTACHMENT 1 - Mapping reference table


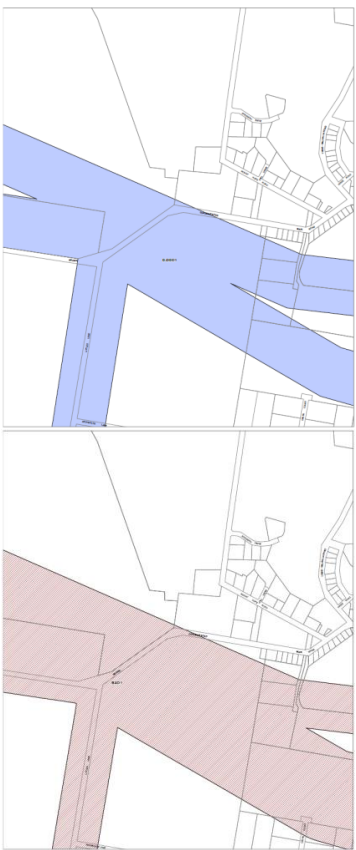
Location	Land /Area Affected	Mapping Reference
<p>Tanjil South & surrounds</p> <p>Municipal boundary to south of Brock Road and north of Purvis Road traversing mainly through Farming Zone Lane as per map provided</p>		<p>Latrobe C121 d-ddo Map11 Exhibition</p> <p>Latrobe C121 bao Map11 Exhibition</p>
<p>Yallourn North & surrounds</p> <p>North of Purvis Road and south of Kaye Road to Quarry Road/Manuells Blair Road intersection and Municipal boundary, traversing mainly through Farming zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map12 Exhibition</p> <p>Latrobe C121 bao Map12 Exhibition</p>


		
<p>Yallourn North & surrounds</p> <p>South of Manuels Road, Blairs Road/Municipal boundary traversing mainly Farming Zone land as per map provided</p>	 	<p>Latrobe C121 d-ddo Map13 Exhibition</p> <p>Latrobe C121 bao Map13 Exhibition</p>
<p>Tanjil South</p> <p>Municipal boundary, south of Moe-Walhalla Road, north of Latrobe River traversing mainly through Farming zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map21 Exhibition</p> <p>Latrobe C121 bao Map21 Exhibition</p>



		
Moe South South of Tambo Road traversing through Farming zone land as per map provided		Latrobe C121 d-ddo Map32 Exhibition
Moe South South of Bormans Street and east of Pindari Road. Traversing Pubic Use and Rural Living Zone land as per map provided		Latrobe C121 d-ddo Map33 Exhibition


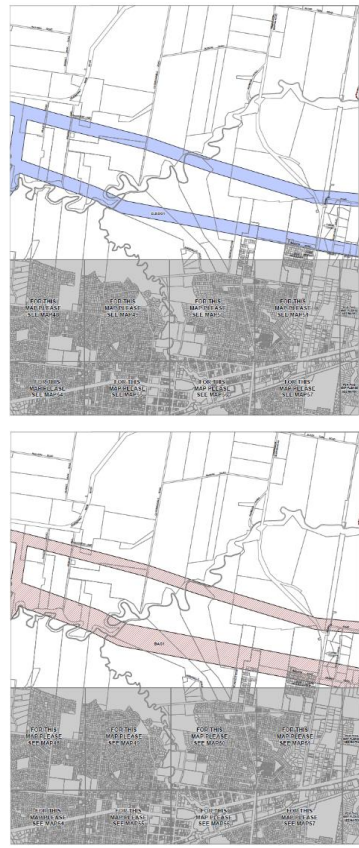
<p>Moe South</p> <p>South of Bormans Street traversing Wattle Tree Road, traversing through Rural Living Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map34 Exhibition</p> <p>Latrobe C121 bao Map34 Exhibition</p>
<p>Tanjil South & surrounds</p> <p>South of Moe-Walhalla Road and Purvis Road, traversing mainly through Farming zone land north of Latrobe River as per map provided</p>		<p>Latrobe C121 d-ddo Map37 Exhibition</p> <p>Latrobe C121 bao Map37 Exhibition</p>



<p>Yallourn North Traversing Anderson Road, north of Purvis Road Traversing through Farming and Special Use Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map38 Exhibition Latrobe C121 bao Map38 Exhibition</p>
<p>Yallourn North Traversing Whittles Track, north of Barbor Road and Clarkes Road. Traversing through Special Use and Farming Zone land as per map provided</p> <p>Traversing Whittles Track, north of Barbor Road and Clarkes Road and traversing south of Clarkes Road to the eas. Traversing through Special Use and Farming Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map43 Exhibition Latrobe C121 bao Map43 Exhibition</p>

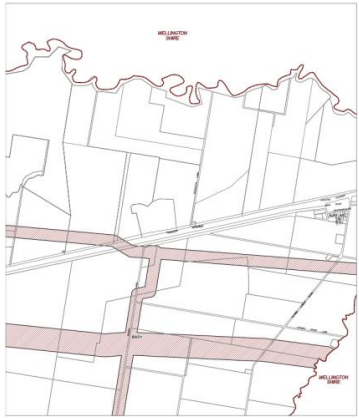

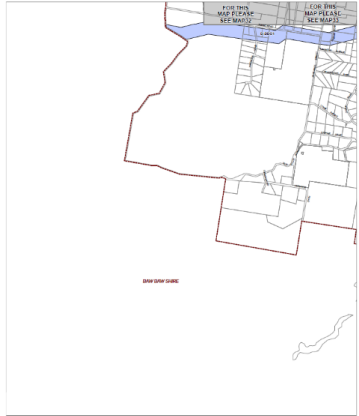
<p>Tyers & surrounds</p> <p>Traversing north of Brown-Coalmine Road, Archibolds Lane, crossing Tyers Road. Traversing Littles Lane crossing the Latrobe River east of Tanjil-East Road and west of Traralgon-West Road. East of Tyers Road, crossing the Latrobe River and Traralgon West Road, traversing Scrubby Lane. Traversing mainly through Farming Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map44 Exhibition</p> <p>Latrobe C121 bao Map44 Exhibition</p>
<p>Tyers</p> <p>Crossing Main Road, south of Glengarry West Road, north of Brown Coalmine Road. Traversing Littles Lane and mainly through Farming Zone land as per map provided</p> <p>Crossing Main Road, south of Glengarry West Road, traversing Brown Coalmine Road. Traversing Littles Lane and mainly through Farming Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map45 Exhibition</p> <p>Latrobe C121 bao Map45 Exhibition</p>

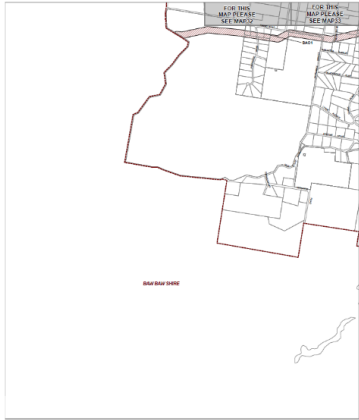
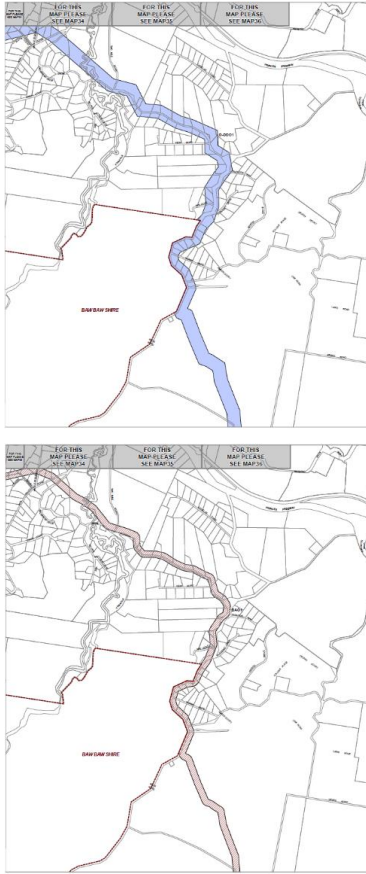
<p>Tyers</p> <p>South of Glengarry West road crossing Tyers Road, traversing mainly through Farming Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map46 Exhibition</p> <p>Latrobe C121 bao Map46 Exhibition</p>

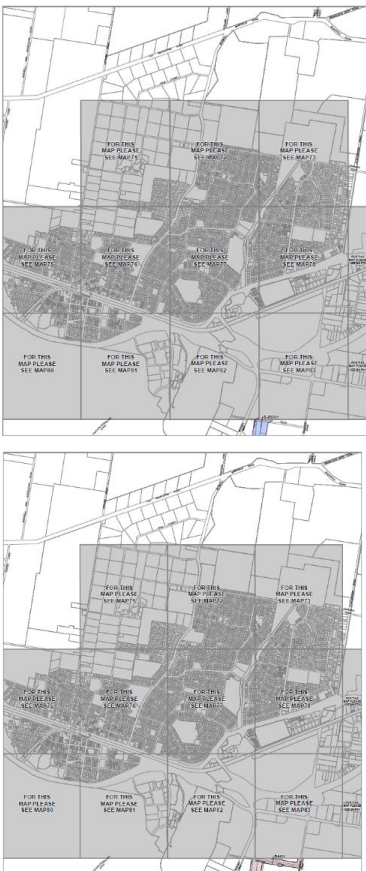
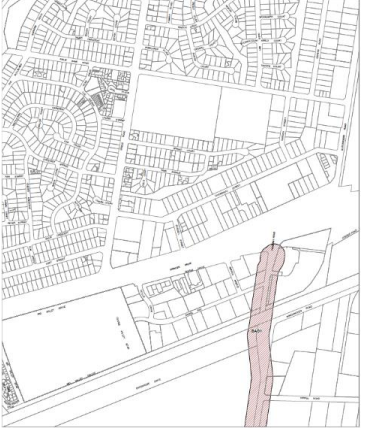
<p>Traralgon</p> <p>Crossing north west Mary Claire Street, traversing Cemertary Drive and west of Scrubby Lane.</p> <p>Traversing mainly through Farming Zone and Public Use Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map47 Exhibition</p> <p>Latrobe C121 bao Map47 Exhibition</p>
<p>Traralgon</p> <p>West of Traralgon Maffra Road and north of Eastern Road traversing Rural Living Zone land as per map provided</p>		<p>Latrobe C121 bao Map51 Exhibition</p>

<p>Traralgon East</p> <p>Crossing Dranes Road and Stammers Road, north of Princes Highway, traversing through mainly Farming Zone land as per map provided</p> <p>Crossing Rocla Road, Dranes Road and Stammers Road, north of Princes Highway, traversing through mainly Farming Zone and Rural Living Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map52 Exhibition</p> <p>Latrobe C121 bao Map52 Exhibition</p>
<p>Traralgon & surrounds</p> <p>South of Glengarry West Road, traversing and crossing the Latrobe River. Crossing Traralgon Maffra Road south of the Latrobe River, traversing Burnetts Road, Baldwin Road and Dranes Road. Traversing through mainly Farming Zone land and per map provided</p>		<p>Latrobe C121 d-ddo Map63 Exhibition</p> <p>Latrobe C121 bao Map63 Exhibition</p>


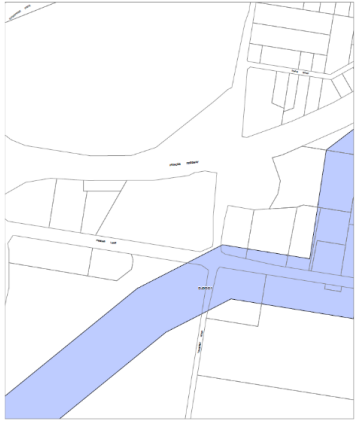
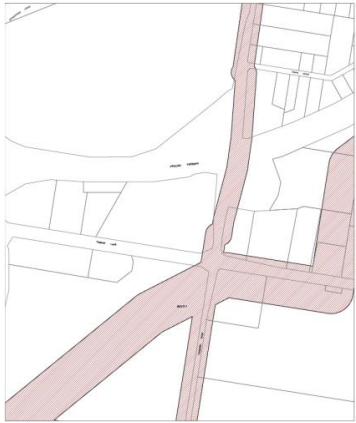
<p>Traralgon East & surrounds</p> <p>South of Municipal boundary, traversing Burnetts Road, crossing Kenyons Lane north of Princes Drive.</p> <p>Traversing Dranes Road, crossing Turnbull Drive, Varney Cresnet and Kings Way north of Princes Highway.</p> <p>Crossing Princess Highway and Kenyons Lane south of Princes Highway, north of Widows Lane.</p> <p>Traversing mainly through Farming Zone and Rural Living Zone as per map provided</p>		<p>Latrobe C121 d-ddo Map64 Exhibition</p> <p>Latrobe C121 bao Map64 Exhibition</p>
<p>Flynn</p> <p>South of Municipal boundary crossing Princes Highway and north of Green Road.</p> <p>Traversing through mainly Farming Zone land per map provided</p>		<p>Latrobe C121 d-ddo Map65 Exhibition</p> <p>Latrobe C121 bao Map65 Exhibition</p>


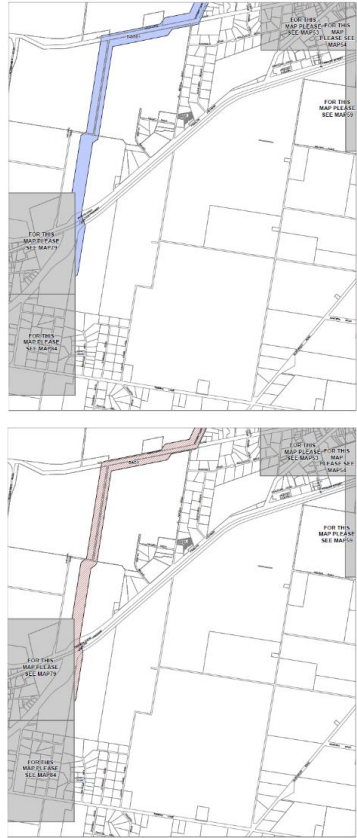
<p>South of Municipal boundary crossing Princes Highway and north of Green Road. Traversing Barns Lane and mainly through Farming Zone land per map provided</p>		
<p>Flynn South of Pikes Lane and west of Municipal boundary, traversing mainly through Farming Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map66 Exhibition Latrobe C121 bao Map66 Exhibition</p>
<p>Moe South South of Tambo Road, east and north of Municipal boundary, traversing Tambo Road east of Pineridge Road and mainly through Farming Zone and Rural Living Zone</p>		<p>Latrobe C121 d-ddo Map67 Exhibition Latrobe C121 bao Map67 Exhibition</p>


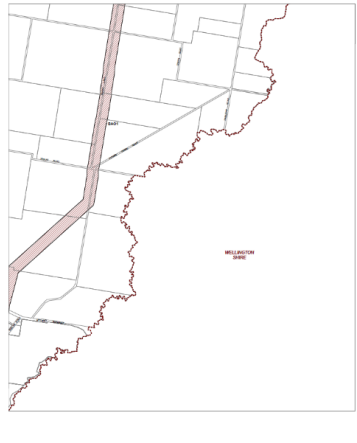

land as per map provided		
<p>Hernes Oak & surrounds</p> <p>South of Princes Freeway, west of Vanys Track, north and east of Municipal boundary, traversing Coalville Road. Traversing through mainly Farming Zone and Rural Living Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map68 Exhibition</p> <p>Latrobe C121 bao Map68 Exhibition</p>





<p>Hazelwood North</p> <p>South of Firmins Lane, west of Monash Way, traversing through Industrial Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map70 Exhibition</p> <p>Latrobe C121 bao Map70 Exhibition</p>
<p>Morwell</p> <p>Traversing Tramway Road south from Princes Drive and mainly through Industrial Zone and Road Zone land as per map provided</p>		<p>Latrobe C121 bao Map78 Exhibition</p>

<p>Morwell</p> <p>East of National Road, crossing and south of Princes Freeway traversing through mainly Farming Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map79 Exhibition</p> <p>Latrobe C121 bao Map79 Exhibition</p>
<p>Hazelwood North</p> <p>East of Monash Way traversing through Industrial Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map82 Exhibition</p> <p>Latrobe C121 bao Map82 Exhibition</p>

		
<p>Hazelwood North</p> <p>South of Princes Freeway crossing Firmins Lane and west of Tramway Road. Traversing through Industrial Zone and Road Zone land as per map provided</p> <p>South of Princes Freeway crossing Firmins Lane and west of Tramway Road. Traversing Tramway Road. Traversing through Industrial Zone and Road Zone land as per map provided</p>	 	<p>Latrobe C121 d-ddo Map83 Exhibition</p> <p>Latrobe C121 bao Map83 Exhibition</p>

<p>Hazelwood North</p> <p>South of Princes Freeway, west of Ambrose Road, crossing Groppi Road, Buckleys Road and Firmins Lane.</p> <p>Traversing through mainly Industrial Zone and Farming Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map84 Exhibition</p> <p>Latrobe C121 bao Map84 Exhibition</p>
<p>Morwell</p> <p>Traversing Scrubby Lane, Old Melbourne Road, and west boundary of Latrobe Regional Airport, crossing Princes Freeway.</p> <p>Traversing mainly through Farming Zone land as per map provided</p>		<p>Latrobe C121 d-ddo Map85 Exhibition</p> <p>Latrobe C121 bao Map85 Exhibition</p>

<p>Loy Yang</p> <p>Traversing Hyland Highway south and east of Broomfield Lane and mainly through Special Use Zone and Road Zone land as per map provided</p>		<p>Latrobe C121 bao Map87 Exhibition</p>
<p>Flynn</p> <p>West of Municipal Boundary traversing Barrs Lane and and Flynnns Creek Road, north of Hyland Highway and through Farming Zone and Special Use Zone land as per map provided</p>		<p>Latrobe C121 bao Map88 Exhibition</p>
<p>Driffield</p> <p>East of McDonalds Track, north of Strzelecki Highway, crossing Varys Track, Golden Gully Road and Wilderness Creek. Traversing through mainly Special Use Zone lane as per map provided</p>		<p>Latrobe C121 d-ddo Map90 Exhibition</p> <p>Latrobe C121 bao1Map90 Exhibition</p>

		
<p>Hazelwood</p> <p>South of Golden Gully Road and Hazelwood Mine, crossing Strzelecki Highway, Morwell River, Yinnar Road, traversing Switchback Road and mainly through Special Use Zone land per map provided</p>	 	<p>Latrobe C121 d-ddo Map91 Exhibition</p> <p>Latrobe C121 bao Map91 Exhibition</p>
<p>Hazelwood North and surrounds</p> <p>East of Monash Way and Nadenbouschs Road, south of Switchback Road. West of Tramway Road and Birch Drive. Traversing mainly through Farming Zone</p>		<p>Latrobe C121 d-ddo Map92 Exhibition</p> <p>Latrobe C121 bao Map92 Exhibition</p>

<p>land as per map provided</p>		
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LATROBE PLANNING SCHEME

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

LATROBE PLANNING SCHEME**11.01-1S**11/02/2020
VC168**Settlement****Objective**

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

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

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

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

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

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

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

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.

Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.

Limit urban sprawl and direct growth into existing settlements.

LATROBE PLANNING SCHEME

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

Policy documents

Consider as relevant:

- Central Highlands Regional Growth Plan (Victorian Government, 2014)
- G21 Regional Growth Plan (Geelong Region Alliance, 2013)
- Gippsland Regional Growth Plan (Victorian Government, 2014)
- Great South Coast Regional Growth Plan (Victorian Government, 2014)
- Hume Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee North Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee South Regional Growth Plan (Victorian Government, 2014)
- Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014)
- Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017)
- Plan Melbourne 2017-2050: Addendum 2019 (Department of Environment, Land, Water and Planning, 2019)

LATROBE PLANNING SCHEME

Victoria Settlement Framework



LATROBE PLANNING SCHEME**11.01-1R**31/07/2018
VC148**Settlement - Gippsland****Strategies**

Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.

Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

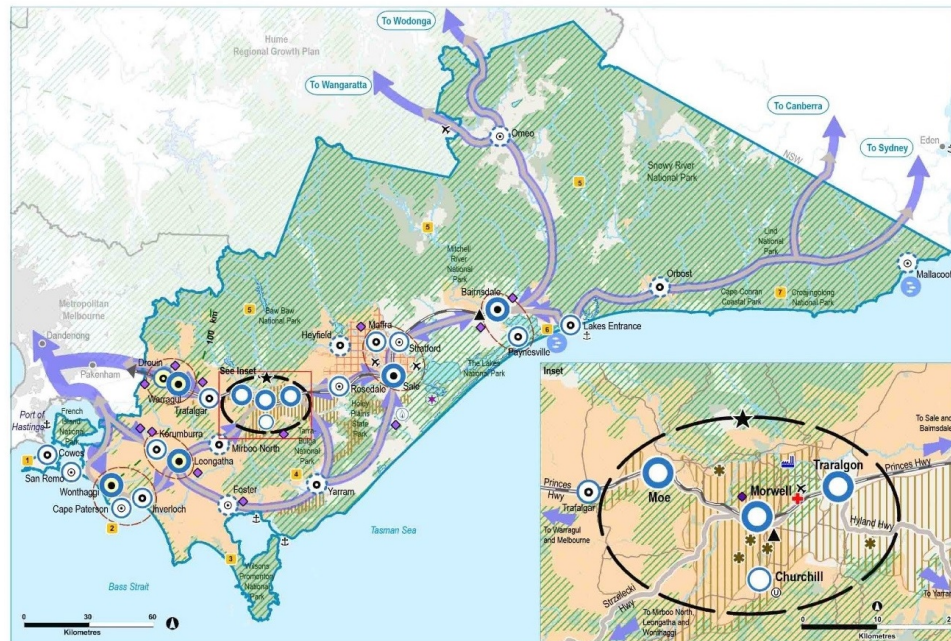
Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.

Provide regional social infrastructure in the regional city and regional centres.

Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership.

LATROBE PLANNING SCHEME

Gippsland Regional Growth Plan



SETTLEMENTS

- Regional city - Latrobe City*
 Regional centre
 Town
 Small town
 **Latrobe City is the grouping of Traralgon, Morwell, Moe and Churchill*
- Promote growth
 Support growth
 Sustainable change
 Designated identified growth centre in Plan Melbourne⁽¹⁾
- Sub regional network
 Areas within 100 km of central Melbourne
 Melbourne's urban area

CONNECTIVITY AND TRANSPORT

(1) Plan Melbourne (Chapter 6 – State of Cities) identifies Warragul/Drouin, Wonthaggi and Leongatha as peri-urban towns with potential to attract housing and population growth out of Melbourne

- Networks supporting movement and access
 Potential freight and logistics precincts
- Key road corridor
 Key rail corridor
 Arterial road (insert map only)
 Airport
 Port

ECONOMIC DEVELOPMENT

- Food manufacturing hubs
 Key agriculture and forestry land
 Macalister Irrigation District
- Brown coal reserves
 Power station
 Longford gas plant
 Australian Paper Maryvale
- Organic recycling facility
 University
 Hospital
 Fishing port

STRATEGIC TOURISM INVESTMENT AREAS

- 1 Phillip Island
 2 Bunurong Coast
 3 Wilsons Promontory National Park
 4 Tarra-Bulga National Park
- 5 Australian Alps
 6 Gippsland Lakes
 7 Croajingolong National Park

ENVIRONMENT

- Areas containing high value terrestrial habitat
 Public land
 Lakes
 Rivers

LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Latrobe settlement patterns****Strategies**

Maintain a clear separation between urban settlements, other than the Morwell to Traralgon Employment Corridor linking the urban areas of Morwell and Traralgon.

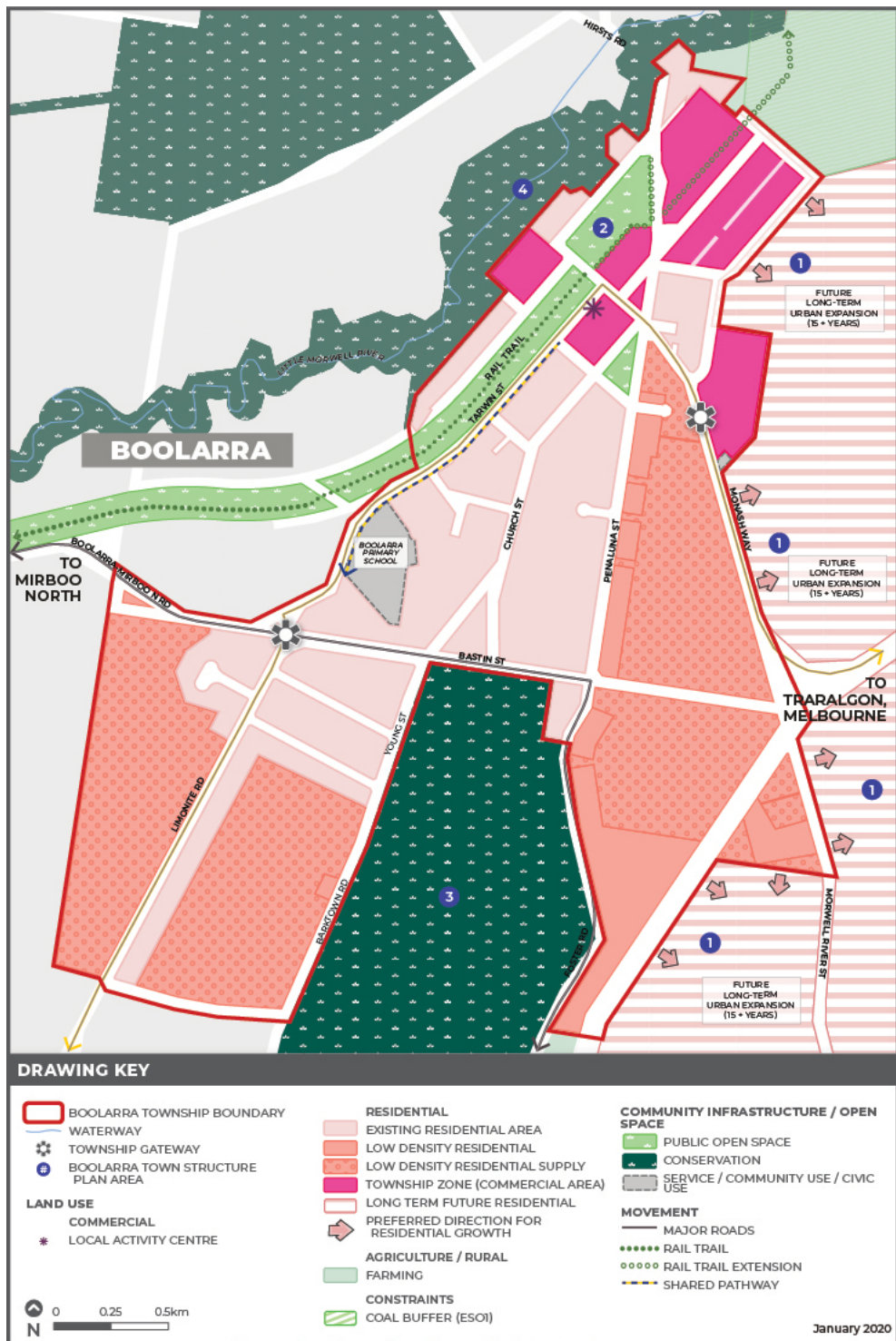
Discourage the fragmentation of rural land adjoining township boundaries until land is required for long term (15 or more years) urban development, including:

- Land southeast to the existing Churchill Township in Area 1 of the Churchill Town Structure Plan in Clause 11.01-1L (east of Northways Road and South of Lawless Road).
- Land along the eastern, north-western and western sides of the Moe-Newborough town boundary (Area 7 of the Moe-Newborough Town Structure Plan in Clause 11.01-1L).
- Land to the east of the existing urban area of Traralgon (Areas 9, 10 and 11 of the Traralgon Town Structure Plan in Clause 11.01-1L).
- Land to the east of Boolarra township (Area 1 in the Boolarra Township Structure Plan in Clause 11.01-1L).
- Land to the north, east and south of the Glengarry township (Areas 1, 2, 3, 4, and 7 of the Glengarry Town Structure Plan in Clause 11.01-1L).
- Land to the east and south of Mays Road in the Tyers Township (Area 5 of the Tyers Town Structure Plan in Clause 11.01-1L).

Manage growth in rural living precincts by discouraging further rezoning of land.

LATROBE PLANNING SCHEME

Boolarra Town Structure Plan (BTSP)



LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Churchill****Policy application**

This policy applies to land within the Churchill Town Structure Plan (CTSP) in this clause.

Strategies

Encourage development of CTSP Area 2 for medium density residential, research or education purposes.

Encourage university accommodation or medium density residential development on the residential land directly east of Eel Hole Creek and west of Northways Road (CTSP Area 3).

Encourage a Local Activity Centre at 2-4 Acacia Way, Churchill.

Policy documents

Consider as relevant:

- *Churchill Town Centre Plan* (Beca Pty Ltd, July 2007)
- *Churchill East West Link: Master Plan and Urban Design Framework* (Spiire Australia Pty Ltd, 2013)
- *Latrobe City Council Retail Strategy* (Essential Economics, 2019)
- *Latrobe Structure Plans – Churchill* (Beca Pty Ltd, August 2007)

LATROBE PLANNING SCHEME

Churchill Town Structure Plan (CTSP)



LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Moe-Newborough****Policy application**

This policy applies to land within the Moe-Newborough Town Structure Plan (MNTSP) in this clause.

Strategies

Encourage residential development along Narracan Drive (MNTSP Area 6).

Discourage retail and office development outside of the Primary Activity Centre (MNTSP Area 1), other than office developments at the former Moe Hospital at Ollerton Avenue, Newborough (MNTSP Area 2).

Design industrial development in MNTSP Area 3 to protect any adjoining native vegetation in MNTSP Area 4.

Encourage a 'landmark use', such as a convention centre, at MNTSP Area 5 that complements the Botanical Gardens.

Provide for public open space connections from Narracan Drive through MNTSP Area 8 and connecting to John Field Reserve.

Encourage a Neighbourhood/ Local Activity Centre at 1 Waterloo Road, Becks Bay Village Centre and Fernlea Village Centre, Lake Narracan.

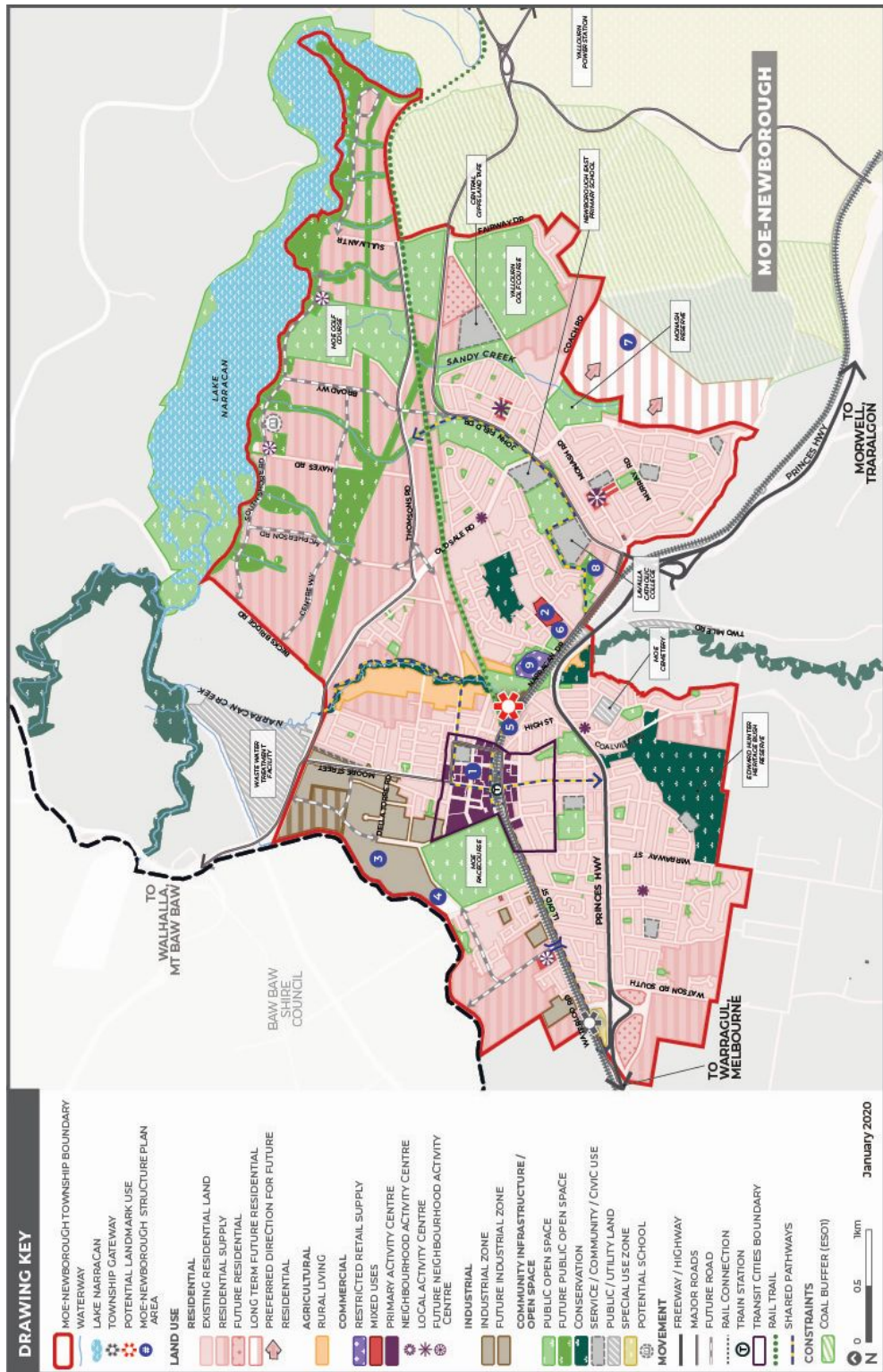
Policy documents

Consider as relevant:

- *Latrobe Structure Plan – Moe and Newborough* (Beca Pty Ltd, 2007)
- *Latrobe City Council Retail Strategy* (Essential Economics, 2019)
- *Strategic Outlook for Moe-Newborough and Lake Narracan* (Growth Areas Authority, 2013)

LATROBE PLANNING SCHEME

Moe-Newborough Town Structure Plan (MNTSP)



LATROBE PLANNING SCHEME

11.01-1L Morwell

27/08/2024 - /-/-
G430latr Proposed C121latr

Policy application

This policy applies to land within the Morwell Town Structure Plan (MTSP) in this clause.

Strategies

Encourage residential development within MTSP Areas 1 and 2.

Discourage increased housing densities south of Commercial Road (Area 3), until the completion of rehabilitation works to northern batter of the Hazelwood mine area.

Encourage retail, office and residential mixed use developments within Morwell Primary Activity Centre (MTSP Area 4) and Mid-Valley Primary Activity Centre (MTSP Area 10).

Discourage retail and office development outside of the Morwell Primary Activity Centre (MTSP Area 4), Mid-Valley Primary Activity Centre (MTSP Area 10) and Princes Drive, Morwell (MTSP Area 6).

Screen industry in MTSP Area 7 from residential areas along the western boundaries of the industrial precinct by providing a buffer of open space and vegetation.

Encourage a Local Activity Centre at Heritage Boulevard, Morwell.

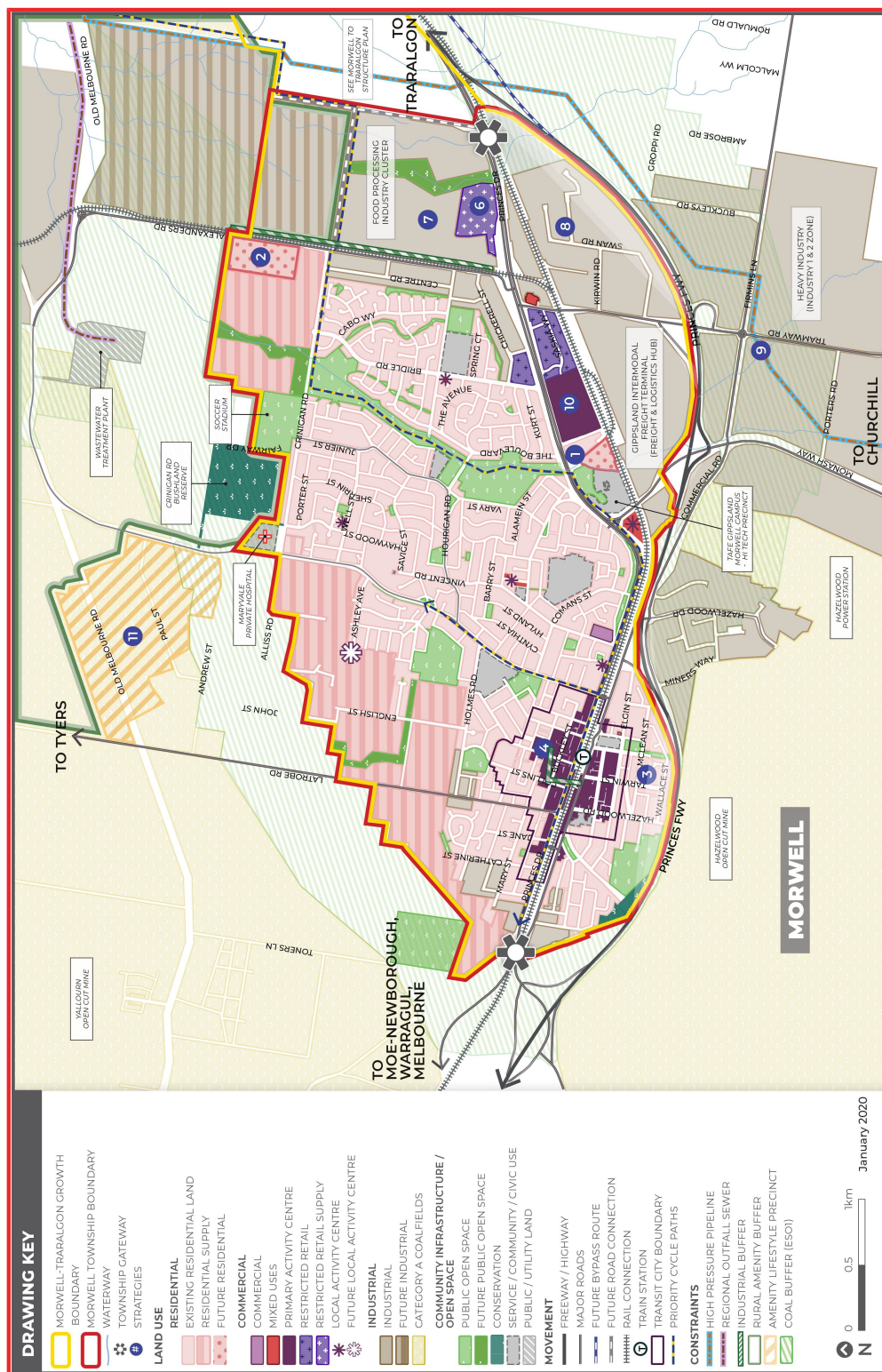
Policy documents

Consider as relevant:

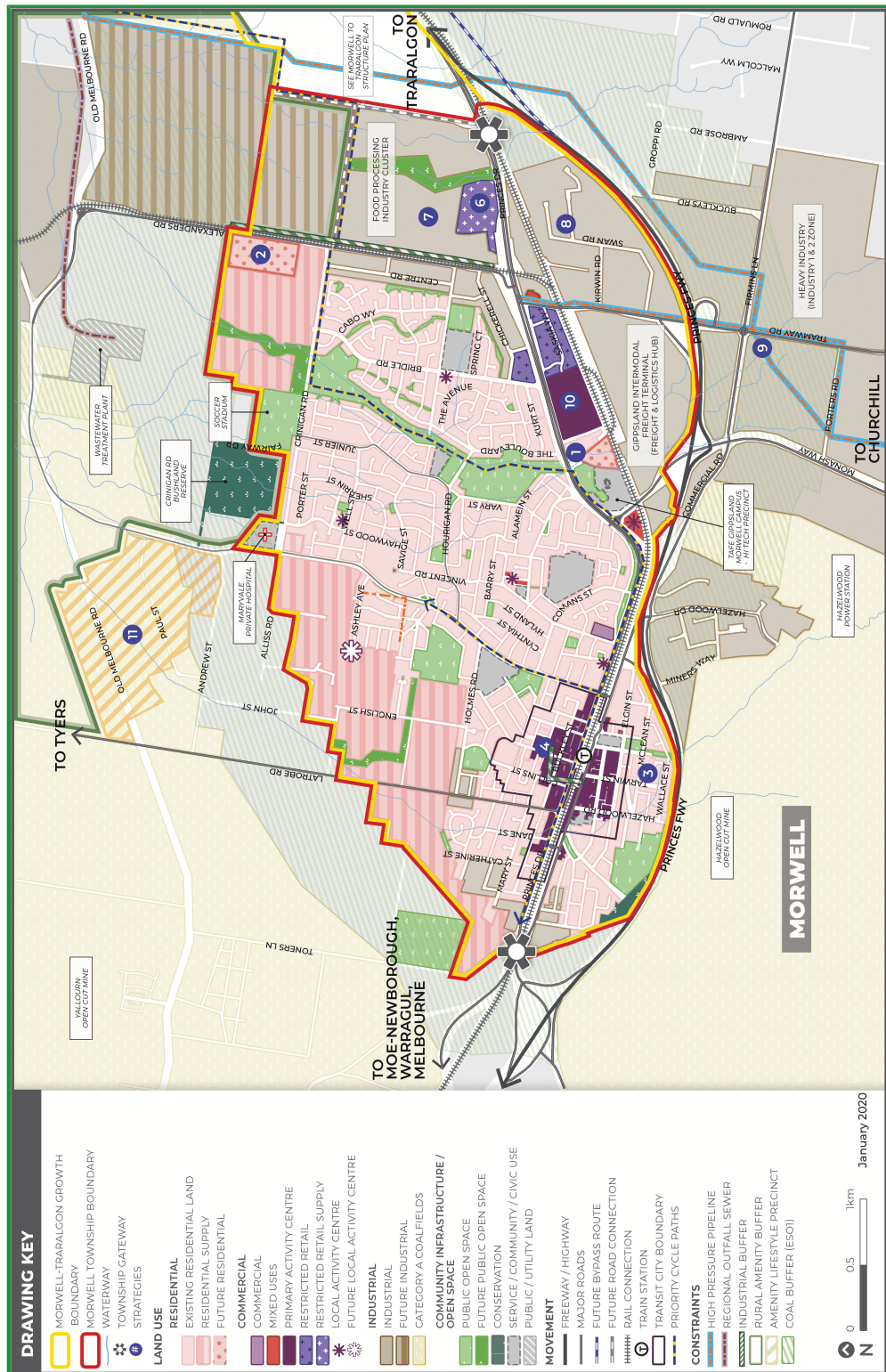
- *Latrobe City Council Retail Strategy* (Essential Economic, 2019)
- *Latrobe Structure Plans - Morwell* (Beca Pty Ltd, 2007)

LATROBE PLANNING SCHEME

Morwell Town Structure Plan (MTSP)



LATROBE PLANNING SCHEME



LATROBE PLANNING SCHEME

11.01-1L27/08/2021
C130latr**Traralgon****Policy application**

This policy applies to land shown on the Traralgon Town Structure Plan (TTSP) in this clause.

Strategies

Encourage short to medium term (within 0-15 years) residential development in TTSP Areas 1, 2 and 13.

Encourage long term (15 or more years) residential intensification of land zoned rural living and farming in TTSP Areas 9, 10 and 11.

Encourage the long term development of Rural Living Area 12.

Encourage the development of retail, office and residential mixed use developments within Argyle Street (TTSP Area 4).

Direct retail and office development that is significant in floor size and economic impact to the Traralgon Primary Activity Centre (TTSP Area 3), Argyle Street (TTSP Area 4) and Princes Highway and Stammers Road (TTSP Area 5).

Discourage dispersion of the office sector outside of TTSP Area 3.

Support industrial uses with limited off site amenity impacts and other compatible uses within the Janette Street Industrial precinct (TTSP Area 6) as a buffer between the lime batching facility and nearby residential and mixed uses.

Design and site development in residential or mixed use zones that are within the 500 metre buffer of the lime batching facility to mitigate noise impacts from the operation of the facility.

Provide a buffer to protect industry in TTSP Area 7 from encroachment of sensitive uses, particularly from the north and east.

Design development in TTSP Areas 10, 11 and 12 to address any impact of the proposed Traralgon Highway Bypass and Bypass Ramps.

Support development of residential and community facilities to the east and west of the Southside commuter car park at Traralgon Train Station.

Support the construction of a new bus interchange, plaza and station building at the Traralgon Train Station.

Support works to develop the Southside commuter car park, Southern Plaza and VRI Hall as community facilities.

Establish Neighbourhood and Local Activity Centres in the following locations:

- Corner Marshalls Road and Traralgon-Maffra Road, Traralgon
- Melrossa Road West, Traralgon
- Princes Highway, Traralgon East
- Dranes Road, Traralgon
- Cross's Road, Traralgon
- Princes Highway/Airfield Road, Traralgon West
- Bradford Drive/Princes Highway, Traralgon West
- Traralgon Golf Course.

Policy documents

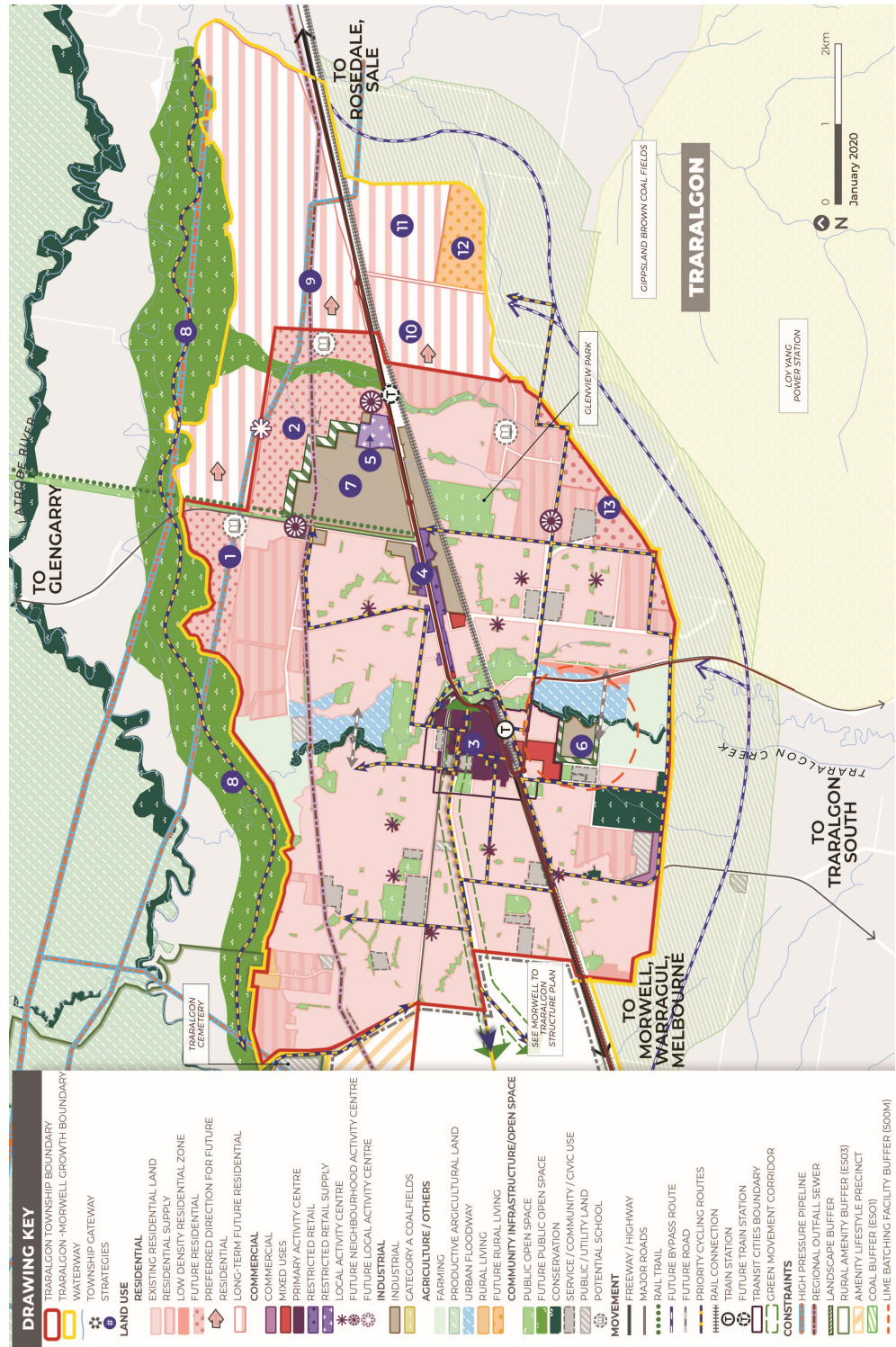
Consider as relevant:

- *Latrobe Structure Plans – Traralgon* (Beca Pty Ltd, August 2007)

LATROBE PLANNING SCHEME

- *Latrobe City Council Retail Strategy* (Essential Economics 2019)
- *Traralgon Station Precinct Master Plan* (Hansen Partnership, 2011)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)

Traralgon Town Structure Plan (TTSP)



LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Glengarry****Policy application**

This policy applies to land within the Glengarry Town Structure Plan (GTSP) in this clause.

Strategies

Support Glengarry's role as a dormitory suburb of Traralgon.

Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.

Encourage low density residential development in GTSP Area 5.

Encourage development of large allotments within existing residential areas GTSP Area 6.

Protect public open space areas including the Gippsland Rail Trail (GTSP Areas 8 & 9).

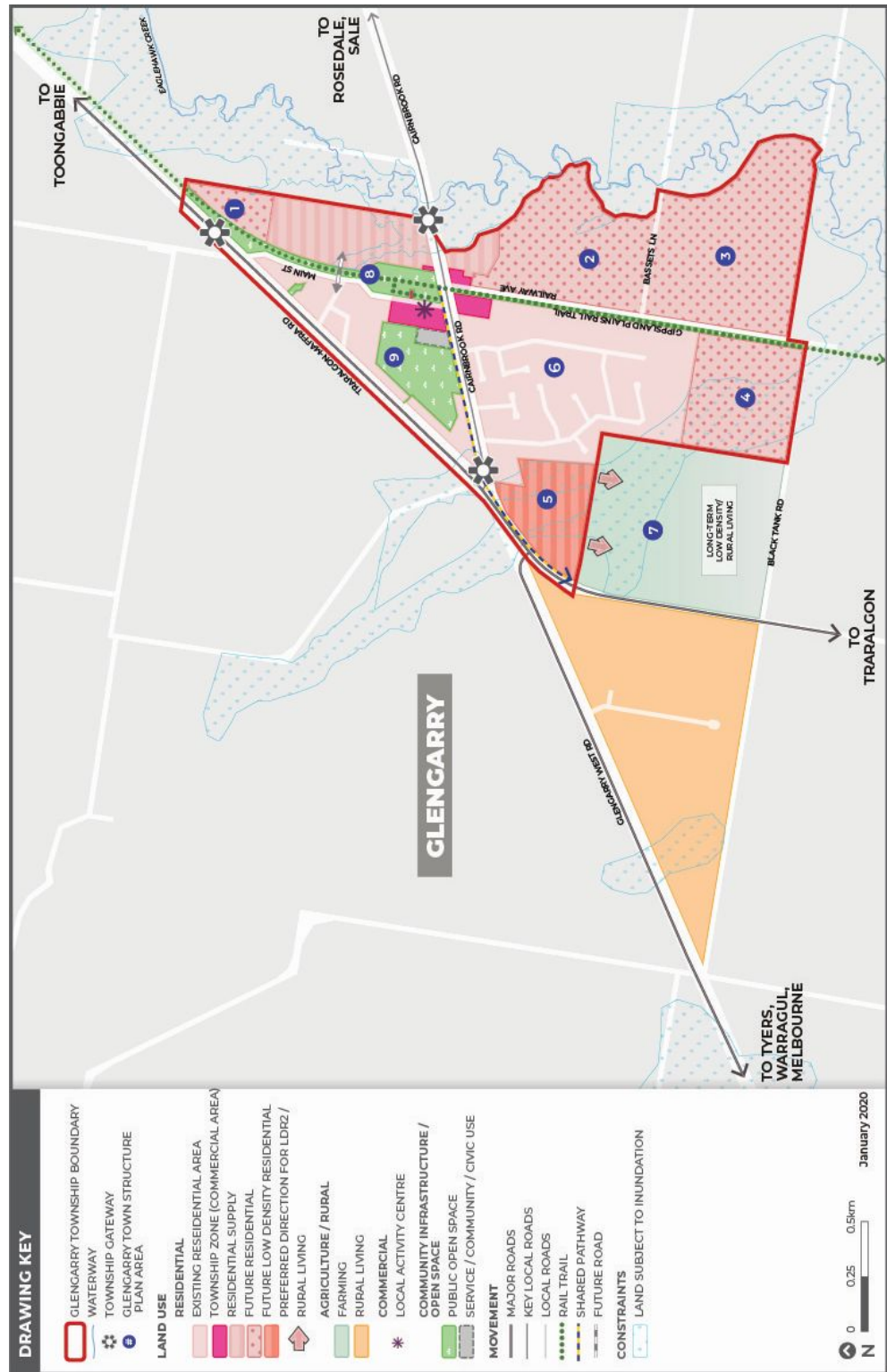
Policy documents

Consider as relevant:

- *Small Town Structure Plans: Boolarra, Glengarry & Tyers* (NBA Group Pty Ltd, 2009)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)

LATROBE PLANNING SCHEME

Glengarry Town Structure Plan (GTSP)



LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Tyers****Policy application**

This policy applies to land within the Tyers Town Structure Plan (TYTSP) in Clause 11.01-1L.

Strategies

Encourage increased diversity in residential allotment sizes, subject to availability of sewerage infrastructure.

Limit access from development and individual allotments to the Main Road (Moe-Glengarry Road) and Tyers Walhalla Road.

Encourage a shared path link between future low density and rural living development (TYTSP Area 1 & 2) and the town centre (TYTSP Area 4).

Protect road reserves, such as Hinde Road (TYTSP Area 4), to allow for future access to proposed development areas.

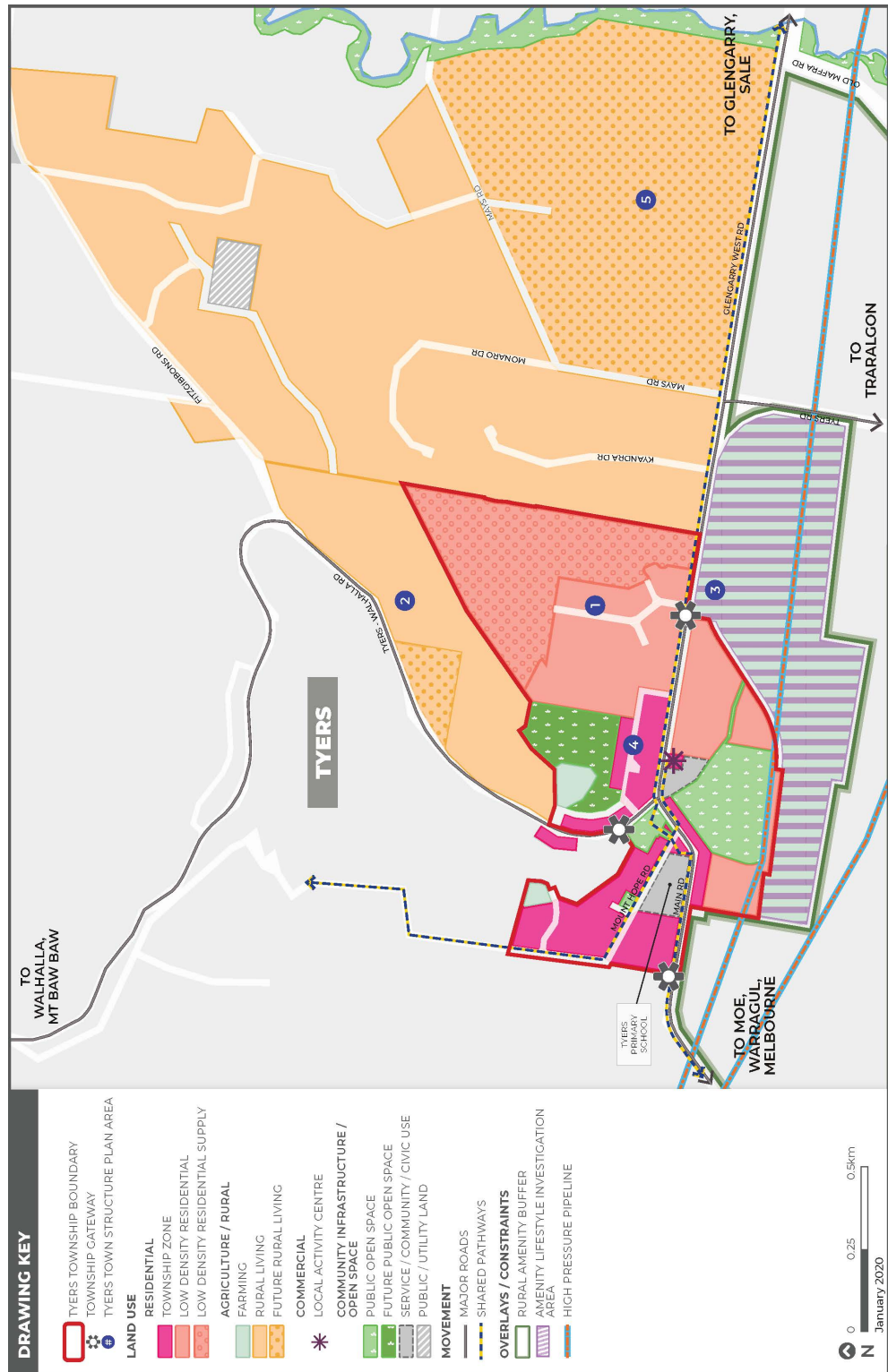
Policy documents

Consider as relevant:

- *Small Town Structure Plans: Boolarra, Glengarry & Tyers* (NBA Group Pty Ltd 2009)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)

LATROBE PLANNING SCHEME

Tyers Town Structure Plan (TYTSP)



LATROBE PLANNING SCHEME

11.01
31/07/2018
VC148

VICTORIA

LATROBE PLANNING SCHEME**11.01-1S**11/02/2020
VC168**Settlement****Objective**

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

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

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

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

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

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

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

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.

Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.

Limit urban sprawl and direct growth into existing settlements.

LATROBE PLANNING SCHEME

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

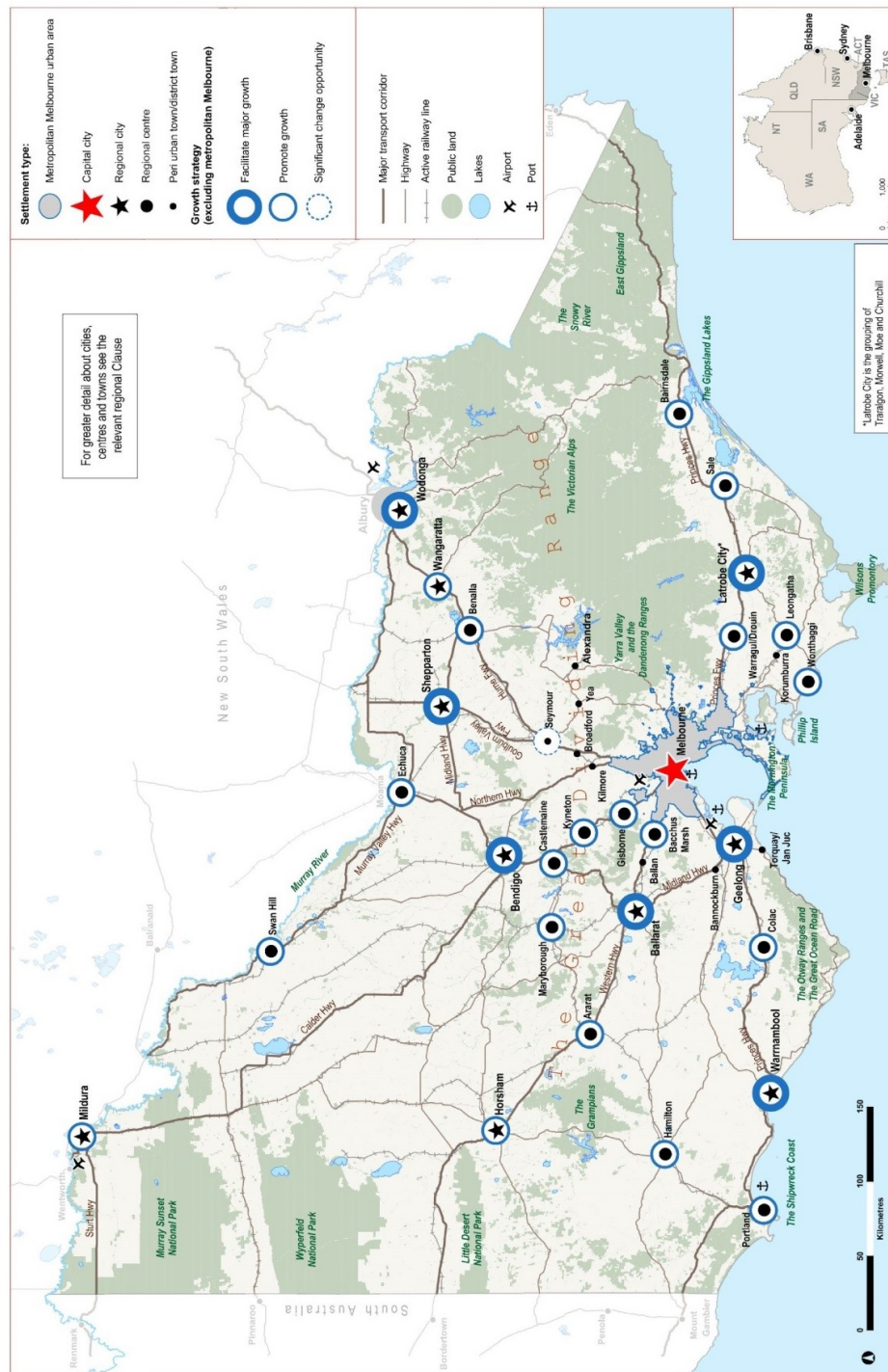
Policy documents

Consider as relevant:

- Central Highlands Regional Growth Plan (Victorian Government, 2014)
- G21 Regional Growth Plan (Geelong Region Alliance, 2013)
- Gippsland Regional Growth Plan (Victorian Government, 2014)
- Great South Coast Regional Growth Plan (Victorian Government, 2014)
- Hume Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee North Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee South Regional Growth Plan (Victorian Government, 2014)
- Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014)
- Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017)
- Plan Melbourne 2017-2050: Addendum 2019 (Department of Environment, Land, Water and Planning, 2019)

LATROBE PLANNING SCHEME

Victoria Settlement Framework



LATROBE PLANNING SCHEME**11.01-1R**31/07/2018
VC148**Settlement - Gippsland****Strategies**

Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.

Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

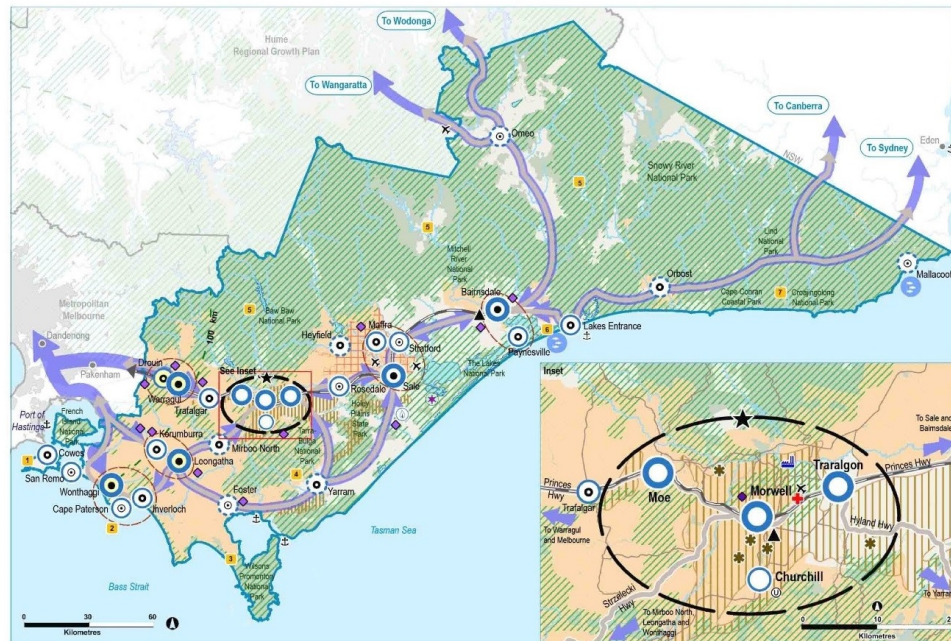
Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.

Provide regional social infrastructure in the regional city and regional centres.

Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership.

LATROBE PLANNING SCHEME

Gippsland Regional Growth Plan



SETTLEMENTS

- Regional city - Latrobe City*
 Regional centre
 Town
 Small town
 **Latrobe City is the grouping of Traralgon, Morwell, Moe and Churchill*
- Promote growth
 Support growth
 Sustainable change
 Designated identified growth centre in Plan Melbourne⁽¹⁾
- Sub regional network
 Areas within 100 km of central Melbourne
 Melbourne's urban area

CONNECTIVITY AND TRANSPORT

(1) Plan Melbourne (Chapter 6 – State of Cities) identifies Warragul/Drouin, Wonthaggi and Leongatha as peri-urban towns with potential to attract housing and population growth out of Melbourne

- Networks supporting movement and access
 Potential freight and logistics precincts
- Key road corridor
 Key rail corridor
 Arterial road (insert map only)
 Airport
 Port

ECONOMIC DEVELOPMENT

- Food manufacturing hubs
 Key agriculture and forestry land
 Macalister Irrigation District
- Brown coal reserves
 Power station
 Longford gas plant
 Australian Paper Maryvale
- Organic recycling facility
 University
 Hospital
 Fishing port

STRATEGIC TOURISM INVESTMENT AREAS

- 1 Phillip Island
 2 Bunurong Coast
 3 Wilsons Promontory National Park
 4 Tarra-Bulga National Park
- 5 Australian Alps
 6 Gippsland Lakes
 7 Croajingolong National Park

ENVIRONMENT

- Areas containing high value terrestrial habitat
 Public land
 Lakes
 Rivers

LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Latrobe settlement patterns****Strategies**

Maintain a clear separation between urban settlements, other than the Morwell to Traralgon Employment Corridor linking the urban areas of Morwell and Traralgon.

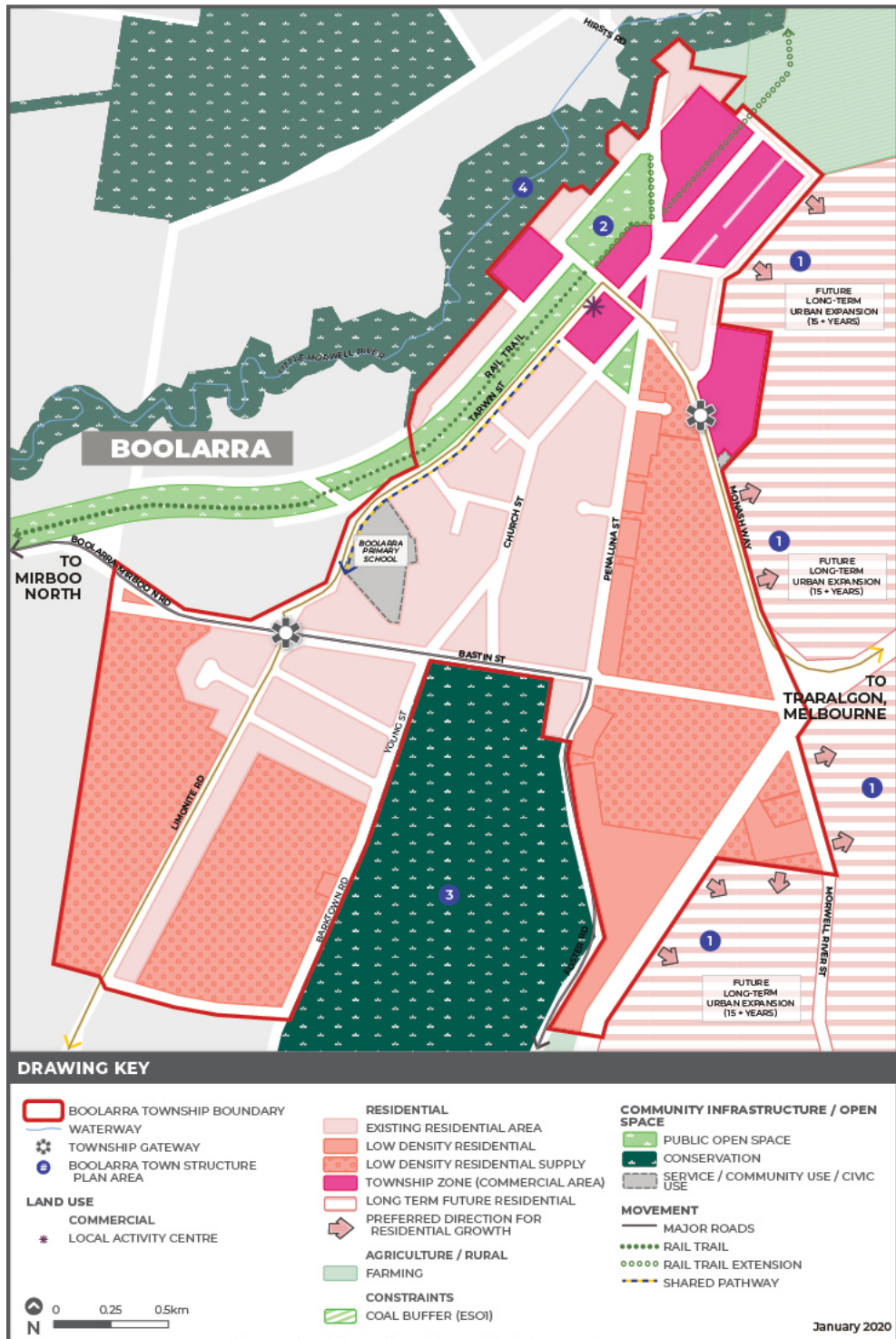
Discourage the fragmentation of rural land adjoining township boundaries until land is required for long term (15 or more years) urban development, including:

- Land southeast to the existing Churchill Township in Area 1 of the Churchill Town Structure Plan in Clause 11.01-1L (east of Northways Road and South of Lawless Road).
- Land along the eastern, north-western and western sides of the Moe-Newborough town boundary (Area 7 of the Moe-Newborough Town Structure Plan in Clause 11.01-1L).
- Land to the east of the existing urban area of Traralgon (Areas 9, 10 and 11 of the Traralgon Town Structure Plan in Clause 11.01-1L).
- Land to the east of Boolarra township (Area 1 in the Boolarra Township Structure Plan in Clause 11.01-1L).
- Land to the north, east and south of the Glengarry township (Areas 1, 2, 3, 4, and 7 of the Glengarry Town Structure Plan in Clause 11.01-1L).
- Land to the east and south of Mays Road in the Tyers Township (Area 5 of the Tyers Town Structure Plan in Clause 11.01-1L).

Manage growth in rural living precincts by discouraging further rezoning of land.

LATROBE PLANNING SCHEME

Boolarra Town Structure Plan (BTSP)



LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Churchill****Policy application**

This policy applies to land within the Churchill Town Structure Plan (CTSP) in this clause.

Strategies

Encourage development of CTSP Area 2 for medium density residential, research or education purposes.

Encourage university accommodation or medium density residential development on the residential land directly east of Eel Hole Creek and west of Northways Road (CTSP Area 3).

Encourage a Local Activity Centre at 2-4 Acacia Way, Churchill.

Policy documents

Consider as relevant:

- *Churchill Town Centre Plan* (Beca Pty Ltd, July 2007)
- *Churchill East West Link: Master Plan and Urban Design Framework* (Spiire Australia Pty Ltd, 2013)
- *Latrobe City Council Retail Strategy* (Essential Economics, 2019)
- *Latrobe Structure Plans – Churchill* (Beca Pty Ltd, August 2007)

LATROBE PLANNING SCHEME

Churchill Town Structure Plan (CTSP)



LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Moe-Newborough****Policy application**

This policy applies to land within the Moe-Newborough Town Structure Plan (MNTSP) in this clause.

Strategies

Encourage residential development along Narracan Drive (MNTSP Area 6).

Discourage retail and office development outside of the Primary Activity Centre (MNTSP Area 1), other than office developments at the former Moe Hospital at Ollerton Avenue, Newborough (MNTSP Area 2).

Design industrial development in MNTSP Area 3 to protect any adjoining native vegetation in MNTSP Area 4.

Encourage a 'landmark use', such as a convention centre, at MNTSP Area 5 that complements the Botanical Gardens.

Provide for public open space connections from Narracan Drive through MNTSP Area 8 and connecting to John Field Reserve.

Encourage a Neighbourhood/ Local Activity Centre at 1 Waterloo Road, Becks Bay Village Centre and Fernlea Village Centre, Lake Narracan.

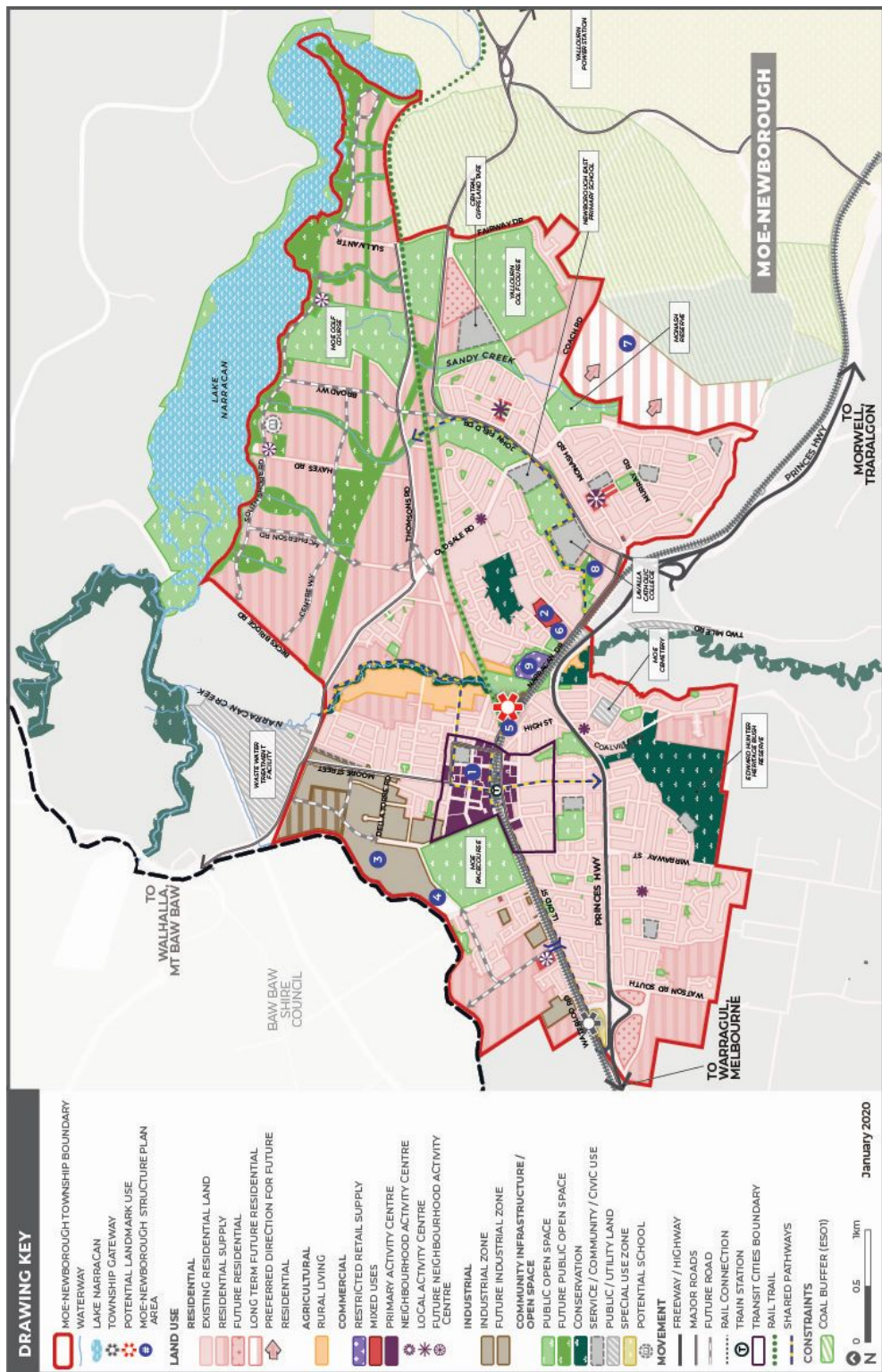
Policy documents

Consider as relevant:

- *Latrobe Structure Plan – Moe and Newborough* (Beca Pty Ltd, 2007)
- *Latrobe City Council Retail Strategy* (Essential Economics, 2019)
- *Strategic Outlook for Moe-Newborough and Lake Narracan* (Growth Areas Authority, 2013)

LATROBE PLANNING SCHEME

Moe-Newborough Town Structure Plan (MNTSP)



LATROBE PLANNING SCHEME**11.01-1L**

Proposed C121latr

Morwell**Policy application**

This policy applies to land within the Morwell Town Structure Plan (MTSP) in this clause.

Strategies

Encourage residential development within MTSP Areas 1 and 2.

Discourage increased housing densities south of Commercial Road (Area 3), until the completion of rehabilitation works to northern batter of the Hazelwood mine area.

Encourage retail, office and residential mixed use developments within Morwell Primary Activity Centre (MTSP Area 4) and Mid-Valley Primary Activity Centre (MTSP Area 10).

Discourage retail and office development outside of the Morwell Primary Activity Centre (MTSP Area 4), Mid-Valley Primary Activity Centre (MTSP Area 10) and Princes Drive, Morwell (MTSP Area 6).

Screen industry in MTSP Area 7 from residential areas along the western boundaries of the industrial precinct by providing a buffer of open space and vegetation.

Encourage a Local Activity Centre at Heritage Boulevard, Morwell.

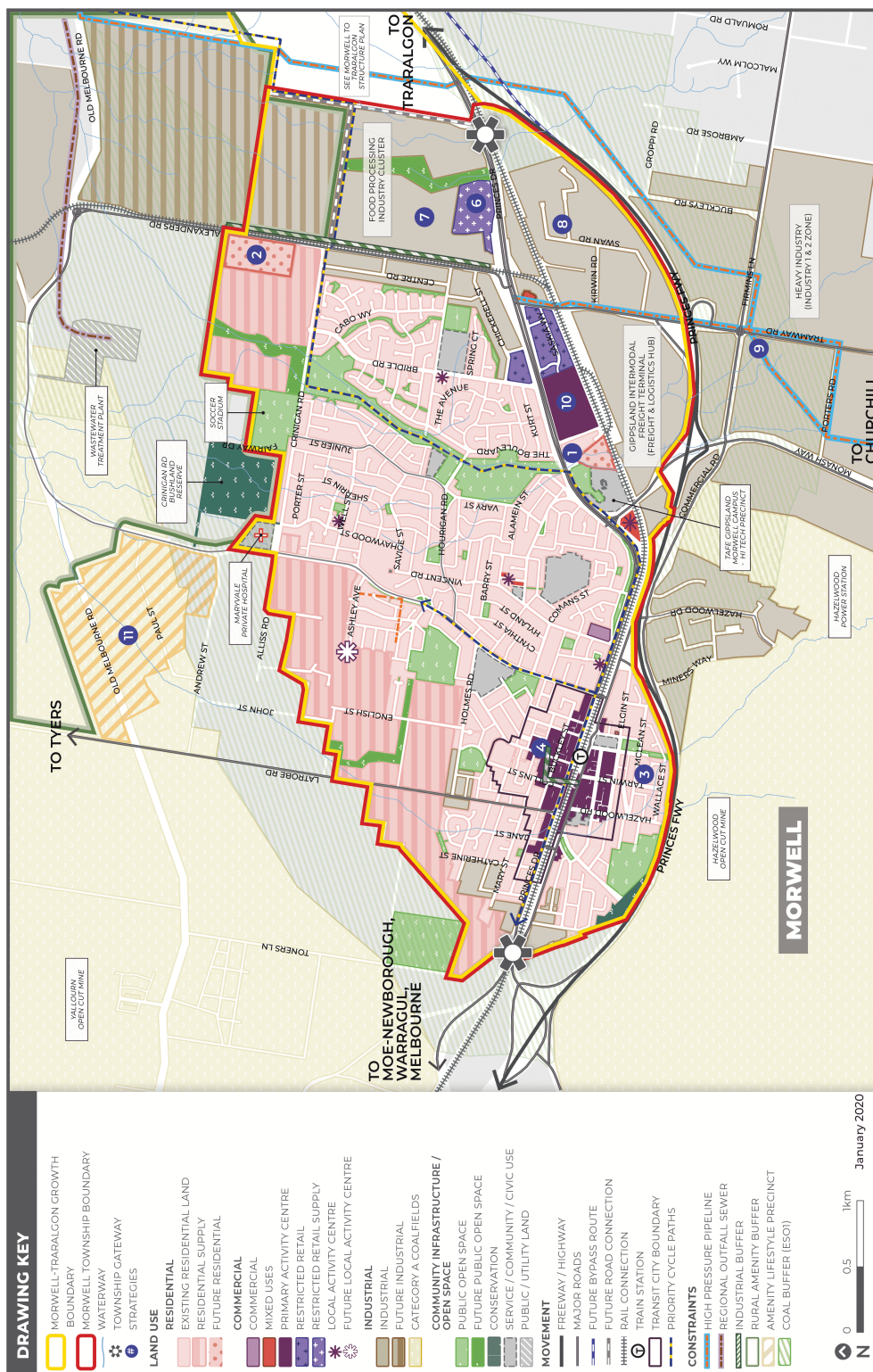
Policy documents

Consider as relevant:

- *Latrobe City Council Retail Strategy* (Essential Economic, 2019)
- *Latrobe Structure Plans - Morwell* (Beca Pty Ltd, 2007)

LATROBE PLANNING SCHEME

Morwell Town Structure Plan (MTSP)



LATROBE PLANNING SCHEME**11.01-1L**27/08/2021
C130latr**Traralgon****Policy application**

This policy applies to land shown on the Traralgon Town Structure Plan (TTSP) in this clause.

Strategies

Encourage short to medium term (within 0-15 years) residential development in TTSP Areas 1, 2 and 13.

Encourage long term (15 or more years) residential intensification of land zoned rural living and farming in TTSP Areas 9, 10 and 11.

Encourage the long term development of Rural Living Area 12.

Encourage the development of retail, office and residential mixed use developments within Argyle Street (TTSP Area 4).

Direct retail and office development that is significant in floor size and economic impact to the Traralgon Primary Activity Centre (TTSP Area 3), Argyle Street (TTSP Area 4) and Princes Highway and Stammers Road (TTSP Area 5).

Discourage dispersion of the office sector outside of TTSP Area 3.

Support industrial uses with limited off site amenity impacts and other compatible uses within the Janette Street Industrial precinct (TTSP Area 6) as a buffer between the lime batching facility and nearby residential and mixed uses.

Design and site development in residential or mixed use zones that are within the 500 metre buffer of the lime batching facility to mitigate noise impacts from the operation of the facility.

Provide a buffer to protect industry in TTSP Area 7 from encroachment of sensitive uses, particularly from the north and east.

Design development in TTSP Areas 10, 11 and 12 to address any impact of the proposed Traralgon Highway Bypass and Bypass Ramps.

Support development of residential and community facilities to the east and west of the Southside commuter car park at Traralgon Train Station.

Support the construction of a new bus interchange, plaza and station building at the Traralgon Train Station.

Support works to develop the Southside commuter car park, Southern Plaza and VRI Hall as community facilities.

Establish Neighbourhood and Local Activity Centres in the following locations:

- Corner Marshalls Road and Traralgon-Maffra Road, Traralgon
- Melrossa Road West, Traralgon
- Princes Highway, Traralgon East
- Dranes Road, Traralgon
- Cross's Road, Traralgon
- Princes Highway/Airfield Road, Traralgon West
- Bradford Drive/Princes Highway, Traralgon West
- Traralgon Golf Course.

Policy documents

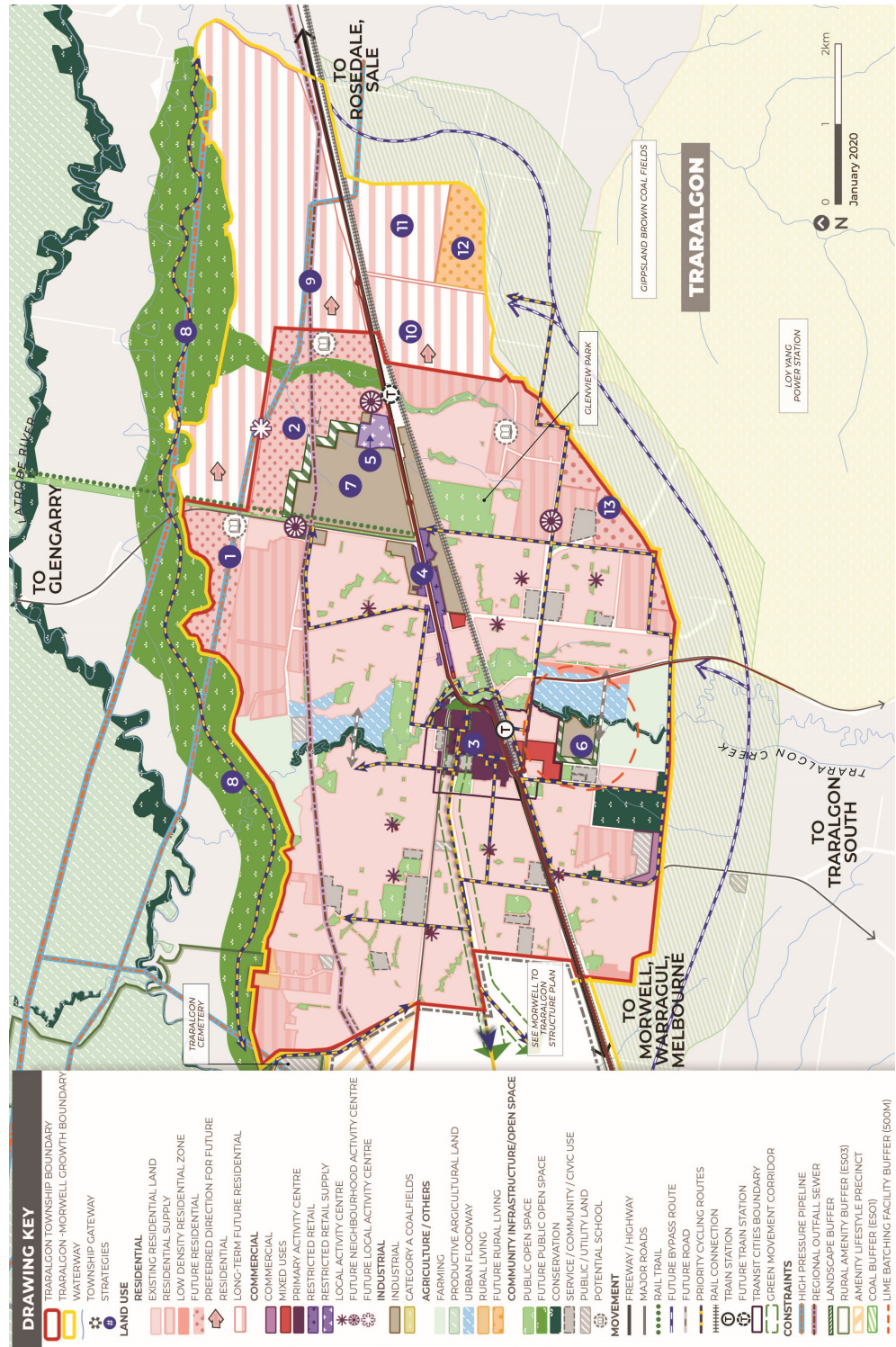
Consider as relevant:

- *Latrobe Structure Plans – Traralgon* (Beca Pty Ltd, August 2007)

LATROBE PLANNING SCHEME

- *Latrobe City Council Retail Strategy* (Essential Economics 2019)
- *Traralgon Station Precinct Master Plan* (Hansen Partnership, 2011)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)

Traralgon Town Structure Plan (TTSP)



LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Glengarry****Policy application**

This policy applies to land within the Glengarry Town Structure Plan (GTSP) in this clause.

Strategies

Support Glengarry's role as a dormitory suburb of Traralgon.

Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.

Encourage low density residential development in GTSP Area 5.

Encourage development of large allotments within existing residential areas GTSP Area 6.

Protect public open space areas including the Gippsland Rail Trail (GTSP Areas 8 & 9).

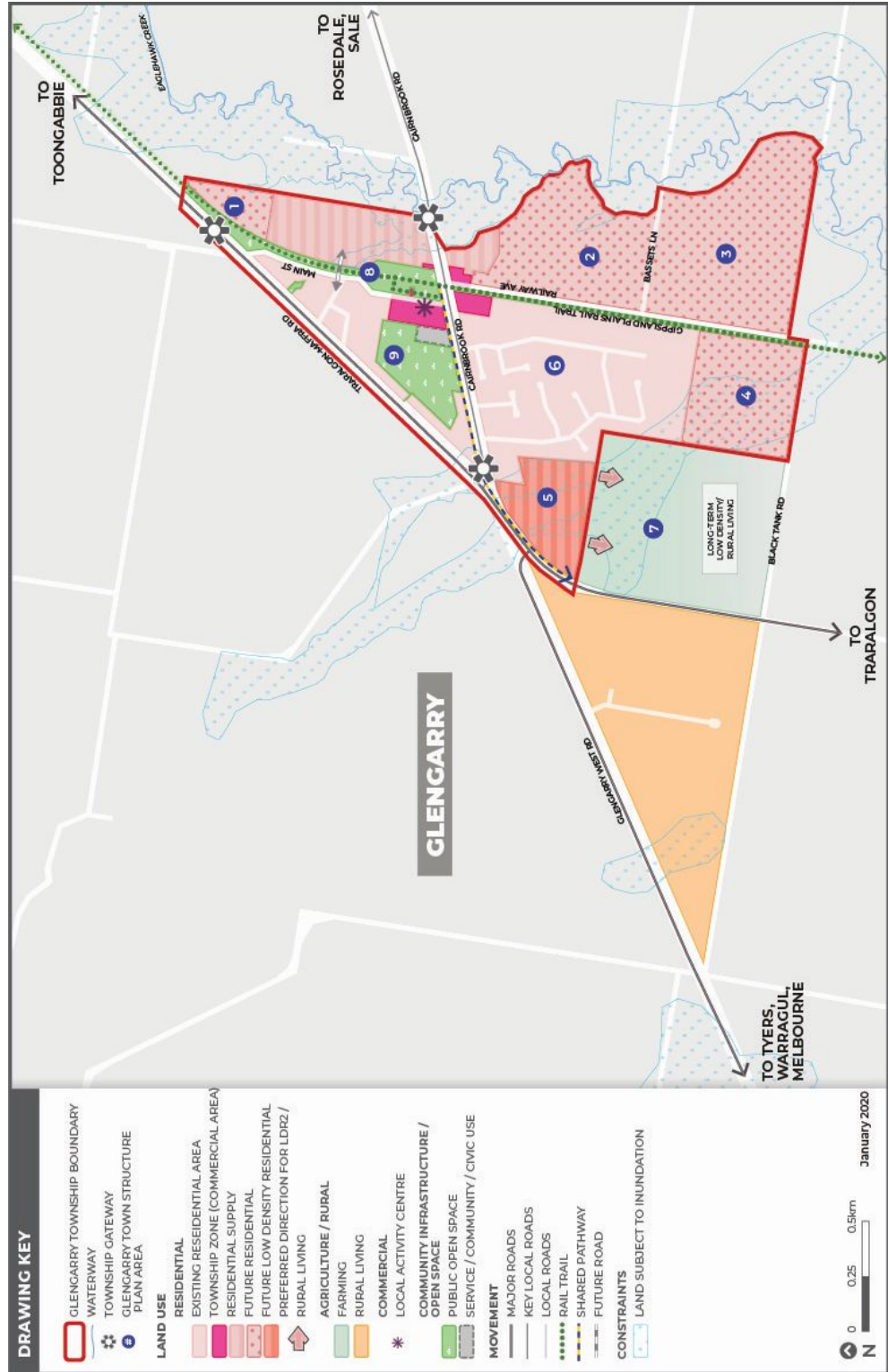
Policy documents

Consider as relevant:

- *Small Town Structure Plans: Boolarra, Glengarry & Tyers* (NBA Group Pty Ltd, 2009)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)

LATROBE PLANNING SCHEME

Glengarry Town Structure Plan (GTSP)



LATROBE PLANNING SCHEME**11.01-1L**28/05/2021
C122latr**Tyers****Policy application**

This policy applies to land within the Tyers Town Structure Plan (TYTSP) in Clause 11.01-1L.

Strategies

Encourage increased diversity in residential allotment sizes, subject to availability of sewerage infrastructure.

Limit access from development and individual allotments to the Main Road (Moe-Glengarry Road) and Tyers Walhalla Road.

Encourage a shared path link between future low density and rural living development (TYTSP Area 1 & 2) and the town centre (TYTSP Area 4).

Protect road reserves, such as Hinde Road (TYTSP Area 4), to allow for future access to proposed development areas.

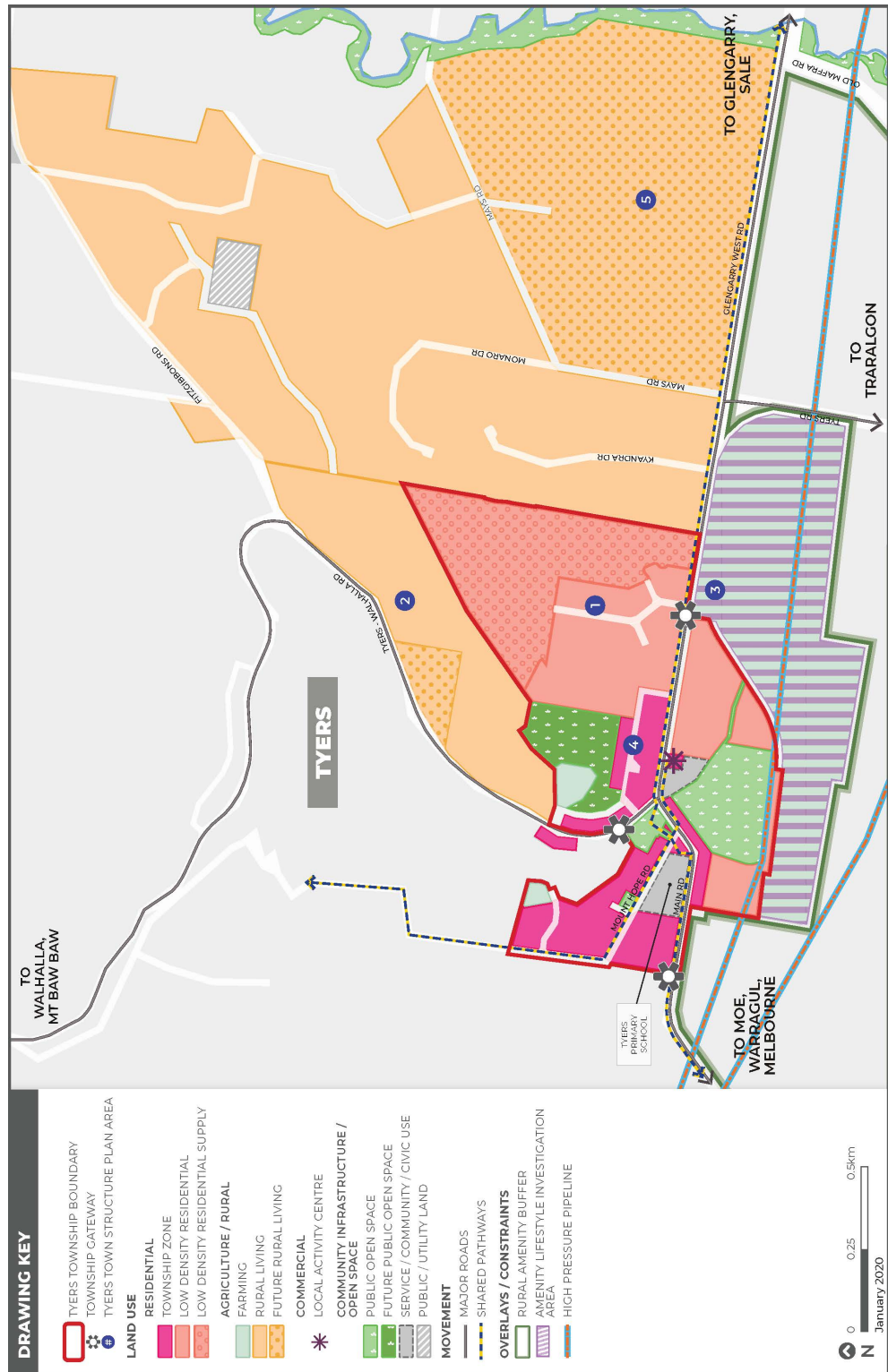
Policy documents

Consider as relevant:

- *Small Town Structure Plans: Boolarra, Glengarry & Tyers* (NBA Group Pty Ltd 2009)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)

LATROBE PLANNING SCHEME

Tyers Town Structure Plan (TYTSP)



LATROBE PLANNING SCHEME

19.01

31/07/2018
VC148

ENERGY

LATROBE PLANNING SCHEME**19.01-1S**31/07/2018
VC148**Energy supply****Objective**

To facilitate appropriate development of energy supply infrastructure.

Strategies

Support the development of energy facilities in appropriate locations where they take advantage of existing infrastructure and provide benefits to industry and the community.

Support transition to a low-carbon economy with renewable energy and greenhouse emission reductions including geothermal, clean coal processing and carbon capture and storage.

Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.

LATROBE PLANNING SCHEME**19.01-1R**31/07/2018
VC148**Energy supply – Gippsland****Strategy**

Support continuing production from the region's oil and gas fields.

LATROBE PLANNING SCHEME**19.01-2S**03/02/2022
VC199**Renewable energy****Objective**

To promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.

Strategies

Facilitate renewable energy development in appropriate locations.

Protect energy infrastructure against competing and incompatible uses.

Develop appropriate infrastructure to meet community demand for energy services.

Set aside suitable land for future energy infrastructure.

Consider the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

Recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year.

Policy documents

Consider as relevant:

- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2021)
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, August 2019)

LATROBE PLANNING SCHEME**19.01-3S**31/07/2018
VC148**Pipeline infrastructure****Objective**

To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.

Strategies

Plan for the development of pipeline infrastructure subject to the *Pipelines Act 2005*.

Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

Plan new pipelines along routes with adequate buffers to residences, zoned residential land and other sensitive land uses and with minimal impacts on waterways, wetlands, flora and fauna, erosion prone areas and other environmentally sensitive sites.

Provide for environmental management during construction and on-going operation of pipeline easements.

LATROBE PLANNING SCHEME

19.01-3L Pipeline infrastructure

~~28/05/2024~~
~~G422latr~~ Proposed C121latr

Strategies

Minimise risks associated with land use and subdivision within the ~~measurement length~~ notification area of high pressure ~~gas transmission~~ licensed pipelines.

Encourage risk sensitive development to be located outside of the pipeline ~~measurement length~~ notification area.

LATROBE PLANNING SCHEME

19.01 **ENERGY**
31/07/2018
VC148

LATROBE PLANNING SCHEME**19.01-1S**31/07/2018
VC148**Energy supply****Objective**

To facilitate appropriate development of energy supply infrastructure.

Strategies

Support the development of energy facilities in appropriate locations where they take advantage of existing infrastructure and provide benefits to industry and the community.

Support transition to a low-carbon economy with renewable energy and greenhouse emission reductions including geothermal, clean coal processing and carbon capture and storage.

Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.

LATROBE PLANNING SCHEME**19.01-1R**31/07/2018
VC148**Energy supply – Gippsland****Strategy**

Support continuing production from the region's oil and gas fields.

LATROBE PLANNING SCHEME**19.01-2S**03/02/2022
VC199**Renewable energy****Objective**

To promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.

Strategies

Facilitate renewable energy development in appropriate locations.

Protect energy infrastructure against competing and incompatible uses.

Develop appropriate infrastructure to meet community demand for energy services.

Set aside suitable land for future energy infrastructure.

Consider the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

Recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year.

Policy documents

Consider as relevant:

- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2021)
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, August 2019)

LATROBE PLANNING SCHEME**19.01-3S**31/07/2018
VC148**Pipeline infrastructure****Objective**

To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.

Strategies

Plan for the development of pipeline infrastructure subject to the *Pipelines Act 2005*.

Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

Plan new pipelines along routes with adequate buffers to residences, zoned residential land and other sensitive land uses and with minimal impacts on waterways, wetlands, flora and fauna, erosion prone areas and other environmentally sensitive sites.

Provide for environmental management during construction and on-going operation of pipeline easements.

LATROBE PLANNING SCHEME**19.01-3L Pipeline infrastructure**

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Proposed C121latr

Strategies

Minimise risks associated with land use and subdivision within the notification area of high pressure licensed pipelines.

Encourage risk sensitive development to be located outside of the pipeline notification area.

LATROBE PLANNING SCHEME

06/06/2019
G1461atr**SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DD01**.**MAJOR PIPELINE INFRASTRUCTURE****1-0**06/06/2019
G1461atr**Design objectives**

To ensure that all buildings and works and in particular buildings designed to accommodate people are sufficiently separated from high pressure pipelines to avoid a safety hazard.

2-006/06/2019
G1461atr**Buildings and works**

A permit is required to:

- Construct an outdoor swimming pool associated with a dwelling.
- Construct a fence within 3 metres of any pipeline.

3-006/06/2019
G1461atr**Subdivision**

None specified.

4-006/06/2019
G1461atr**Signs**

Sign requirements are at Clause 52.05. All land located within this Schedule to this zone is in Category 4.

5-006/06/2019
G1461atr**Application requirements**

None specified.

6-006/06/2019
G1461atr**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The appropriateness of constructing any buildings or fences within 3 metres of any pipeline.
- The appropriateness of constructing any dwelling or building designed to accommodate 20 or more people within 200 metres of a Type C Pipeline.
- The views of the Secretary of the Department administering the *Pipelines Act 1967*.

LATROBE PLANNING SCHEME**44.08**01/03/2021
V10**BUFFER AREA OVERLAY**

Shown on the planning scheme map as **BAO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify buffer areas where there is potential for off-site impacts on human health or safety, or significant off-site impacts on amenity, from industry, warehouse, infrastructure or other uses.

To ensure that use and development within buffer areas is compatible with potential off-site impacts.

44.08-101/03/2021
V10**Buffer area risk and objectives**

A schedule to this overlay must contain:

- A statement of risk.
- Objectives to be achieved.

44.08-201/03/2021
V10**Use of land**

Any requirement in a schedule to this overlay must be met.

44.08-301/03/2021
V10**Subdivision**

Any requirement in a schedule to this overlay must be met.

44.08-401/03/2021
V10**Buildings and works**

Any requirement in a schedule to this overlay must be met.

44.08-501/03/2021
V10**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

44.08-601/03/2021
V10**Exemption from notice and review**

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

44.08-701/03/2021
V10**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of risk and objectives contained in a schedule to this overlay.
- Any other decision guidelines specified in a schedule to this overlay.

LATROBE PLANNING SCHEME

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Proposed C121latr

SCHEDULE 1 TO CLAUSE 44.08 BUFFER AREA OVERLAY**SHOWN ON THE PLANNING SCHEME MAP AS BAO1
MAJOR PIPELINE INFRASTRUCTURE****1.0**

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Proposed C121latr

Statement of risk

Latrobe City is traversed by a number of licensed, high pressure pipelines that carry a range of volatile substances throughout Victoria. Pipeline failure resulting in the release of the pipeline contents can cause serious harm to people, property and the environment.

Licensed pipelines are required to be designed, constructed, operated and maintained so that threats to the pipeline, including damage caused by third parties and the consequences of pipeline failure are assessed and risks are reduced to as low as reasonably practicable.

Changes in land use and increases in development activity may pose threats to the pipeline, through penetration or puncture, and increase the consequences of pipeline failure.

Pipeline failure can impact human health through skin irritation, respiratory problems, severe internal and external injuries, burns, long term damage and fatalities. The impacts on property can result in serve damage to complete destruction through fire and explosions. The impacts on the environment can result in toxic pollution of water, soil and air, damaging flora and injuring fauna and causing fatalities. Natural gas is a potent greenhouse gas and its release contributes to climate change.

2.0

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Proposed C121latr

Objectives

To protect human life, property, and the environment from the impacts of pipeline failure.

To identify the location of licensed pipelines and the region where impacts from pipeline failure are greatest.

To ensure that land use and development around pipelines is appropriately designed and sited to minimise risks.

To protect the integrity of licensed pipelines.

3.0

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Proposed C121latr

Use of land

A permit is required to use land for a:

- Accommodation (other than Dependent person's unit and Dwelling)
- Earth and energy resource industry where clause 62.01 is not met
- Education centre
- Freeway service centre
- Hospital
- Industry where any of the following applies:
 - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012
 - A notification is required under the Occupational Health and Safety Regulations 2017
 - A licence is required under the Dangerous Goods (Explosives) Regulations 2011
 - A licence is required under Dangerous Goods (HCDG) Regulations 2016
- Leisure and Recreation Facility (excluding Informal outdoor recreation, Open sports ground)
- Place of assembly

(Commercial display area, Milk depot, Mail centre)

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Proposed C121latr

None specified.

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Proposed C121latr

A permit is required to:

- construct a building or construct or carry out works associated with a use listed in Clause 3.0.
- construct two or more dwellings on a lot.

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Proposed C121latr

The following application requirements apply to an application for a permit under Clause 44.08, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Safety Management Study addressing the following, where applicable:
 - How activities associated with the use of land, and buildings or works, may result in any additional threats to the integrity of licensed pipelines and how these threats will be controlled and minimised.
 - Emergency exit routes and external gathering spaces.
 - How the activities associated with the use of land, and buildings or works have been designed to reduce risks to human life in the event of pipeline failure.
 - How the location and storage of dangerous or explosive goods or chemicals reduces the risk of contributing to the escalation of a pipeline failure.

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Proposed C121latr

An application for construction of a building or to construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Proposed C121latr

The following decision guidelines apply to an application for a permit under Clause 44.08, in addition to those specified in Clause 44.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of Energy Safe Victoria.
- The extent to which the proposal will increase the consequence of a pipeline failure.
- Whether the proposal has been designed to reduce risks to human life in the event of pipeline failure, where practicable, including:
 - Opportunities to locate the development or activities associated with the land use away from the pipeline.
 - Directing emergency exit routes away from the pipeline.
 - Opportunities for siting external gathering spaces further away from the pipeline.

LATROBE PLANNING SCHEME

06/06/2019
G1461atr
Proposed C1211atr**SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER
LOCAL PROVISIONS****1.0****Referral of permit applications under local provisions**27/08/2024
G4301atr
Proposed C1211atr

Clause	Kind of application	Referral authority	Referral authority type
On land identified as the Gippsland Coalfields Policy Area	To subdivide land. To use land or to construct a building or construct or carry out works for a cemetery, educational centre, exhibition centre, function centre, golf course, hospital, industry (other than rural industry), major sports and recreational facility, shop or office with a gross floor area exceeding 2000 square metres, or accommodation if the total number of people to be accommodated exceeds 100 or the proposed development results in an increase of greater than 25 percent to the gross floor area of an existing accommodation building.	Secretary to the Department administering the <i>Minerals Resources (Sustainable Development) Act 1990</i> Secretary to the Department administering the <i>Minerals Resources (Sustainable Development) Act 1990</i>	Determining referral authority Determining referral authority
Schedule 1 to Clause 37.01 (SUZ)	All applications.	Secretary to the Department administering the <i>Minerals Resources (Sustainable Development) Act 1990</i>	Determining referral authority
Clause 5.0 of Schedule 1 to Clause 42.01 (ESO)	To subdivide land which create a lot with an area less than 20 hectares.	Secretary to the Department administering the <i>Minerals Resources (Sustainable Development) Act 1990</i>	Determining referral authority
Clause 5.0 of Schedule 1 to Clause 42.01 (ESO) (continued)	To develop land for: <ul style="list-style-type: none"> cemetery. educational centre. 	Secretary to the Department administering the <i>Minerals Resources</i>	Determining referral authority

LATROBE PLANNING SCHEME

Clause	Kind of application	Referral authority	Referral authority type
	<ul style="list-style-type: none"> ▪ exhibition centre. ▪ function centre. ▪ golf course. ▪ Hospital. ▪ industry (other than rural industry). ▪ major sports and recreational facility. ▪ plantation ▪ shop or office with a floor area exceeding 2,000 square metres. ▪ accommodation if the total number of people to be accommodated exceeds 100 or the proposed development results in an increase of greater than 25% to the floor area of an existing accommodation building. 	(Sustainable Development) Act 1990	
Clause 5.0 of Schedule 3 to Clause 42.01 (ESO)	All applications	Environment Protection Authority	Recommending referral authority
Schedule 1 to Clause 45.02 (AEO)	Uses listed in Schedule 1 to this clause.	Latrobe Regional Airport Board	Recommending referral authority
Schedule 2 to Clause 45.02 (AEO)	Uses listed in Schedule 2 to this clause.	Airport owner	Determining referral authority
Clause 3 of Schedule 3 to Clause 43.02 (DDO)	Uses listed in Schedule 3 to the clause	Roads Corporation	Determining referral authority
Clause 2.0 Schedule 5 to Clause 43.02 (DDO)	Buildings and Works applications where the height will exceed 56.44m above AHD	Department of Health and Human Services	Determining referral authority
Clause 2.0 Schedule 6 to Clause 43.02 (DDO)	Buildings and Works applications where the height will exceed 68.4m above AHD	Department of Health and Human Services	Determining referral authority

LATROBE PLANNING SCHEME

Clause	Kind of application	Referral authority	Referral authority type
Clause 2 of Schedule 7 to Clause 43.02 (DDO)	All applications	Latrobe Regional Airport Board	Recommending referral authority
Clause 2 of Schedule 8 to Clause 43.02 (DDO)	All applications	Latrobe Regional Airport Board	Recommending referral authority
Clause 2 of Schedule 10 to Clause 43.02 (DDO)	All applications	Latrobe Regional Airport Board	Recommending referral authority
Clause 2 of Schedule 11 to Clause 43.02 (DDO)	All applications	Latrobe Regional Airport Board	Recommending referral authority
Schedule 1 to Clause 44.07 (SRO)	An application for any use listed in Clause 3.0 of the Schedule.	Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i> .	Determining referral authority
Schedule 1 to Clause 44.08 (BAO)	All applications	Energy Safe Victoria	Recommending referral authority

LATROBE PLANNING SCHEME

Proposed C121latr

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS**1.0**

Proposed C121latr

Referral of permit applications under local provisions

Clause	Kind of application	Referral authority	Referral authority type
On land identified as the Gippsland Coalfields Policy Area	To subdivide land.	Secretary to the Department administering the <i>Minerals Resources (Sustainable Development) Act 1990</i>	Determining referral authority
	To use land or to construct a building or construct or carry out works for a cemetery, educational centre, exhibition centre, function centre, golf course, hospital, industry (other than rural industry), major sports and recreational facility, shop or office with a gross floor area exceeding 2000 square metres, or accommodation if the total number of people to be accommodated exceeds 100 or the proposed development results in an increase of greater than 25 percent to the gross floor area of an existing accommodation building.	Secretary to the Department administering the <i>Minerals Resources (Sustainable Development) Act 1990</i>	Determining referral authority
Schedule 1 to Clause 37.01 (SUZ)	All applications.	Secretary to the Department administering the <i>Minerals Resources (Sustainable Development) Act 1990</i>	Determining referral authority
Clause 5.0 of Schedule 1 to Clause 42.01 (ESO)	To subdivide land which create a lot with an area less than 20 hectares.	Secretary to the Department administering the <i>Minerals Resources (Sustainable Development) Act 1990</i>	Determining referral authority
Clause 5.0 of Schedule 1 to Clause 42.01 (ESO) (continued)	To develop land for: <ul style="list-style-type: none"> ▪ cemetery. ▪ educational centre. 	Secretary to the Department administering the <i>Minerals Resources</i>	Determining referral authority

LATROBE PLANNING SCHEME

Clause	Kind of application	Referral authority	Referral authority type
	<ul style="list-style-type: none"> exhibition centre. function centre. golf course. Hospital. industry (other than rural industry). major sports and recreational facility. plantation shop or office with a floor area exceeding 2,000 square metres. accommodation if the total number of people to be accommodated exceeds 100 or the proposed development results in an increase of greater than 25% to the floor area of an existing accommodation building. 	(Sustainable Development) Act 1990	
Clause 5.0 of Schedule 3 to Clause 42.01 (ESO)	All applications	Environment Protection Authority	Recommending referral authority
Schedule 1 to Clause 45.02 (AEO)	Uses listed in Schedule 1 to this clause.	Latrobe Regional Airport Board	Recommending referral authority
Schedule 2 to Clause 45.02 (AEO)	Uses listed in Schedule 2 to this clause.	Airport owner	Determining referral authority
Clause 3 of Schedule 3 to Clause 43.02 (DDO)	Uses listed in Schedule 3 to the clause	Roads Corporation	Determining referral authority
Clause 2.0 Schedule 5 to Clause 43.02 (DDO)	Buildings and Works applications where the height will exceed 56.44m above AHD	Department of Health and Human Services	Determining referral authority
Clause 2.0 Schedule 6 to Clause 43.02 (DDO)	Buildings and Works applications where the height will exceed 68.4m above AHD	Department of Health and Human Services	Determining referral authority

LATROBE PLANNING SCHEME

Clause	Kind of application	Referral authority	Referral authority type
Clause 2 of Schedule 7 to Clause 43.02 (DDO)	All applications	Latrobe Regional Airport Board	Recommending referral authority
Clause 2 of Schedule 8 to Clause 43.02 (DDO)	All applications	Latrobe Regional Airport Board	Recommending referral authority
Clause 2 of Schedule 10 to Clause 43.02 (DDO)	All applications	Latrobe Regional Airport Board	Recommending referral authority
Clause 2 of Schedule 11 to Clause 43.02 (DDO)	All applications	Latrobe Regional Airport Board	Recommending referral authority
Schedule 1 to Clause 44.07 (SRO)	An application for any use listed in Clause 3.0 of the Schedule.	Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i> .	Determining referral authority
Schedule 1 to Clause 44.08 (BAO)	All applications	Energy Safe Victoria	Recommending referral authority

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

28/05/2024--/--/----
G122latr Proposed C121latr

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- 35, 35HO, 35LSIO-FO, 35BMO, 35SCO
- 36, 36ESO, 36HO, 36BMO, 36SCO
- 37, 37DCPO, ~~37DDO~~, 37ESO, 37LSIO-FO, 37BMO
- 38, 38DCPO, ~~38DDO~~, 38ESO, 38HO, 38LSIO-FO, 38BMO
- 39, 39BMO
- 40, 40BMO
- 41, 41LSIO-FO, 41BMO
- 42, 42HO, 42LSIO-FO, 42BMO
- 43, 43DDO, 43ESO, 43LSIO-FO, 43BMO, 43BAO
- 44, 44DDO, 44DPO, 44ESO, 44HO, 44LSIO-FO, 44BMO, 44BAO
- 45, ~~45DDO~~, 45DPO, 45ESO, 45HO, 45BMO, 45BAO
- 46, ~~46DDO~~, 46DPO, 46ESO, 46BMO, 46BAO
- 47, 47DDO, 47DPO, 47HO, 47LSIO-FO, 47BMO, 47BAO
- 48, 48DDO, 48DPO, 48ESO, 48LSIO-FO
- 49, 49HO, 49LSIO-FO
- 50, 50DPO, 50LSIO-FO
- 51, 51DPO, 51BAO
- 52, 52DDO, 52DPO, 52LSIO-FO, 52PAO, 52BAO
- 53, 53DDO
- 54, 54DDO, 54SCO
- 55, 55DDO, 55EAO, 55HO, 55PO, 55SCO
- 56, 56HO, 56LSIO-FO, 56PO, 56SCO
- 57, 57DPO
- 58, 58DDO, 58DPO, 58ESO, 58PAO
- 59, 59DDO, 59DPO, 59ESO, 59PAO, 59BMO, 59SCO
- 60, 60DDO, 60ESO, 60HO, 60LSIO-FO, 60PAO
- 61, 61DDO, 61DPO, 61ESO, 61LSIO-FO, 61PAO
- 62, 62DDO, 62DPO, 62ESO, 62PAO
- 63, ~~63DDO~~, 63DPO, 63ESO, 63HO, 63LSIO-FO, 63BAO
- 64, 64DDO, 64ESO, 64HO, 64LSIO-FO, 64PAO, 64SRO, 64BAO
- 65, ~~65DDO~~, 65ESO, 65HO, 65LSIO-FO, 65PAO, 65SRO, 65BMO, 65BAO
- 66, ~~66DDO~~, 66ESO, 66HO, 66LSIO-FO, 66SRO, 66BAO
- 67, ~~67DDO~~, 67PAO, 67BMO, 67BAO
- 68, ~~68DDO~~, 68ESO, 68HO, 68LSIO-FO, 68BMO, 68SCO, 68BAO
- 69, 69ESO, 69LSIO-FO, 69PAO, 69RXO, 69BMO, 69SCO
- 70, 70DDO, 70DPO, 70ESO, 70HO, 70LSIO-FO, 70SRO, 70BMO, 70BAO
- 71, 71DPO, 71ESO, 71BMO
- 72, 72DDO, 72DPO, 72ESO, 72LSIO-FO, 72BMO

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- 73, 73DDO, 73DPO, 73ESO, 73LSIO-FO, 73BMO
- 74, 74DPO, 74ESO, 74HO, 74LSIO-FO, 74SCO
- 75, 75DPO, 75EAO, 75ESO, 75HO, 75PO, 75SCO
- 76, 76DDO, 76DPO, 76EAO, 76HO, 76PO, 76SCO
- 77, 77DDO, 77HO, 77LSIO-FO, 77SCO
- 78, 78DDO, 78DPO, 78LSIO-FO, 78SCO, 78BAO
- 79, 79DDO, 79DPO, 79ESO, 79LSIO-FO, 79PAO, 79SCO, 79BAO
- 80, 80ESO, 80HO, 80PO
- 81, 81DDO, 81ESO, 81HO, 81PO, 81SCO, 82BAO
- 82, 82DDO, 82ESO, 82HO, 82LSIO-FO, 82SRO, 82SCO, 83BAO
- 83, 83DDO, 83ESO, 82HO, 83LSIO-FO, 83PAO, 83SRO, 83SCO, 84BAO
- 84, 84DDO, 84ESO, 84LSIO-FO, 84PAO, 84SRO-, 85BAO
- 85, 85AEO, 85DDO, 85DPO, 85ESO, 85LSIO-FO, 85PAO, 85SRO, 85BMO, 85SCO, 85BAO
- 86, 86DDO, 86ESO, 86LSIO-FO, 86PAO, 86SRO, 86BMO, 86SCO
- 87, 87DDO, 87ESO, 87LSIO-FO, 87PAO, 87SRO, 87BMO, 87SCO, 87BAO
- 88, 88LSIO-FO, 88SRO, 88BAO
- 89, 89BMO
- 90, ~~90DDO~~, 90HO, 90BMO, 90BAO
- 91, ~~91DDO~~, 91ESO, 91HO, 91LSIO-FO, 91PAO, 91RXO, 91SRO, 91BMO, 91BAO
- 92, ~~92DDO~~, 92DPO, 92EAO, 92ESO, 92HO, 92LSIO-FO, 92SRO, 92BMO, 92SCO, 92BAO
- 93, 93DPO, 93ESO, 93LSIO-FO, 93BMO
- 94, 94DPO, 94ESO, 94HO, 94LSIO-FO
- 95, 95DPO, 95ESO
- 96, 96DPO, 96HO, 96LSIO-FO
- 97, 97DPO, 97LSIO-FO, 97BMO
- 98, 98DPO, 98ESO, 98SRO, 98BMO
- 99, 99DPO, 99LSIO-FO, 99BMO
- 100, 100DDO, 100LSIO-FO, 100SRO, 100BMO
- 101, 101LSIO-FO, 101SRO, 101BMO
- 102, 102LSIO-FO, 102BMO
- 103, 103BMO
- 104, 104LSIO-FO, 104SRO, 104BMO
- 105, 105BMO
- 106, 106ESO, 106 LSIO-FO, 106SRO, 106BMO
- 107, 107ESO, 107HO, 107LSIO-FO, 107BMO
- 108, 108ESO, 108HO, 108LSIO-FO, 108SRO
- 109, 109ESO, 109LSIO-FO, 109SRO

LATROBE PLANNING SCHEME

- 110, 110ESO, 110LSIO-FO, 110SRO
- 111, 111ESO, 111HO, 111LSIO-FO, 111SRO, 111BMO
- 112, 112DPO, 112ESO, 112HO, 112SRO, 112BMO
- 113, 113BMO
- 114, 114LSIO-FO, 114BMO
- 115, 115LSIO-FO, 115BMO
- 116, 116LSIO-FO, 116BMO
- 117, 117HO, 117LSIO-FO, 117BMO
- 118, 118EAO, 118ESO, 118HO, 118LSIO-FO, 118BMO
- 119, 119LSIO-FO, 119BMO
- 120, 120LSIO-FO, 120BMO
- 121, 121LSIO-FO, 121SRO, 121BMO
- 122, 122BMO
- 123, 123BMO
- 124, 124BMO
- 125, 125ESO, 125BMO
- 126, 126ESO, 126BMO
- 127, 127ESO, 127BMO
- 128, 128ESO, 128BMO
- 129, 129BMO
- 130, 130BMO
- 131, 131BMO
- 132, 132BMO
- 133, 133ESO, 133BMO
- 134, 134BMO
- 135, 135BMO

LATROBE PLANNING SCHEME

Proposed C121atr

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

Proposed C121atr

Maps comprising part of this planning scheme:

- 1, 1BMO
- 2, 2LSIO-FO, 2BMO
- 3, 3BMO
- 4, 4BMO
- 5, 5HO, 5LSIO-FO, 5BMO
- 6, 6HO, 6LSIO-FO
- 7, 7LSIO-FO
- 8, 8HO, 8LSIO-FO
- 9, 9LSIO-FO
- 10, 10LSIO-FO
- 11, 11ESO, 11LSIO-FO, 11BMO, 11 BAO
- 12, 12ESO, 12BMO, 12BAO
- 13, 13ESO, 13HO, 13BMO, 13BAO
- 14, 14DPO, 14ESO, 14LSIO-FO, 14BMO
- 15, 15LSIO-FO, 15BMO
- 16, 16HO, 16LSIO-FO, 16BMO
- 17, 17DPO, 17HO, 17LSIO-FO
- 18, 18HO, 18LSIO-FO
- 19, 19DPO, 19HO, 19LSIO-FO
- 20, 20HO, 20LSIO-FO
- 21, 21LSIO-FO, 21BMO, 21SCO, 21BAO
- 22, 22HO, 22LSIO-FO
- 23, 23DCPO, 23HO, 23LSIO-FO
- 24, 24DCPO, 24DPO, 24LSIO-FO
- 25, 25DCPO, 25LSIO-FO
- 26, 26DPO, 26HO, 26SCO
- 27, 27DPO, 27HO, 27SCO
- 28, 28DPO, 28HO, 28LSIO-FO, 28BMO, 28SCO
- 29, 29DCPO, 29DPO, 29LSIO-FO, 29BMO, 29SCO
- 30, 30DCPO, 30DPO, 30BMO
- 31, 31DCPO, 31DPO, 31ESO, 31BMO
- 32, 32DPO, 32BMO, 32SCO
- 33, 33BMO
- 34, 34LSIO-FO, 34BMO, 34BAO
- 35, 35HO, 35LSIO-FO, 35BMO, 35SCO

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- 36, 36ESO, 36HO, 36BMO, 36SCO
- 37, 37DCPO, 37ESO, 37LSIO-FO, 37BMO
- 38, 38DCPO, 38ESO, 38HO, 38LSIO-FO, 38BMO
- 39, 39BMO
- 40, 40BMO
- 41, 41LSIO-FO, 41BMO
- 42, 42HO, 42LSIO-FO, 42BMO
- 43, 43DDO, 43ESO, 43LSIO-FO, 43BMO, 43BAO
- 44, 44DDO, 44DPO, 44ESO, 44HO, 44LSIO-FO, 44BMO, 44BAO
- 45, 45DPO, 45ESO, 45HO, 45BMO, 45BAO
- 46, 46DPO, 46ESO, 46BMO, 46BAO
- 47, 47DDO, 47DPO, 47HO, 47LSIO-FO, 47BMO, 47BAO
- 48, 48DDO, 48DPO, 48ESO, 48LSIO-FO
- 49, 49HO, 49LSIO-FO
- 50, 50DPO, 50LSIO-FO
- 51, 51DPO, 51BAO
- 52, 52DDO, 52DPO, 52LSIO-FO, 52PAO, 52BAO
- 53, 53DDO
- 54, 54DDO, 54SCO
- 55, 55DDO, 55EAO, 55HO, 55PO, 55SCO
- 56, 56HO, 56LSIO-FO, 56PO, 56SCO
- 57, 57DPO
- 58, 58DDO, 58DPO, 58ESO, 58PAO
- 59, 59DDO, 59DPO, 59ESO, 59PAO, 59BMO, 59SCO
- 60, 60DDO, 60ESO, 60HO, 60LSIO-FO, 60PAO
- 61, 61DDO, 61DPO, 61ESO, 61LSIO-FO, 61PAO
- 62, 62DDO, 62DPO, 62ESO, 62PAO
- 63, 63DPO, 63ESO, 63HO, 63LSIO-FO, 63BAO
- 64, 64DDO, 64ESO, 64HO, 64LSIO-FO, 64PAO, 64SRO, 64BAO
- 65, 65ESO, 65HO, 65LSIO-FO, 65PAO, 65SRO, 65BMO, 65BAO
- 66, 66ESO, 66HO, 66LSIO-FO, 66SRO, 66BAO
- 67, 67PAO, 67BMO, 67BAO
- 68, 68ESO, 68HO, 68LSIO-FO, 68BMO, 68SCO, 68BAO
- 69, 69ESO, 69LSIO-FO, 69PAO, 69RXO, 69BMO, 69SCO
- 70, 70DDO, 70DPO, 70ESO, 70HO, 70LSIO-FO, 70SRO, 70BMO, 70BAO
- 71, 71DPO, 71ESO, 71BMO
- 72, 72DDO, 72DPO, 72ESO, 72LSIO-FO, 72BMO
- 73, 73DDO, 73DPO, 73ESO, 73LSIO-FO, 73BMO

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- 74, 74DPO, 74ESO, 74HO, 74LSIO-FO, 74SCO
- 75, 75DPO, 75EAO, 75ESO, 75HO, 75PO, 75SCO
- 76, 76DDO, 76DPO, 76EAO, 76HO, 76PO, 76SCO
- 77, 77DDO, 77HO, 77LSIO-FO, 77SCO
- 78, 78DDO, 78DPO, 78LSIO-FO, 78SCO, 78BAO
- 79, 79DDO, 79DPO, 79ESO, 79LSIO-FO, 79PAO, 79SCO, 79BAO
- 80, 80ESO, 80HO, 80PO
- 81, 81DDO, 81ESO, 81HO, 81PO, 81SCO, 82BAO
- 82, 82DDO, 82ESO, 82HO, 82LSIO-FO, 82SRO, 82SCO, 83BAO
- 83, 83DDO, 83ESO, 82HO, 83LSIO-FO, 83PAO, 83SRO, 83SCO, 84BAO
- 84, 84DDO, 84ESO, 84LSIO-FO, 84PAO, 84SRO, 85BAO
- 85, 85AEO, 85DDO, 85DPO, 85ESO, 85LSIO-FO, 85PAO, 85SRO, 85BMO, 85SCO, 85
BAO
- 86, 86DDO, 86ESO, 86LSIO-FO, 86PAO, 86SRO, 86BMO, 86SCO
- 87, 87DDO, 87ESO, 87LSIO-FO, 87PAO, 87SRO, 87BMO, 87SCO, 87BAO
- 88, 88LSIO-FO, 88SRO, 88BAO
- 89, 89BMO
- 90, 90HO, 90BMO, 90BAO
- 91, 91ESO, 91HO, 91LSIO-FO, 91PAO, 91RXO, 91SRO, 91BMO, 91BAO
- 92, 92DPO, 92EAO, 92ESO, 92HO, 92LSIO-FO, 92SRO, 92BMO, 92SCO, 92BAO
- 93, 93DPO, 93ESO, 93LSIO-FO, 93BMO
- 94, 94DPO, 94ESO, 94HO, 94LSIO-FO
- 95, 95DPO, 95ESO
- 96, 96DPO, 96HO, 96LSIO-FO
- 97, 97DPO, 97LSIO-FO, 97BMO
- 98, 98DPO, 98ESO, 98SRO, 98BMO
- 99, 99DPO, 99LSIO-FO, 99BMO
- 100, 100DDO, 100LSIO-FO, 100SRO, 100BMO
- 101, 101LSIO-FO, 101SRO, 101BMO
- 102, 102LSIO-FO, 102BMO
- 103, 103BMO
- 104, 104LSIO-FO, 104SRO, 104BMO
- 105, 105BMO
- 106, 106ESO, 106LSIO-FO, 106SRO, 106BMO
- 107, 107ESO, 107HO, 107LSIO-FO, 107BMO
- 108, 108ESO, 108HO, 108LSIO-FO, 108SRO
- 109, 109ESO, 109LSIO-FO, 109SRO
- 110, 110ESO, 110LSIO-FO, 110SRO

LATROBE PLANNING SCHEME

- 111, 111ESO, 111HO, 111LSIO-FO, 111SRO, 111BMO
- 112, 112DPO, 112ESO, 112HO, 112SRO, 112BMO
- 113, 113BMO
- 114, 114LSIO-FO, 114BMO
- 115, 115LSIO-FO, 115BMO
- 116, 116LSIO-FO, 116BMO
- 117, 117HO, 117LSIO-FO, 117BMO
- 118, 118EAO, 118ESO, 118HO, 118LSIO-FO, 118BMO
- 119, 119LSIO-FO, 119BMO
- 120, 120LSIO-FO, 120BMO
- 121, 121LSIO-FO, 121SRO, 121BMO
- 122, 122BMO
- 123, 123BMO
- 124, 124BMO
- 125, 125ESO, 125BMO
- 126, 126ESO, 126BMO
- 127, 127ESO, 127BMO
- 128, 128ESO, 128BMO
- 129, 129BMO
- 130, 130BMO
- 131, 131BMO
- 132, 132BMO
- 133, 133ESO, 133BMO
- 134, 134BMO
- 135, 135BMO

LATROBE PLANNING SCHEME

31/07/2018
VC148 Proposed C121latr

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS



1.0

Background documents

28/05/2024
G122latr Proposed C121latr

Name of background document	Amendment number - clause reference
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<i>Australian Paper: Maryvale Pulp Mill Buffer Requirements (GHD Pty Ltd, July 2011)</i>	C87pt1 Clause 02, 13 and 14
<i>Car Parking Framework Review Traralgon & Morwell (Traffix Group, August 2014)</i>	C105 Clause 45.09s 1 and 2
<i>Churchill East West Link: Master Plan and Urban Design Framework (Spiire Australia Pty Ltd, October 2013)</i>	C97 Clause 02 and 11
<i>Churchill Town Centre Plan (Beca Pty Ltd, July 2007)</i>	C62 Clause 02, 11, 19 and Schedule 9 to Clause 43.02
<i>Clifton Street Precinct Urban Design Guidelines (Tract Consultants, September 2008)</i>	C76 Clause 02, 11 and 15
<i>Cultural Diversity Action Plan 2020-2024 (Latrobe City Council, October, 2019)</i>	C97 Clause 02
<i>Economic Development Strategy 2016-2020 (Latrobe City Council, May 2016)</i>	C97 Clause 02 and 17
<i>Framework for the Future (Latrobe Region, October 1987)</i>	C97 Clause 02
<i>Gippsland Logistics Precinct Project (Latrobe City Council, April 2009)</i>	C97 Clause 02 and 18.05-1L
<i>Hazelwood Mine Fire Inquiry Report (Hazelwood Mine Fire Inquiry, 2014)</i>	C105 Clause 02 and 14.03-1L
<i>Healthy Urban Design Good Practice Guideline (Latrobe City Council, June 2008)</i>	Clause 02, 11, 15 and Schedules 4, 5 and 6 to Clause 43.04
<i>Infrastructure Design Manual (Local Government Infrastructure Design Association, 2019)</i>	Clause 02 and 19
<i>Land Over Coal and Buffer Area Study (Ministry for Planning and Environment, February 1988)</i>	Clause 02 and 14.03-1L
<i>Latrobe City Bicycle Plan 2007-2010 (Latrobe City Council, December 2007)</i>	C97 Clause 02, 18.02-1L and Schedules 5, 6, 7 and 9 to Clause 43.04

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<i>Latrobe City Council Residential and Rural Residential Land Assessment</i> (Essential Economics Pty Ltd, March 2009)	C97 Clause 02, 11 and 16
<i>Latrobe City Council Urban Design Guidelines</i> , (Hansen Pty Ltd in association with Latrobe City Council, May 2019)	C105 Clause 02, 11 and 15
<i>Latrobe City Council Waste Management Strategy (2010-2017)</i> (Meinhardt Infrastructure and Environment Pty Ltd, 2010)	C97 Clause 02, 13 and 19
<i>Latrobe City Council Retail Strategy Review Background Research and Analysis</i> (2019)	
<i>Latrobe City Council Retail Strategy - Strategy and Implementation Plan</i> (2019)	
<i>Latrobe City Evens and Tourism Strategy 2018-2022</i> (Latrobe City Council, 2018)	Clause 02 and 17
<i>Latrobe City Heritage Study</i> (Context Pty Ltd 2010)	C14 Clause 02, 15, Schedule 2 to Clause 32.07 and Schedule to Clause 43.01
<i>Latrobe City Municipal Fire Management Plan 2018</i> (Latrobe City Council, 2018)	C97 Clause 02 and 13.02-1L
<i>Latrobe City Older Persons Strategy 2007-2021</i> (Latrobe City Council, 2007)	C62 Clause 02, 16 and 19
<i>Latrobe City Play Space Improvement Plan 2016-2021</i> , (Latrobe City, 2016)	C91 Clause 02 and 19.02-6L
<i>Latrobe Regional Airport Master Plan 2015 (Updated 2019)</i> (Rehbein Airport Consulting, 2019)	C92 Clause 02, 11, 17 and 18
<i>Latrobe Structure Plans Background Report</i> (Beca Pty Ltd, August 2007)	C97 Clause 02, 11 to 19 and Schedules to Clause 43.04
<i>Latrobe Structure Plans - Churchill</i> (Beca Pty Ltd, August 2007)	C97 Clause 02, 11 to 19 and Schedules to Clause 43.04
<i>Latrobe Structure Plans - Moe and Newborough</i> (Beca Pty Ltd, August 2007)	C97

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	Clause 02, 11 to 19 and Schedules to Clause 43.04
<i>Latrobe Transit Centred Precincts</i> (David Lock Associates, SGS Economics and Planning PBAI Australia, December 2004)	C50
	Clause 02 and 11
<i>Live Work Latrobe Housing Strategy</i> (Latrobe City Council, MacroPlan Dimasi, RMCG and Planisphere, May 2019)	C105
	Clause 02, 11, 15 and 16
<i>Live Work Latrobe Industrial and Employment Strategy</i> (Latrobe City Council, MacroPlan Dimasi, RMCG and Planisphere, May 2019)	C105
	Clause 02, 11 and 17
<i>Live Work Latrobe Rural Land Use Strategy</i> (Latrobe City Council, MacroPlan Dimasi, RMCG and Planisphere, May 2019)	C105
	Clause 02, 14 and 16
<i>Moe Activity Centre Plan</i> (Tract Consultants, December 2007)	C62
	Clause 02, 11 and 17
<i>Moe and Newborough Structure Plan</i> (Metropolitan Planning Authority, March 2015)	C62
	Clause 02, 11 and 17
<i>Moe Rail Precinct Revitalisation Project Master Plan</i> (SJB Urban, SJB Architects, McCormick Rankin Cagney, Slattery Australia, November 2009)	C79
	Clause 02, 11 and 36.01
<i>Morwell Logistics Precinct Master Plan</i> (Beca Pty Ltd, Meyrick and Associates, and Traffix Group, 2005)	Clause 02, 17 and 18
<i>Morwell to Traralgon Employment Corridor Precinct Masterplan</i> (Urban Enterprise, 2020)	C115
	Clause 02, 11 and 17
<i>Municipal Domestic Waste Water Management Plan</i> (Infocus Management Group, WDMS Pty Ltd, Municipal Domestic Wastewater Management & Latrobe City Council, December 2006)	C97
	Clause 02, 19 and 42.01s5
<i>Municipal Emergency Management Plan 2019</i> (Latrobe City Council, 30 July 2019)	C97
	Clause 02 and 13
<i>Natural Environment Sustainability Strategy 2014-2019</i> (Latrobe City Council, 2014)	C97
	Clause 02, 12, 15 and 19
<i>Planning for Intensive Agriculture in Gippsland - Regional Development Australia Gippsland</i> (RMCG, 24 August 2016)	C105

LATROBE PLANNING SCHEME

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	Clause 02, 14 and 16
<i>Positioning Latrobe City for a Low Carbon Emission Future</i> (MWH, 2010)	C97 Clause 02, 15, 17, 18 and 19
<i>Project Implementation Plan - Gippsland Logistics Precinct Project</i> (Latrobe City Council, April 2009)	C97 Clause 02, 15, 17, 18 and 19
<i>Project Findings Report: Latrobe City Council DDO1 Major Pipeline Infrastructure Review</i> (GPA Engineering/Auld Planning & Projects, May 2020)	C121 Clause 02, 19.01-3L and Schedule 1 to Clause 44.08
<i>Public Art Policy 2018</i> (Latrobe City Council - City Development Division, November 2018)	C91 Clause 02
<i>Public Open Space Strategy Volume 1: Strategy and Recommendations</i> (Latrobe City Council, Insight Leisure Planning, Davis Planning Solutions, FFLA, March 2013)	C91 Clause 02, 19.02-6L and Schedules 5, 6, 7 and 9 to Clause 43.04
<i>Public Toilet Plan 2010-2014</i> (Latrobe City Council, July 2010)	C91 Clause 02
<i>Retail Advice - Lake Narracan Structure Plan</i> (SGS Economics and Planning, July 2013)	C97 Clause 02, 11 and 17
<i>Review of Proposed Public Open Space Contributions Rates</i> (Urban Enterprise, October 2016)	C97 Clause 02 and 19
<i>Small Town Structure Plans: Boolarra, Glengarry and Tyers</i> (NBA Group Pty Ltd, April 2009)	C024pt2 Clause 02, 11 to 19
<i>Strategic Outlook for Moe - Newborough and Lake Narracan</i> (Growth Areas Authority, 2013)	Clause 02 and 11 to 19
<i>Tracks, Trails and Paths Strategy</i> (Planisphere, April 2016)	C91 Clause 02, 18 and 19
<i>Traralgon Activity Centre Plan</i> (Victorian Planning Authority and Latrobe City Council, September 2018)	C106pt1 Clause 02, 11 and Schedule 1 to Clause 37.08
<i>Traralgon Activity Centre Plan Background Reports</i> (Hansen Partnership Pty Ltd, July 2010)	C106pt1 Clause 02, 11 and Schedule 1 to Clause 37.08
<i>Traralgon Background Report: Traralgon Growth Areas Review</i> (Hansen Partnership and Parsons Brinkerhoff, August 2013)	C87pt2 Clause 02 and 11 to 19
<i>Traralgon Growth Area Framework Plan</i> (Hansen Partnership, August 2013)	C97 Clause 02 and 11 to 19

LATROBE PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Traralgon Station Precinct Master Plan</i> (Hansen Partnership and CPG Australia, April 2011)	C97 Clause 02, 11 and Schedule 2 to Clause 32.07
<i>Traralgon West Structure Plan</i> (Hansen Partnership, August 2013)	C97 Clause 02 and 11 to 19
<i>Wood Encouragement Policy</i> (Latrobe City Council, 2014)	C97 Clause 02 and 14

LATROBE PLANNING SCHEME

Proposed C121latr

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

Proposed C121latr

Background documents

Name of background document	Amendment number - clause reference
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<i>Australian Paper: Maryvale Pulp Mill Buffer Requirements (GHD Pty Ltd, July 2011)</i>	C87pt1 Clause 02, 13 and 14
<i>Car Parking Framework Review Traralgon & Morwell (Traffix Group, August 2014)</i>	C105 Clause 45.09s 1 and 2
<i>Churchill East West Link: Master Plan and Urban Design Framework (Spiire Australia Pty Ltd, October 2013)</i>	C97 Clause 02 and 11
<i>Churchill Town Centre Plan (Beca Pty Ltd, July 2007)</i>	C62 Clause 02, 11, 19 and Schedule 9 to Clause 43.02
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<i>Cultural Diversity Action Plan 2020-2024 (Latrobe City Council, October, 2019)</i>	C97 Clause 02
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<i>Framework for the Future (Latrobe Region, October 1987)</i>	C97 Clause 02
<i>Gippsland Logistics Precinct Project (Latrobe City Council, April 2009)</i>	C97 Clause 02 and 18.05-1L
<i>Hazewood Mine Fire Inquiry Report (Hazelwood Mine Fire Inquiry, 2014)</i>	C105 Clause 02 and 14.03-1L
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<i>Infrastructure Design Manual (Local Government Infrastructure Design Association, 2019)</i>	Clause 02 and 19
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<i>Latrobe City Council Retail Strategy - Strategy and Implementation Plan</i> (2019)	
<i>Latrobe City Evens and Tourism Strategy 2018-2022</i> (Latrobe City Council, 2018)	Clause 02 and 17
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<i>Latrobe Structure Plans - Churchill</i> (Beca Pty Ltd, August 2007)	C97 Clause 02, 11 to 19 and Schedules to Clause 43.04
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	Clause 02, 11 to 19 and Schedules to Clause 43.04
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	Clause 02 and 11
<i>Live Work Latrobe Housing Strategy</i> (Latrobe City Council, MacroPlan Dimasi, RMCG and Planisphere, May 2019)	C105
	Clause 02, 11, 15 and 16
<i>Live Work Latrobe Industrial and Employment Strategy</i> (Latrobe City Council, MacroPlan Dimasi, RMCG and Planisphere, May 2019)	C105
	Clause 02, 11 and 17
<i>Live Work Latrobe Rural Land Use Strategy</i> (Latrobe City Council, MacroPlan Dimasi, RMCG and Planisphere, May 2019)	C105
	Clause 02, 14 and 16
<i>Moe Activity Centre Plan</i> (Tract Consultants, December 2007)	C62
	Clause 02, 11 and 17
<i>Moe and Newborough Structure Plan</i> (Metropolitan Planning Authority, March 2015)	C62
	Clause 02, 11 and 17
<i>Moe Rail Precinct Revitalisation Project Master Plan</i> (SJB Urban, SJB Architects, McCormick Rankin Cagney, Slattery Australia, November 2009)	C79
	Clause 02, 11 and 36.01
<i>Morwell Logistics Precinct Master Plan</i> (Beca Pty Ltd, Meyrick and Associates, and Traffix Group, 2005)	Clause 02, 17 and 18
<i>Morwell to Traralgon Employment Corridor Precinct Masterplan</i> (Urban Enterprise, 2020)	C115
	Clause 02, 11 and 17
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	Clause 02, 19 and 42.01s5
<i>Municipal Emergency Management Plan 2019</i> (Latrobe City Council, 30 July 2019)	C97
	Clause 02 and 13
<i>Natural Environment Sustainability Strategy 2014-2019</i> (Latrobe City Council, 2014)	C97
	Clause 02, 12, 15 and 19
<i>Planning for Intensive Agriculture in Gippsland - Regional Development Australia Gippsland</i> (RMCG, 24 August 2016)	C105

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<i>Project Implementation Plan - Gippsland Logistics Precinct Project</i> (Latrobe City Council, April 2009)	C97 Clause 02, 15, 17, 18 and 19
<i>Project Findings Report: Latrobe City Council DDO1 Major Pipeline Infrastructure Review</i> (GPA Engineering/Auld Planning & Projects, May 2020)	C121 Clause 02, 19.01-3L and Schedule 1 to Clause 44.08
<i>Public Art Policy 2018</i> (Latrobe City Council - City Development Division, November 2018)	C91 Clause 02
<i>Public Open Space Strategy Volume 1: Strategy and Recommendations</i> (Latrobe City Council, Insight Leisure Planning, Davis Planning Solutions, FFLA, March 2013)	C91 Clause 02, 19.02-6L and Schedules 5, 6, 7 and 9 to Clause 43.04
<i>Public Toilet Plan 2010-2014</i> (Latrobe City Council, July 2010)	C91 Clause 02
<i>Retail Advice - Lake Narracan Structure Plan</i> (SGS Economics and Planning, July 2013)	C97 Clause 02, 11 and 17
<i>Review of Proposed Public Open Space Contributions Rates</i> (Urban Enterprise, October 2016)	C97 Clause 02 and 19
<i>Small Town Structure Plans: Boolarra, Glengarry and Tyers</i> (NBA Group Pty Ltd, April 2009)	C024pt2 Clause 02, 11 to 19
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<i>Traralgon Background Report: Traralgon Growth Areas Review</i> (Hansen Partnership and Parsons Brinkerhoff, August 2013)	C87pt2 Clause 02 and 11 to 19
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<i>Wood Encouragement Policy</i> (Latrobe City Council, 2014)	C97 Clause 02 and 14

LATROBE PLANNING SCHEME

28/05/2024
G422latr Proposed C121latr**SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS****1.0 Application of zones, overlays and provisions**28/05/2024
G422latr Proposed C121latr

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:



- Activity Centre Zone to the Traralgon Activity Centre.
- General Residential Zone, Neighbourhood Residential Zone or the Residential Growth Zone to existing residential areas as identified in the Housing Framework Plans.
- General Residential Zone – Schedule 1 in main towns.
- General Residential Zone – Schedule 4 in small/district towns to ‘Future Local Activity Centre or Neighbourhood Activity Centres’ when they have been established.
- Urban Growth Zone to land where a precinct structure plan has been prepared or where a strategy has been prepared which identifies that the land is suitable for future urban development.
- Mixed Use Zone to:
 - areas close to town centres with potential for complementary residential, commercial and industrial activities.
 - local and neighbourhood activity centres in the larger urban centres.
- Township Zone generally to small and district towns, particularly the town centres.
- Low Density Residential Zone to larger residential lots on the fringes of the towns that are not within urban growth corridors.
- Industrial 1 Zone to main industrial estates.
- Industrial 3 Zone to light industrial and service industrial areas, and as a buffer between residential areas and the Industrial 1 Zone areas.
- Commercial 1 Zone to principal shopping and principal office areas excluding the Traralgon Activity Centre.
- Commercial 2 Zone to the peripheral sales areas.
- Farming Zone Schedule 1 to commercial agricultural areas.
- Farming Zone Schedule 2 to mixed farming areas.
- Rural Living Zone to areas committed to rural residential type use, including areas in Jeeralang, Yinnar South, Toongabbie, Glengarry, Tyers, Hazelwood North, Hazelwood South, Callignee and Moe South.
- Public Park and Recreation Zone to public open space areas.
- Schedule to Public Park and Recreation Zone to provide sign requirements for public open space areas based on Latrobe’s open space hierarchy.
- Public Conservation and Resource Zone to scenic, natural feature and conservation reserves, State, Regional and National parks, public forest areas and the like.
- Special Use Zone – Schedule 1 over Category A coalfields.
- Special Use Zone – Schedule 2 over the car sales yards along the Princes Highway in Traralgon.
- Special Use Zone – Schedule 3 to the Gippsland Heritage Park in Moe.
- Special Use Zone - Schedule 7 to the Latrobe Regional Airport.

LATROBE PLANNING SCHEME

- 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.
- Design and Development Overlays to:
 - areas requiring specific design solutions.
 - to ensure the safe operations of the Latrobe Regional Airport.
- Environmental Significance Overlay to:
 - areas where amenity buffers for coal, heavy industry or other identified uses are required to manage amenity issues and land use conflicts.
 - protect sites, areas and corridors of environmental significance.
- Heritage Overlay to heritage places and precincts.
- Land Subject to Inundation to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Floodway Overlay to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Bushfire Management Overlay to bushfire hazard level 2 areas where there is potential for extreme bushfire behaviour, consistent with state hazard criteria and mapping.
- **Buffer Area Overlay to the notification area of licensed pipelines as identified by Energy Safe Victoria.**
- Airport Environs Overlay - Schedule 1 and Schedule 2 to areas impacted by aircraft noise generated by the Latrobe Regional Airport.
- 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.
- Schedule to Public Open Space Contribution and Subdivision to fund the provision of open space through subdivision levy contributions that are proportionate to the needs of any intensified use resulting from subdivision.

LATROBE PLANNING SCHEME

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Proposed C121latr

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0

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Proposed C121latr

Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

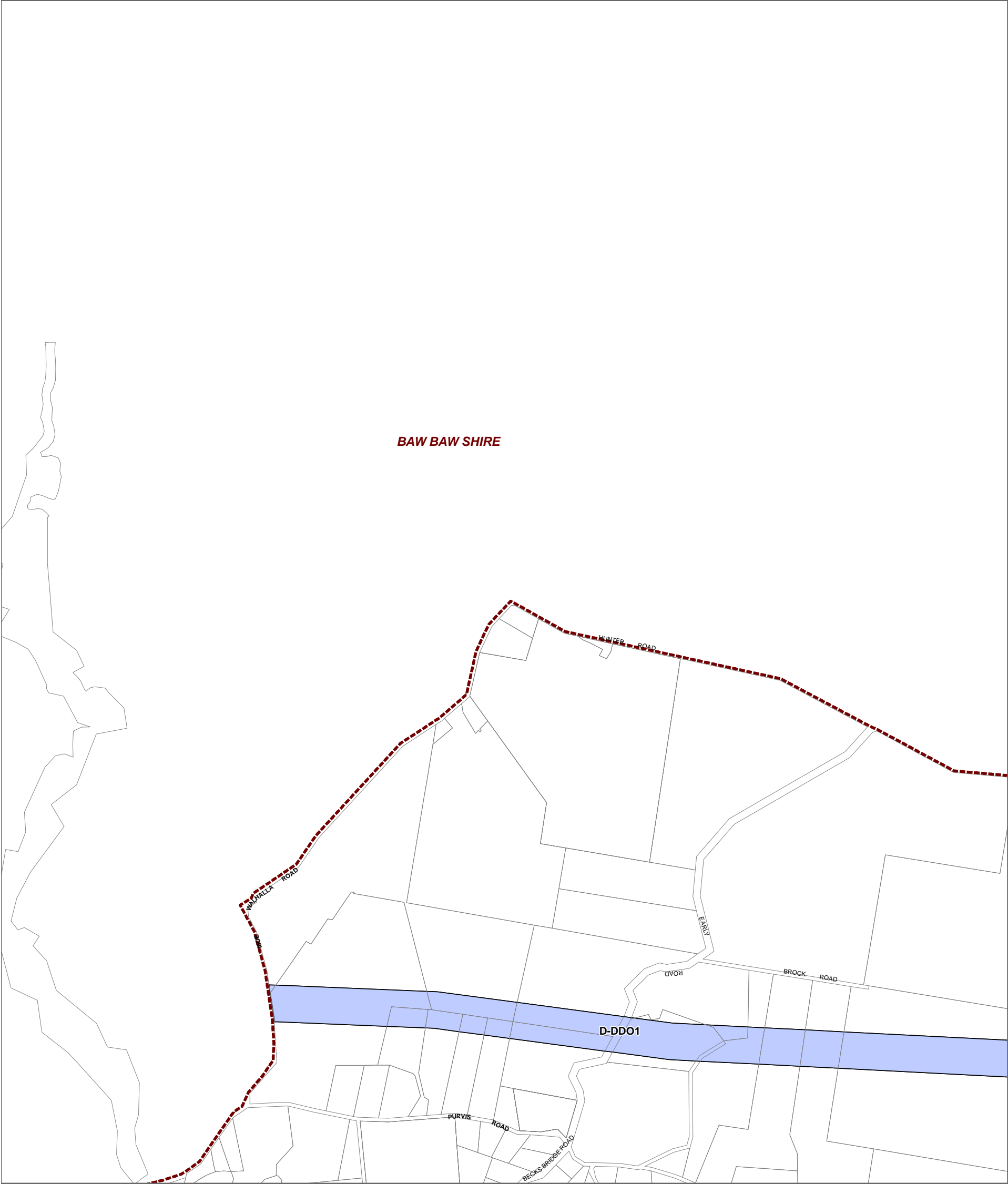
- Activity Centre Zone to the Traralgon Activity Centre.
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- General Residential Zone – Schedule 1 in main towns.
- General Residential Zone – Schedule 4 in small/district towns to ‘Future Local Activity Centre or Neighbourhood Activity Centres’ when they have been established.
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- Special Use Zone – Schedule 2 over the car sales yards along the Princes Highway in Traralgon.
- Special Use Zone – Schedule 3 to the Gippsland Heritage Park in Moe.
- Special Use Zone - Schedule 7 to the Latrobe Regional Airport.

LATROBE PLANNING SCHEME

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- Design and Development Overlays to:
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 - to ensure the safe operations of the Latrobe Regional Airport.
- Environmental Significance Overlay to:
 - areas where amenity buffers for coal, heavy industry or other identified uses are required to manage amenity issues and land use conflicts.
 - protect sites, areas and corridors of environmental significance.
- Heritage Overlay to heritage places and precincts.
- Land Subject to Inundation to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Floodway Overlay to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Bushfire Management Overlay to bushfire hazard level 2 areas where there is potential for extreme bushfire behaviour, consistent with state hazard criteria and mapping.
- Buffer Area Overlay to the notification area of licensed pipelines as identified by Energy Safe Victoria.
- Airport Environs Overlay - Schedule 1 and Schedule 2 to areas impacted by aircraft noise generated by the Latrobe Regional Airport.
- 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.
- Schedule to Public Open Space Contribution and Subdivision to fund the provision of open space through subdivision levy contributions that are proportionate to the needs of any intensified use resulting from subdivision.

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C121latr



LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

Municipal Boundary

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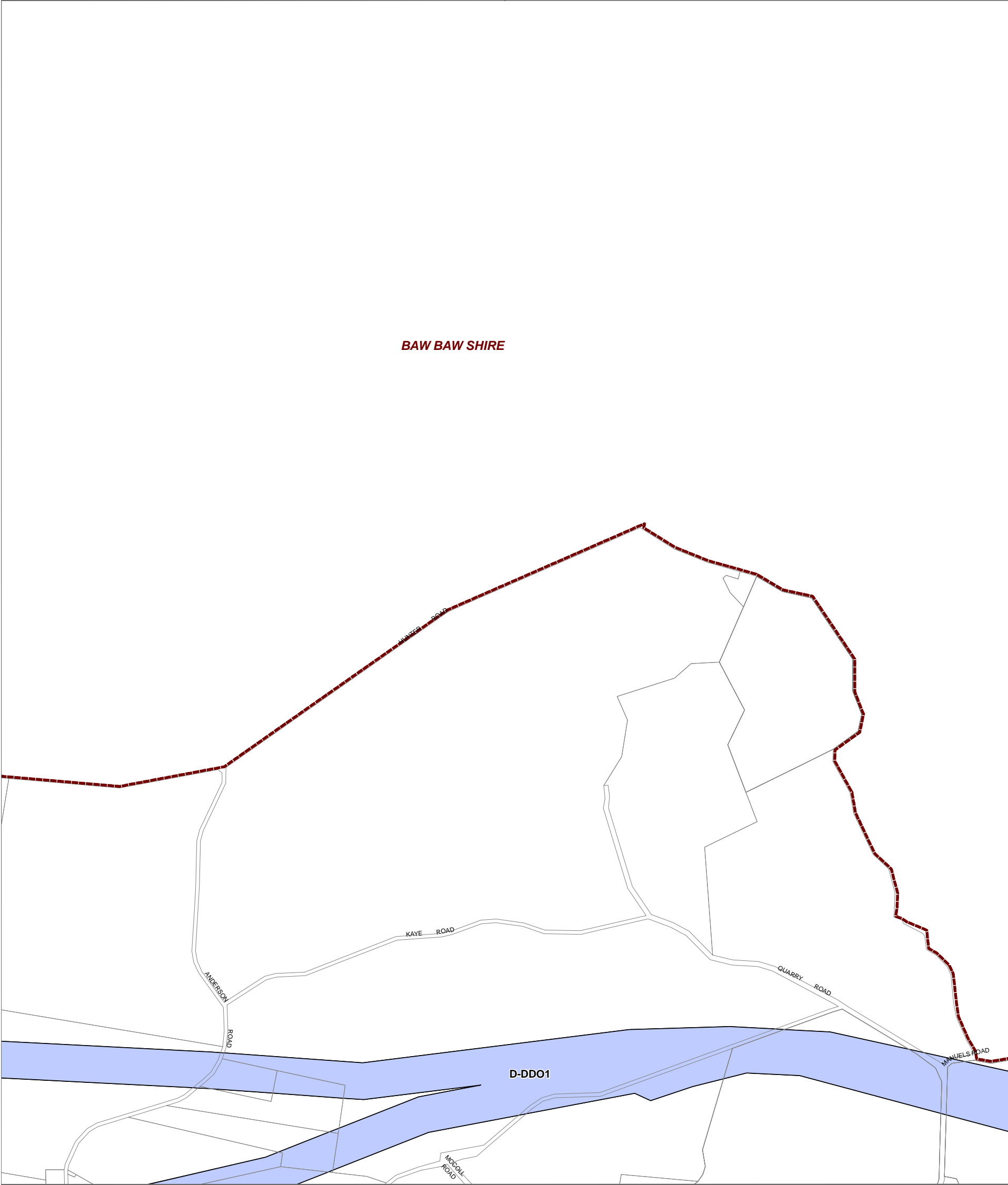
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AMENDMENT C121latr



LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

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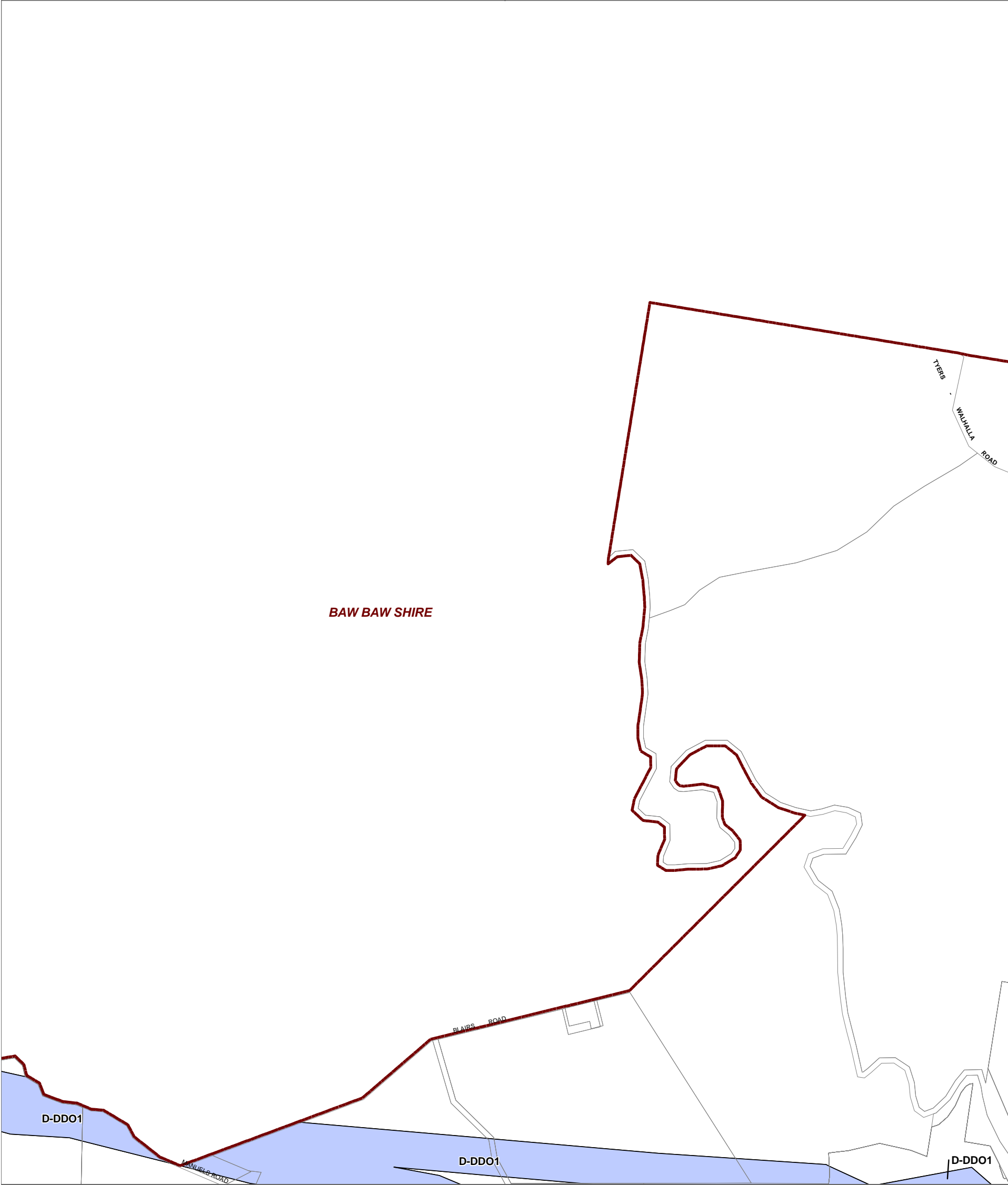
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LEGEND

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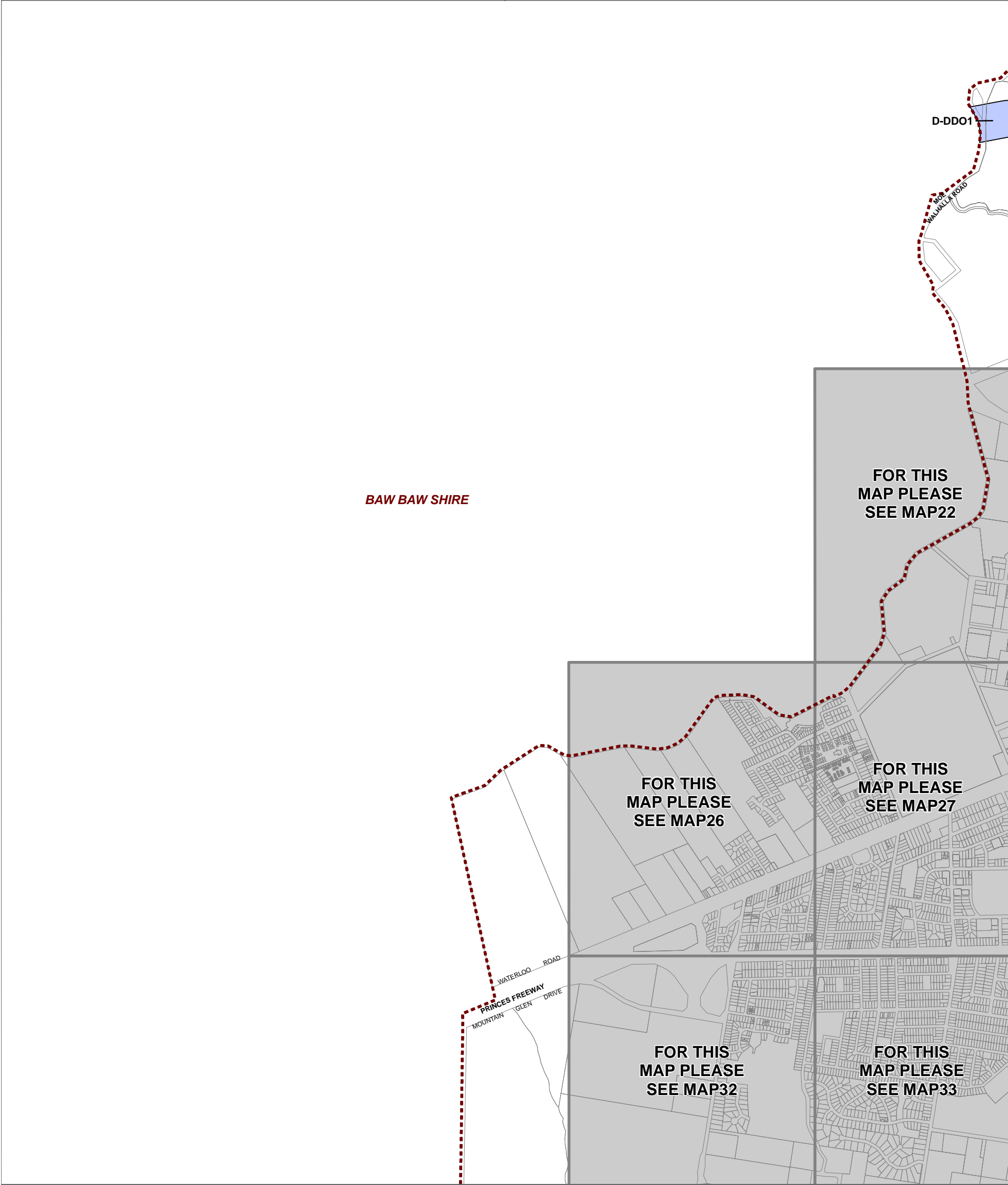
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AMENDMENT C121latr



LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

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LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C121latr



LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

Municipal Boundary

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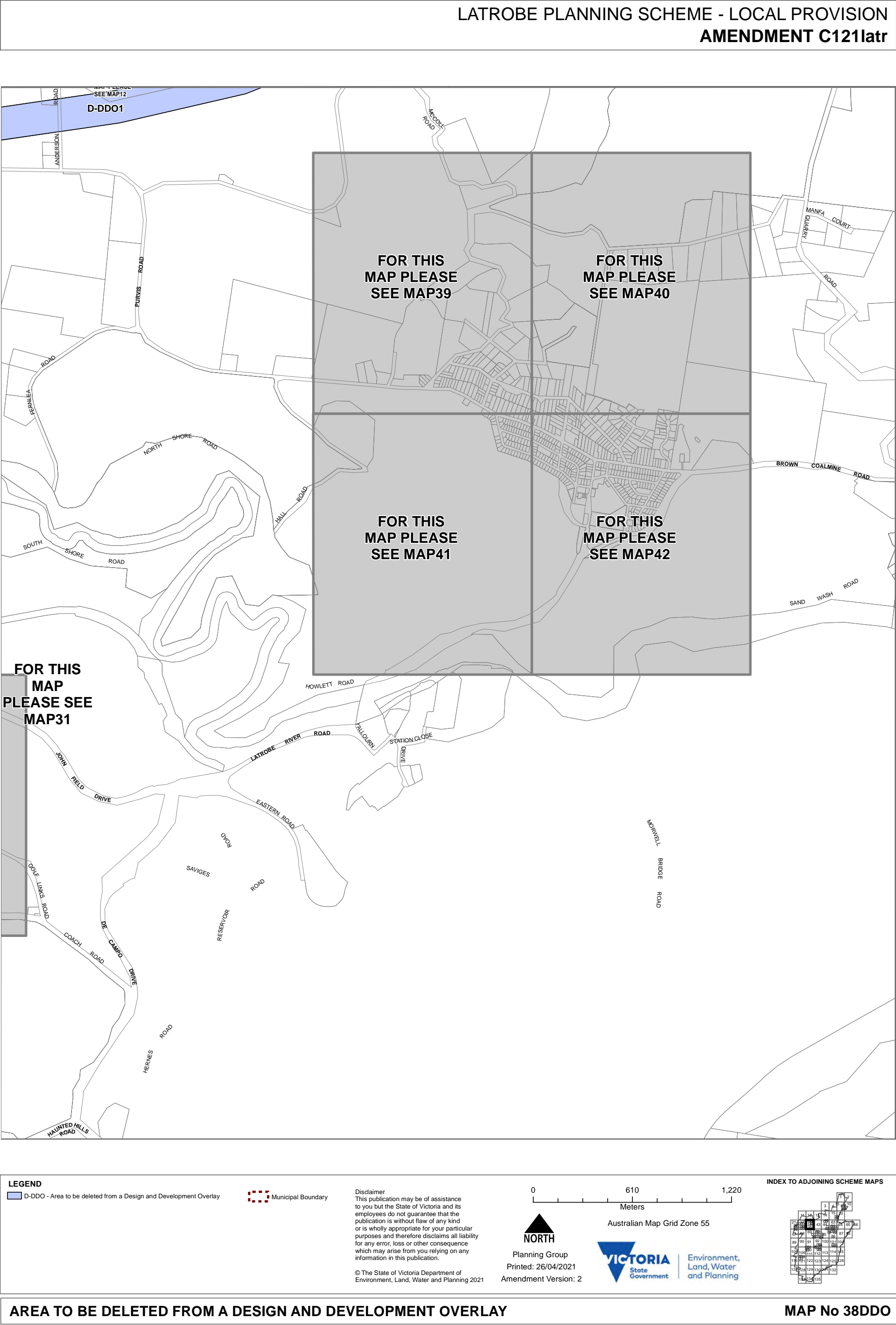
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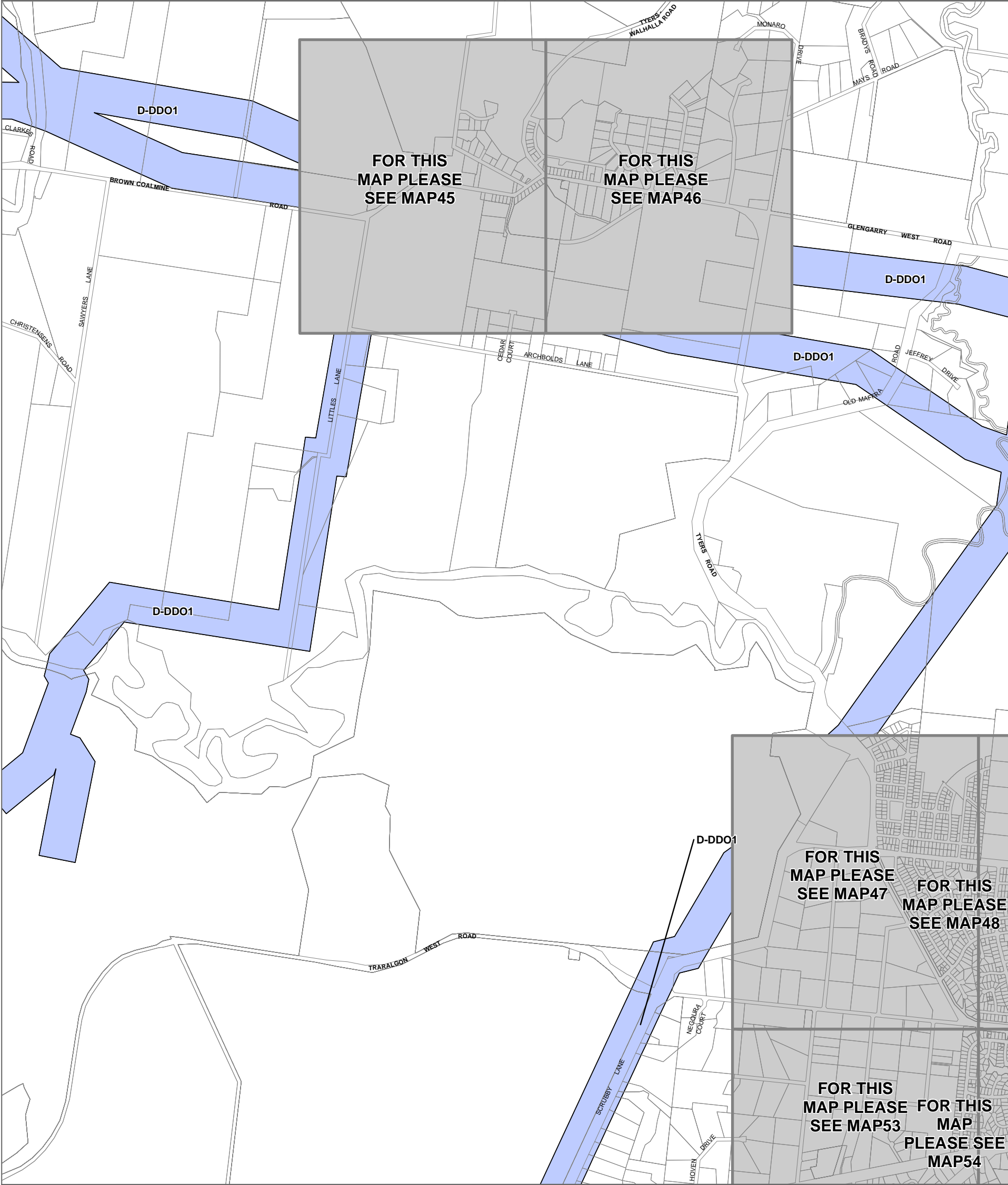






LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C121latr



LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

Municipal Boundary

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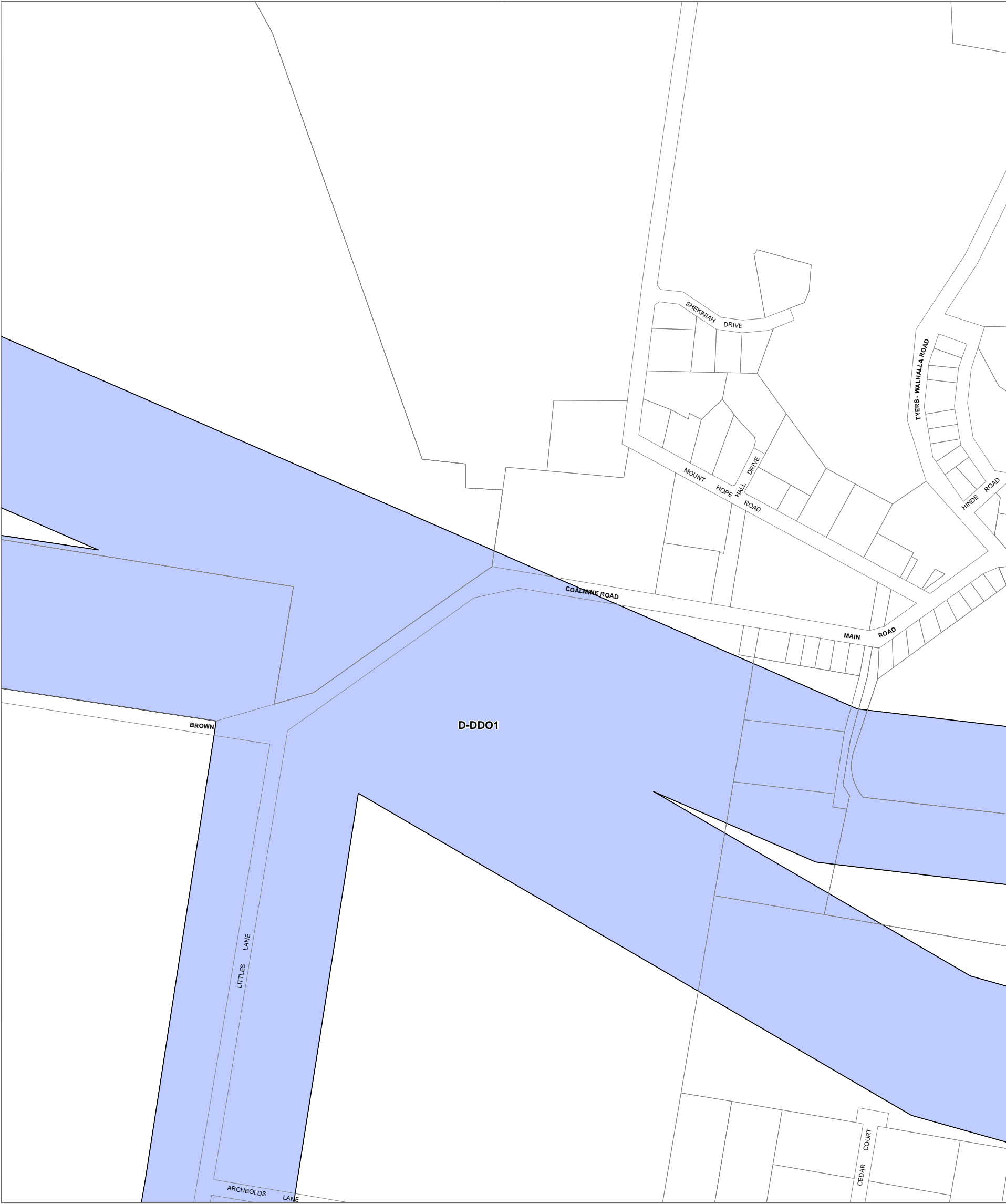
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LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

Municipal Boundary

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LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

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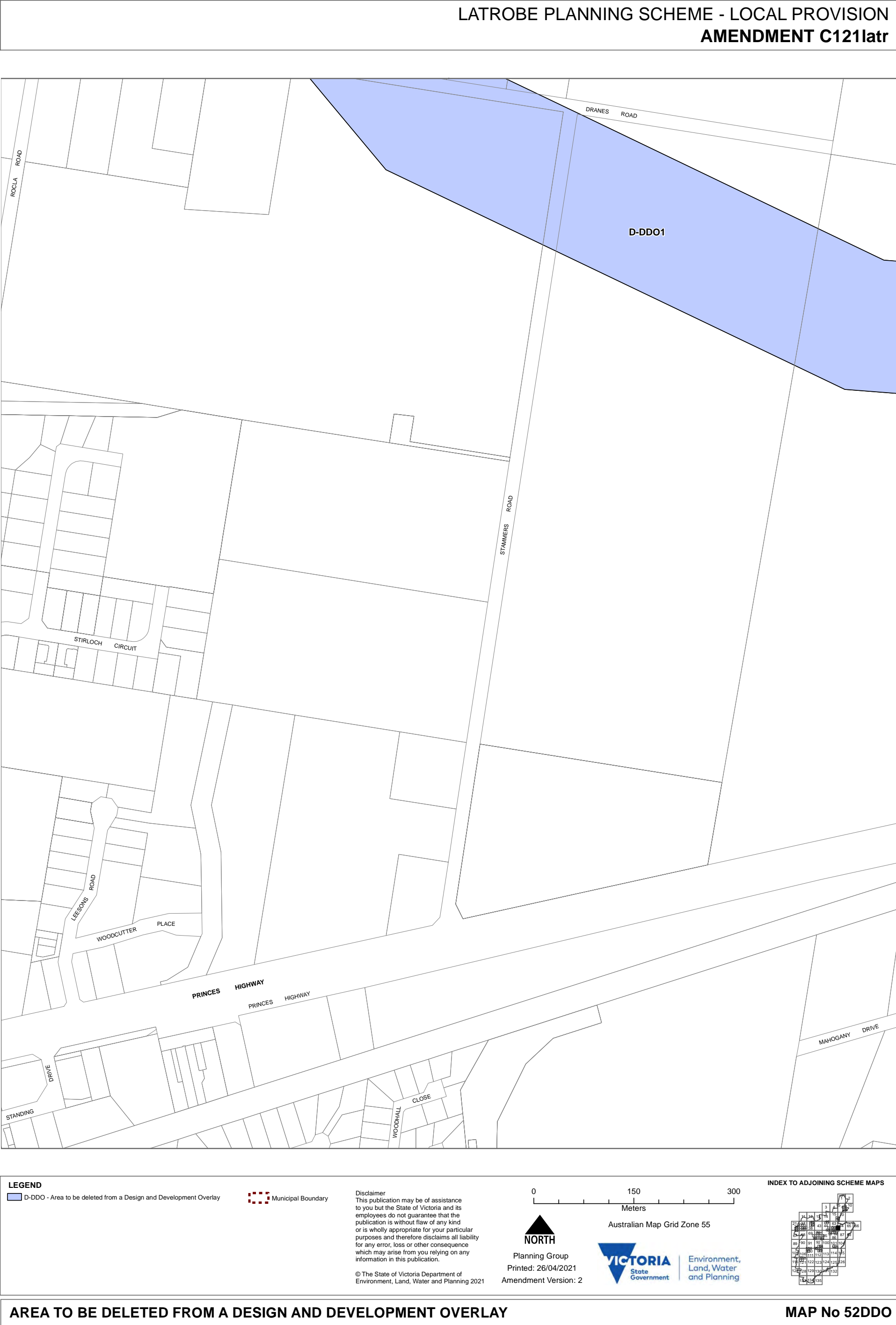
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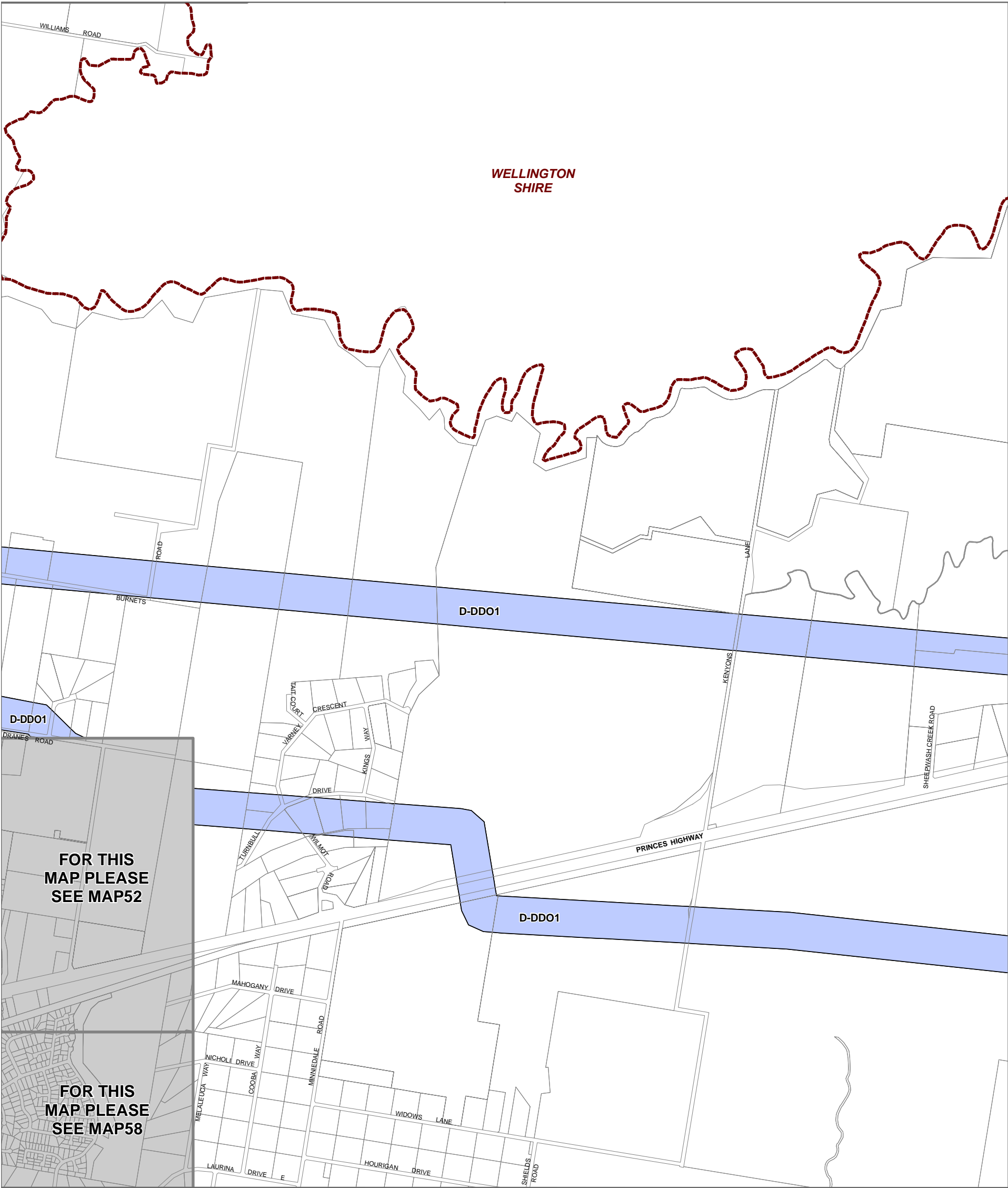
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LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C121latr



LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

Municipal Boundary

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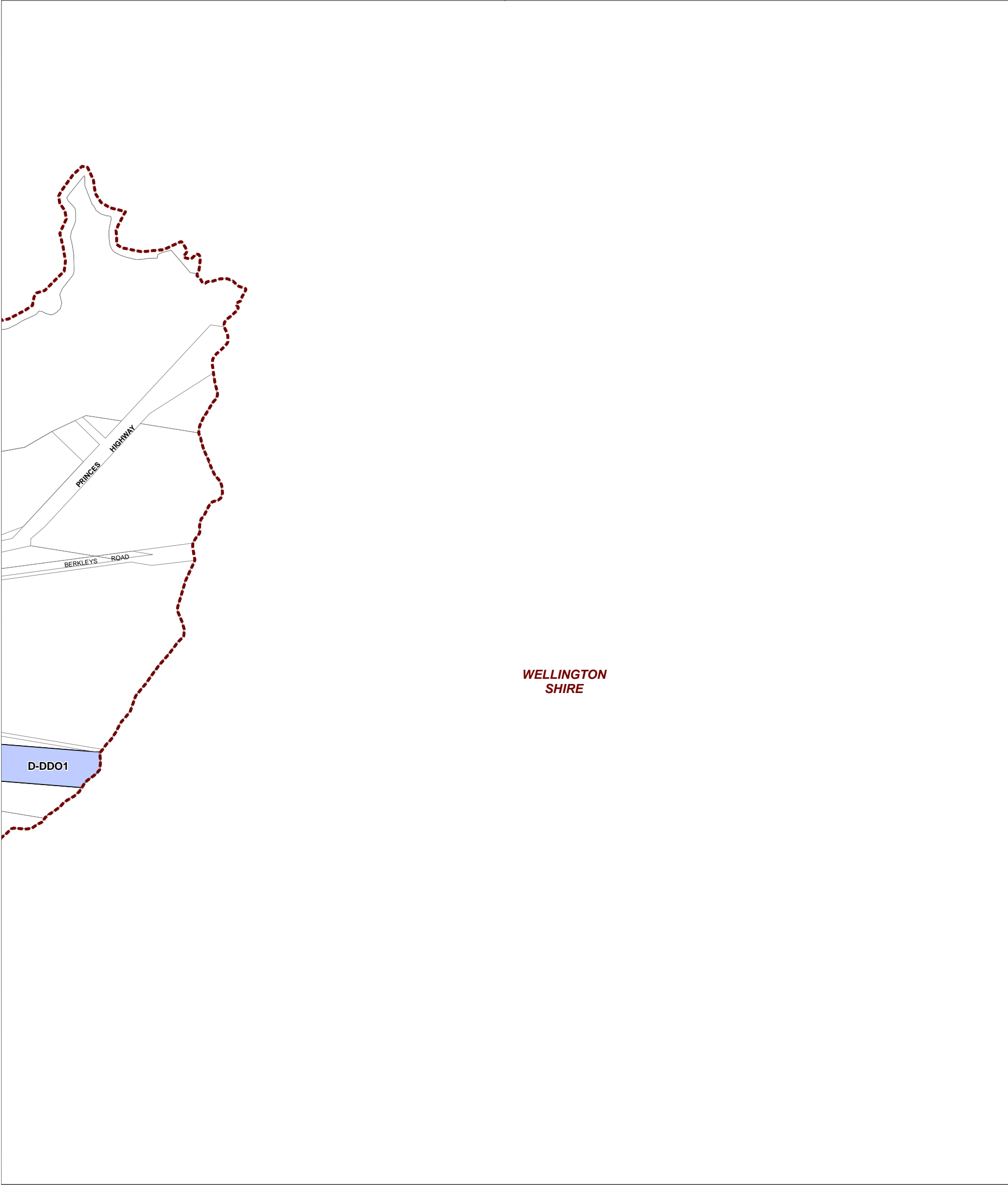
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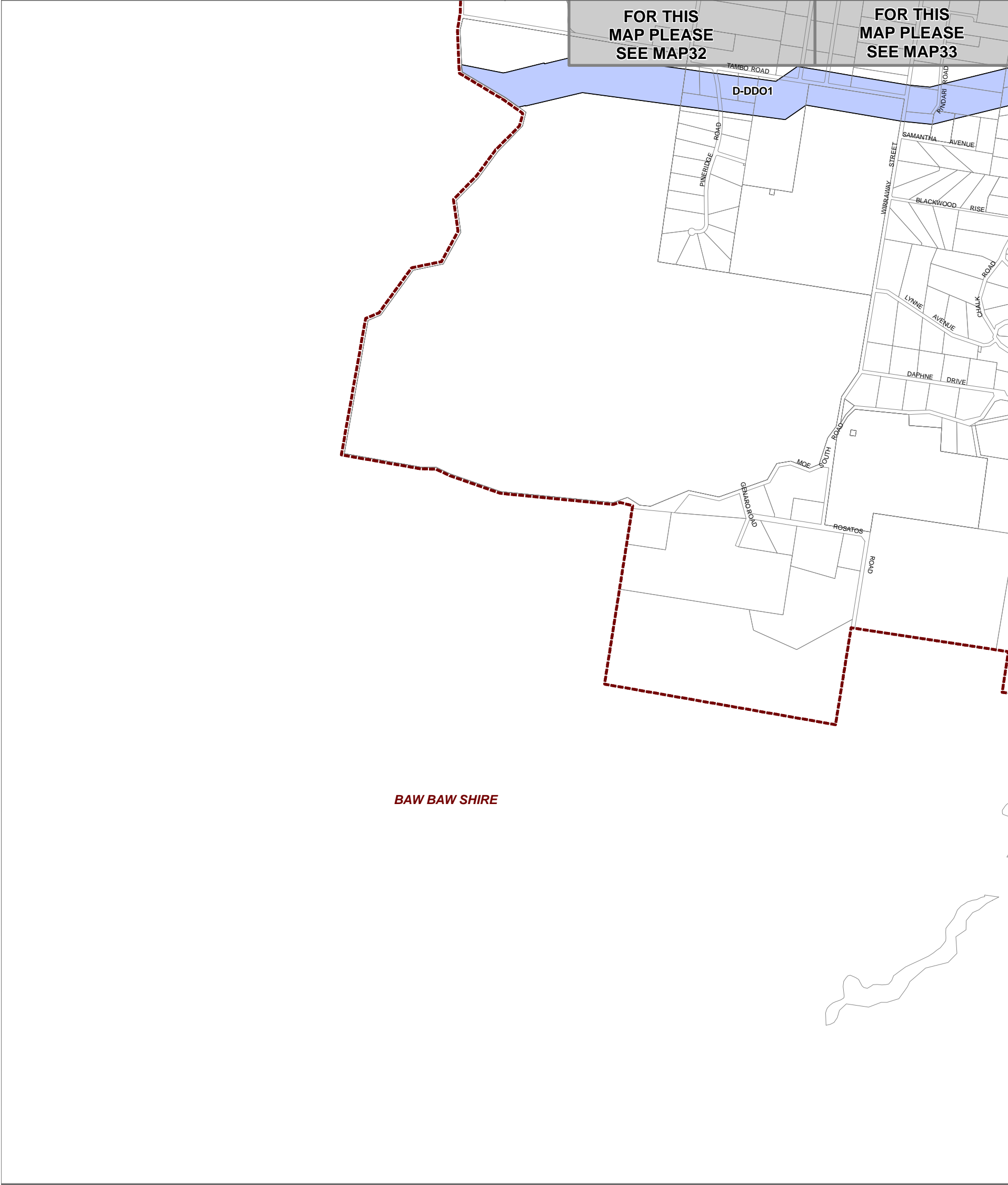
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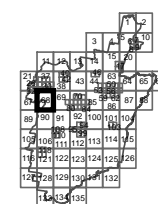


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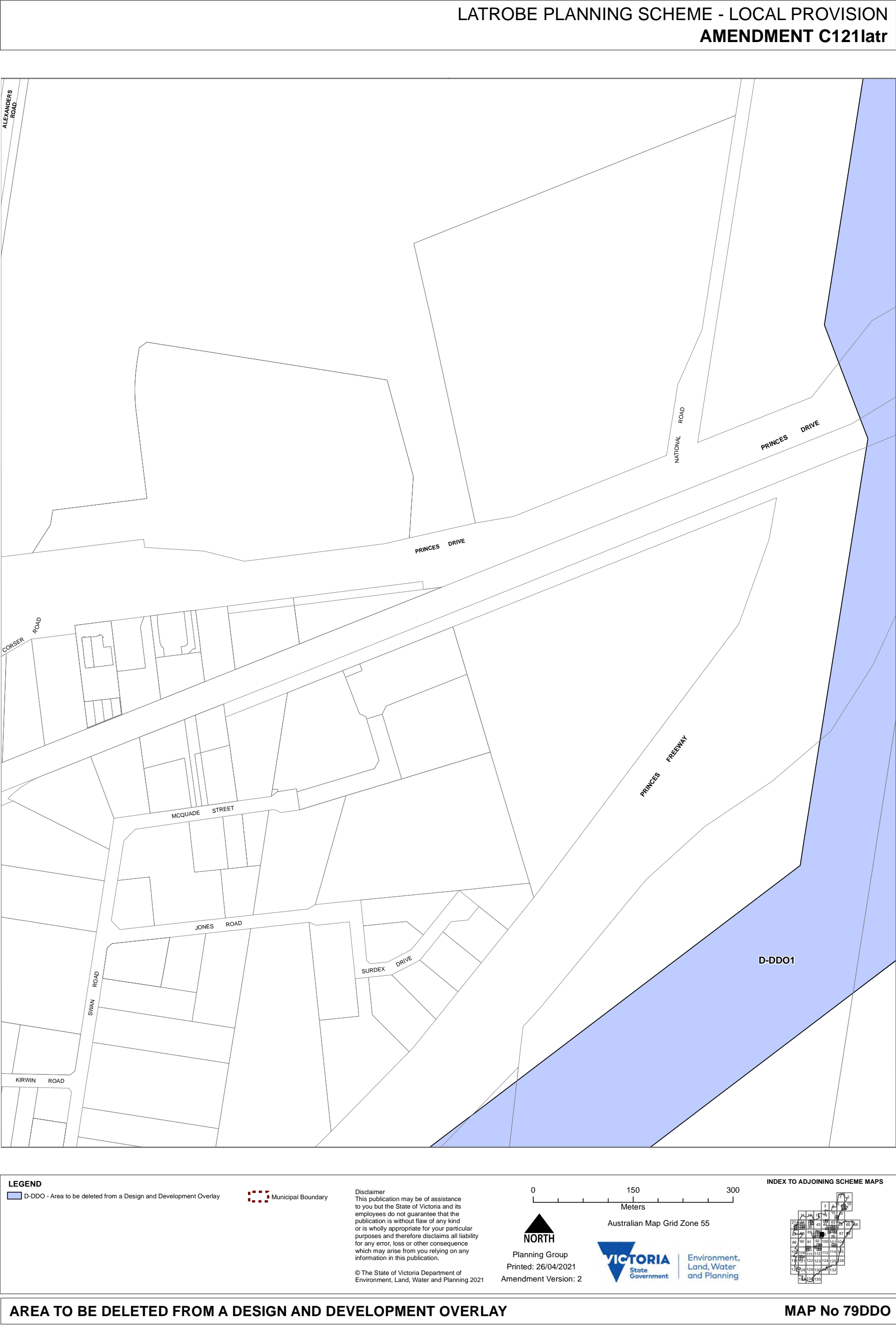
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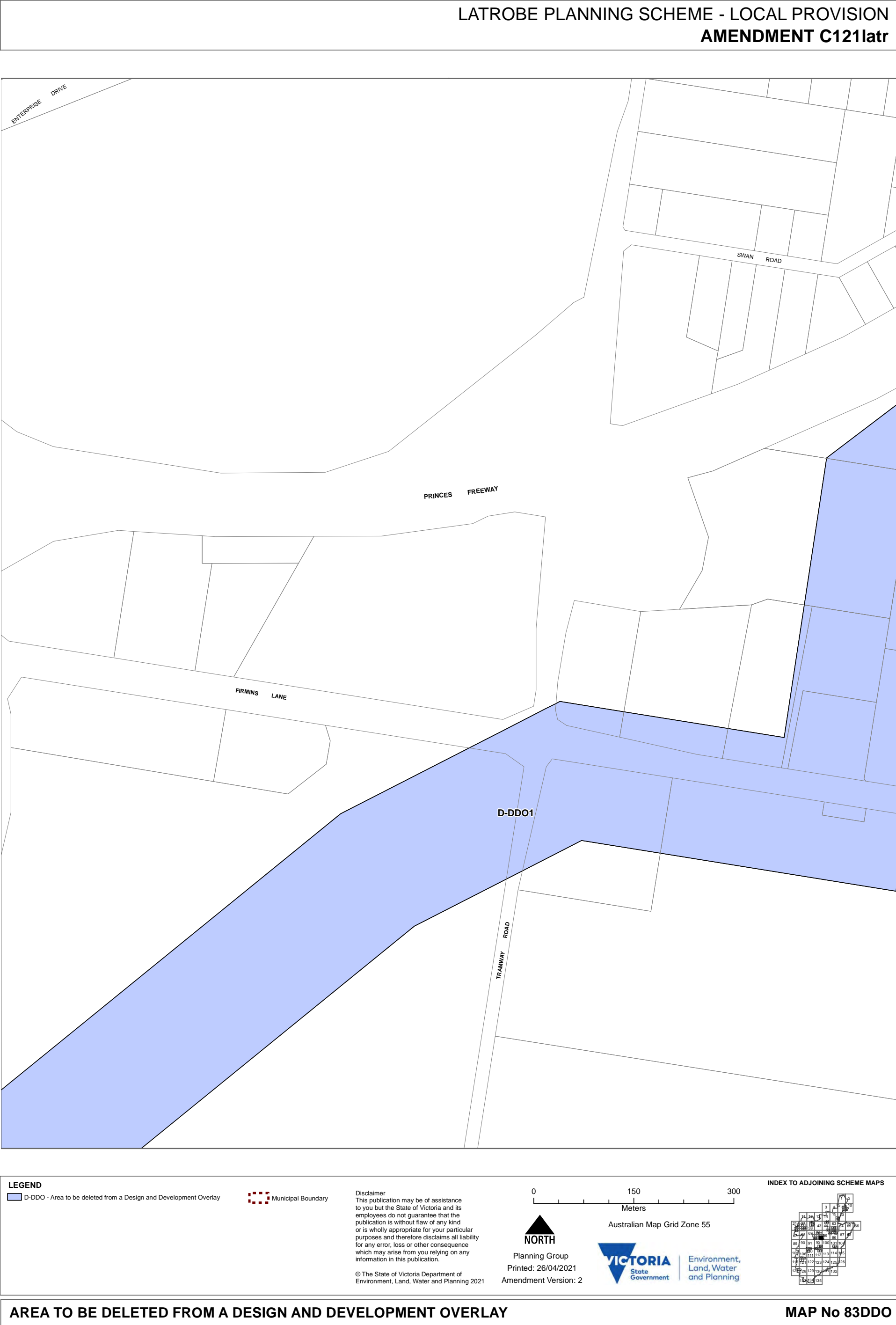
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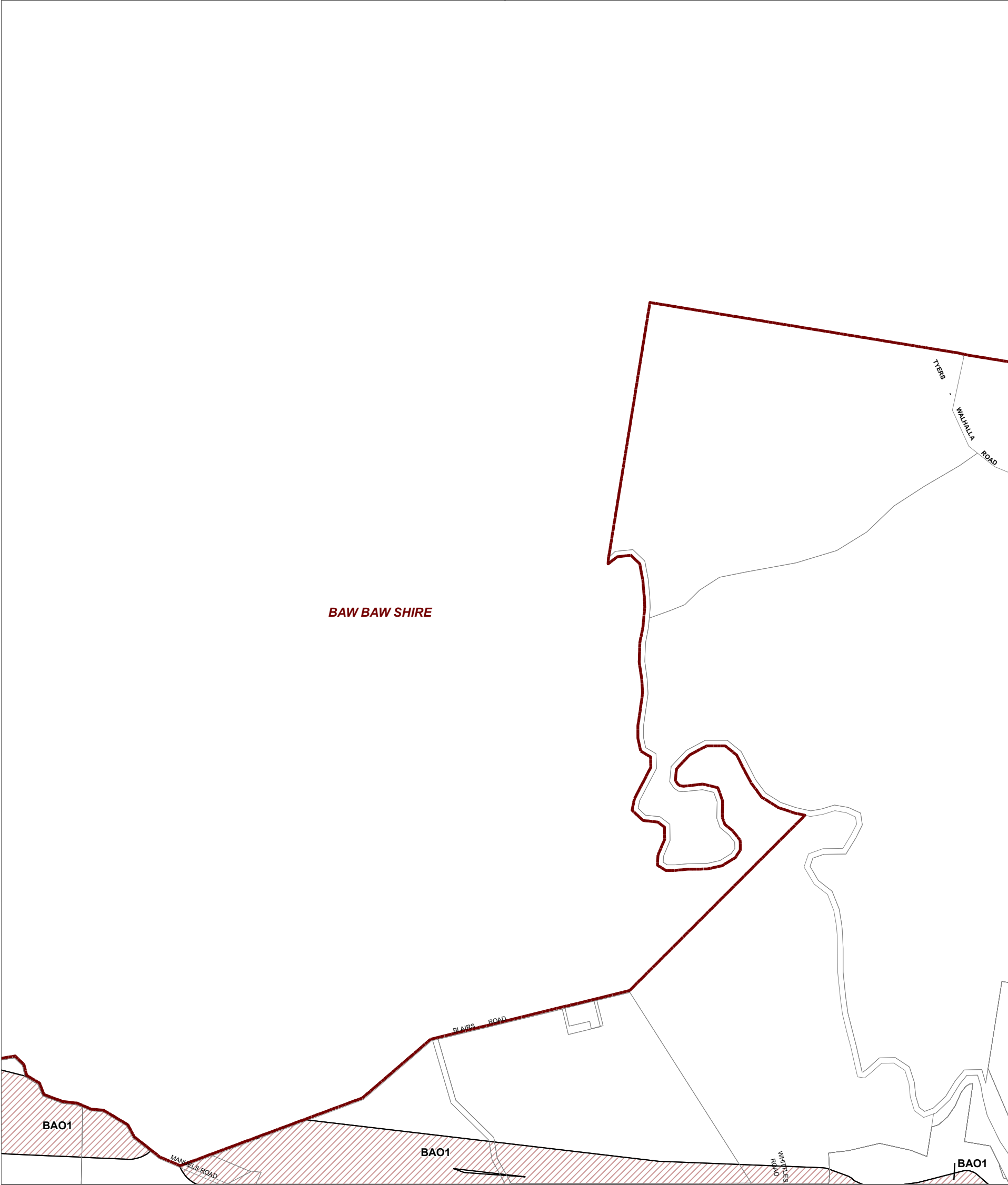
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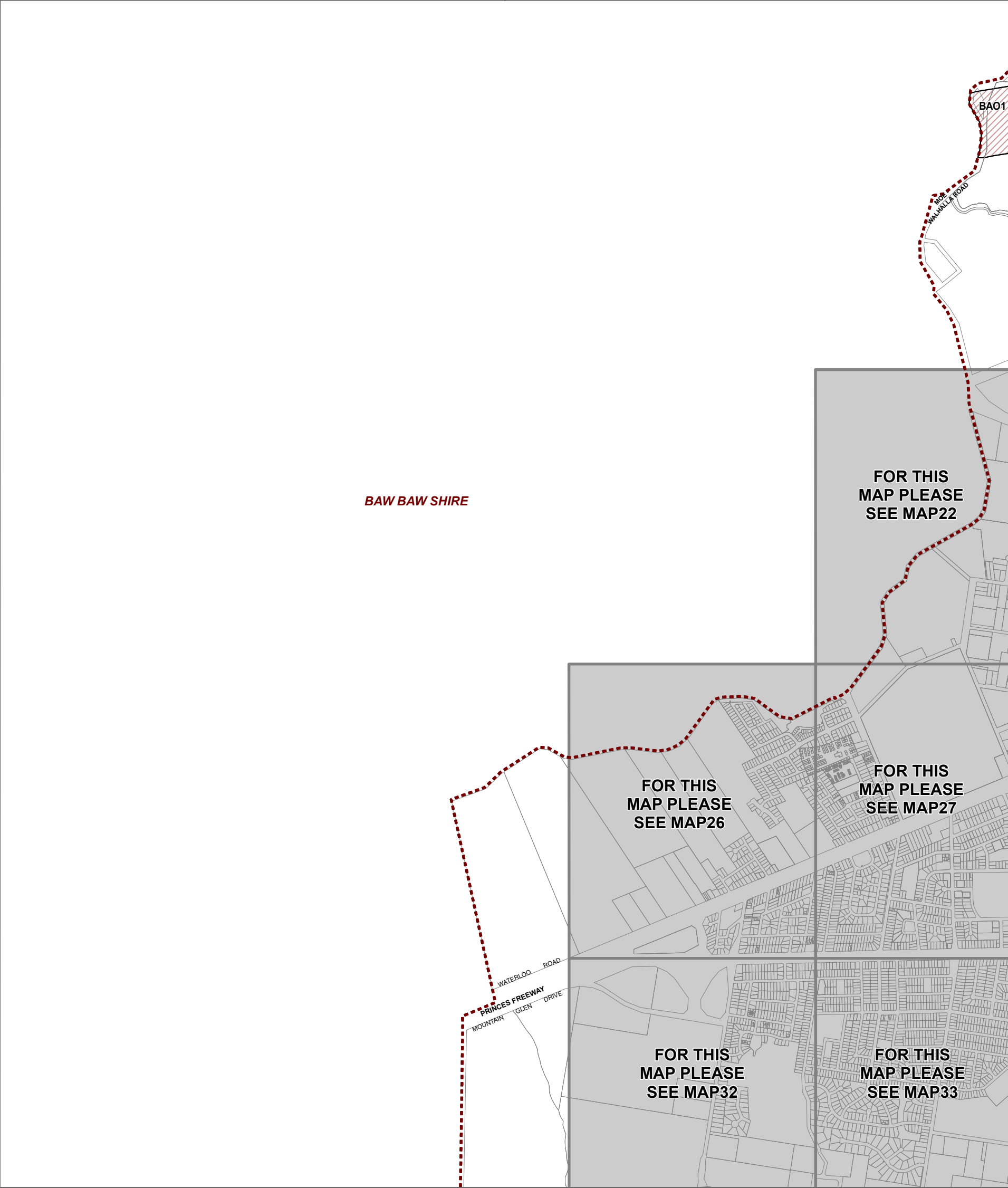
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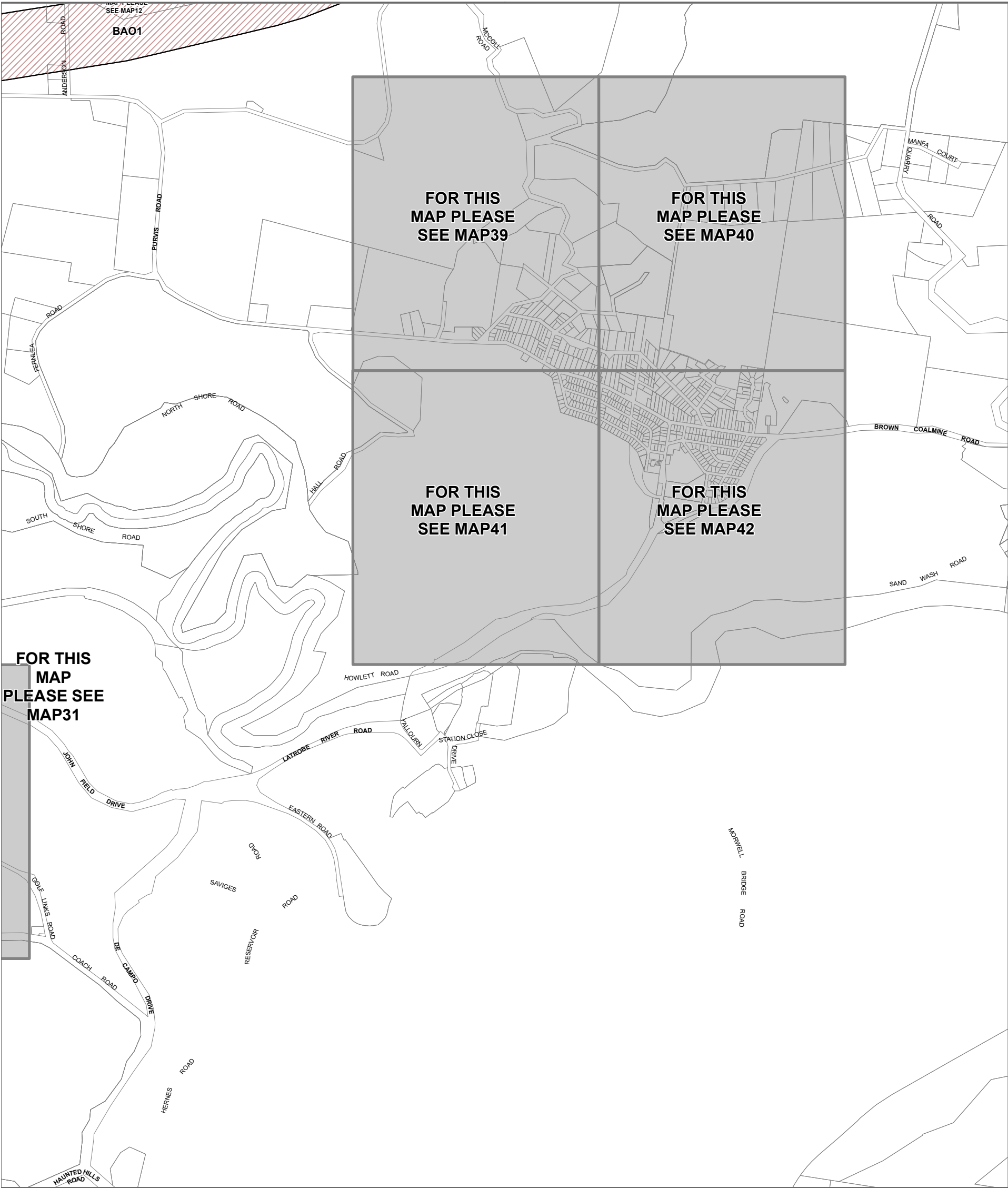
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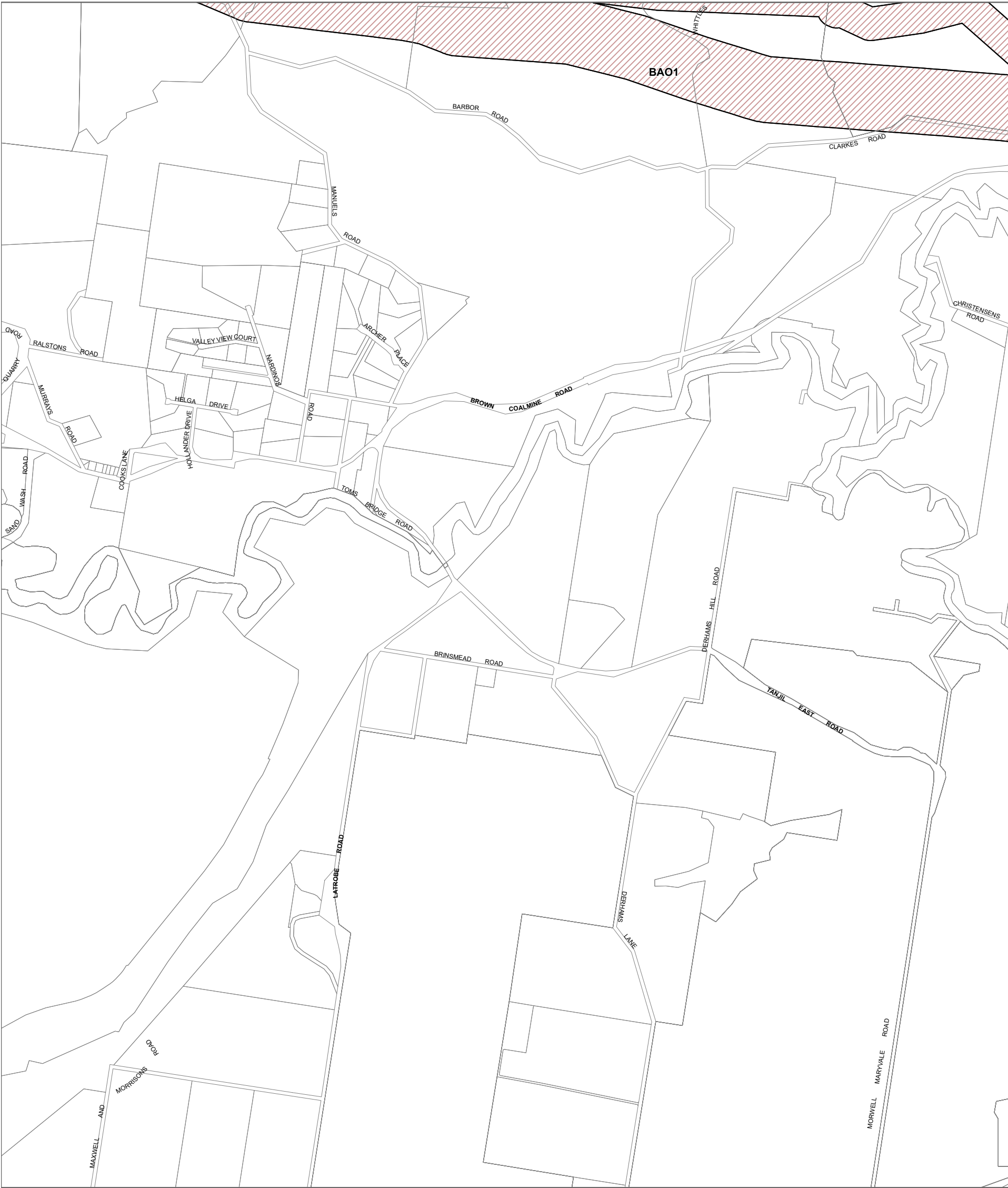
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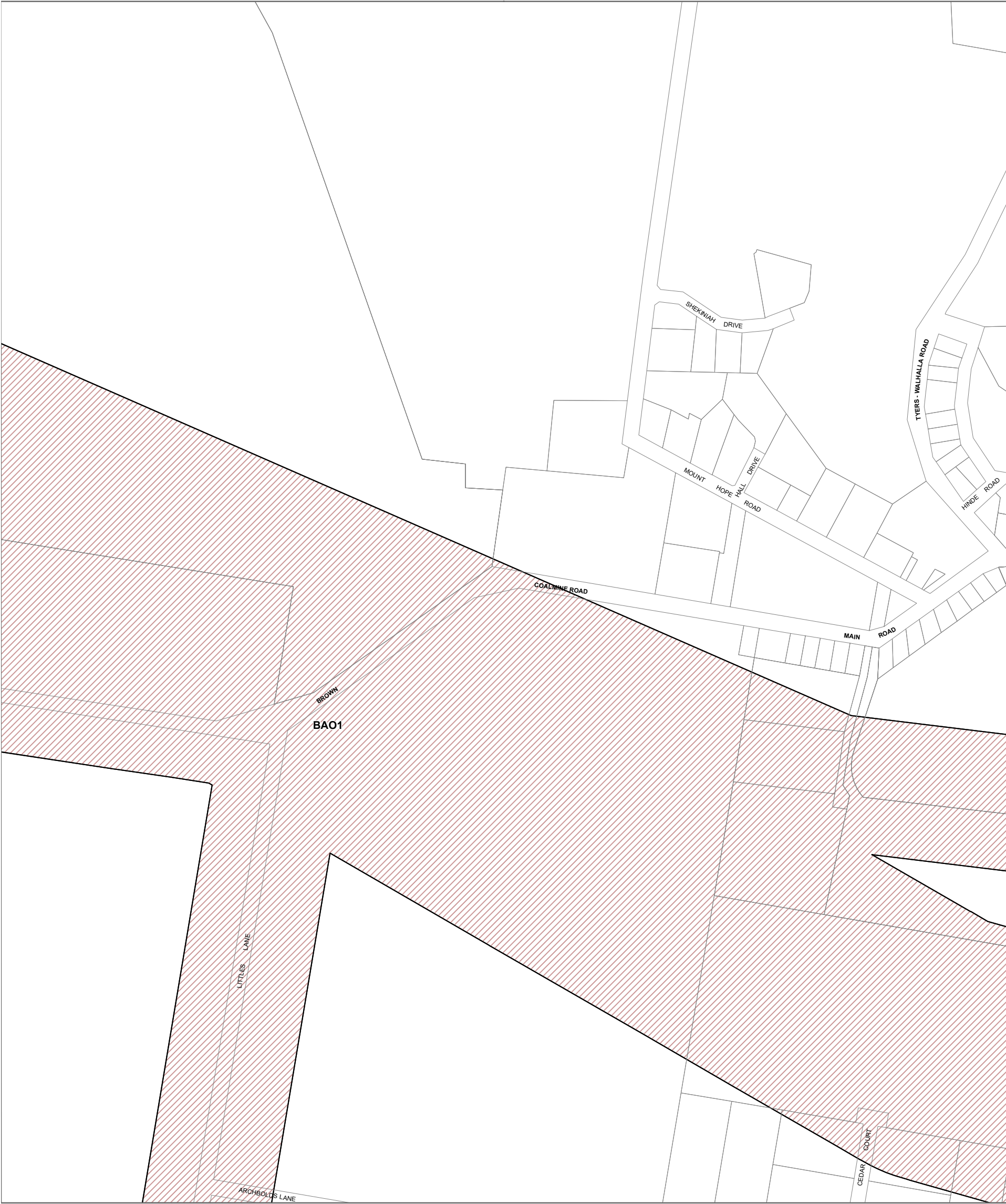
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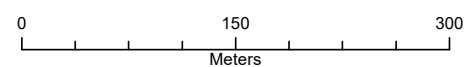
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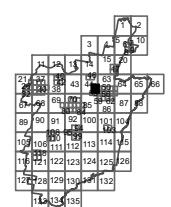


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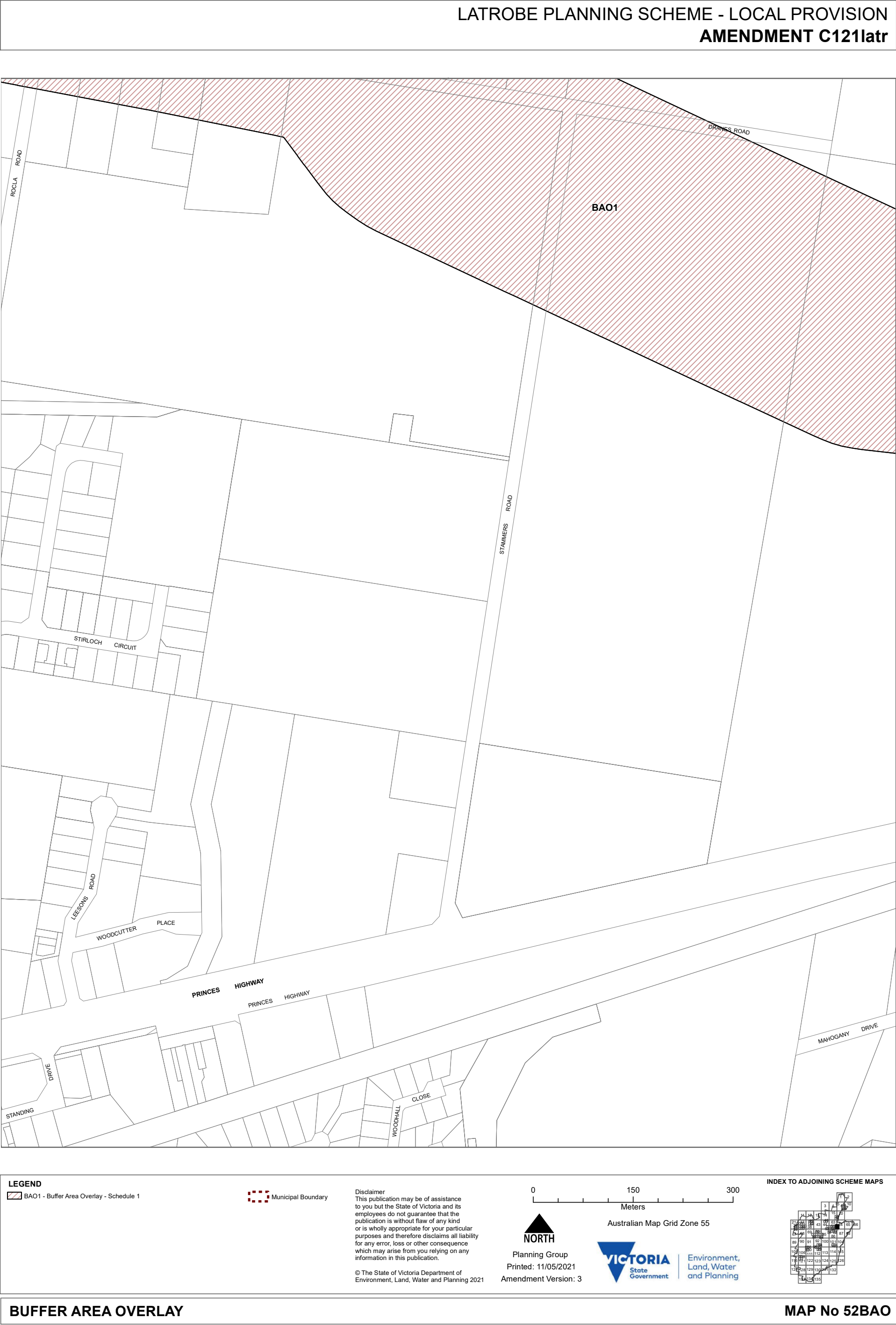
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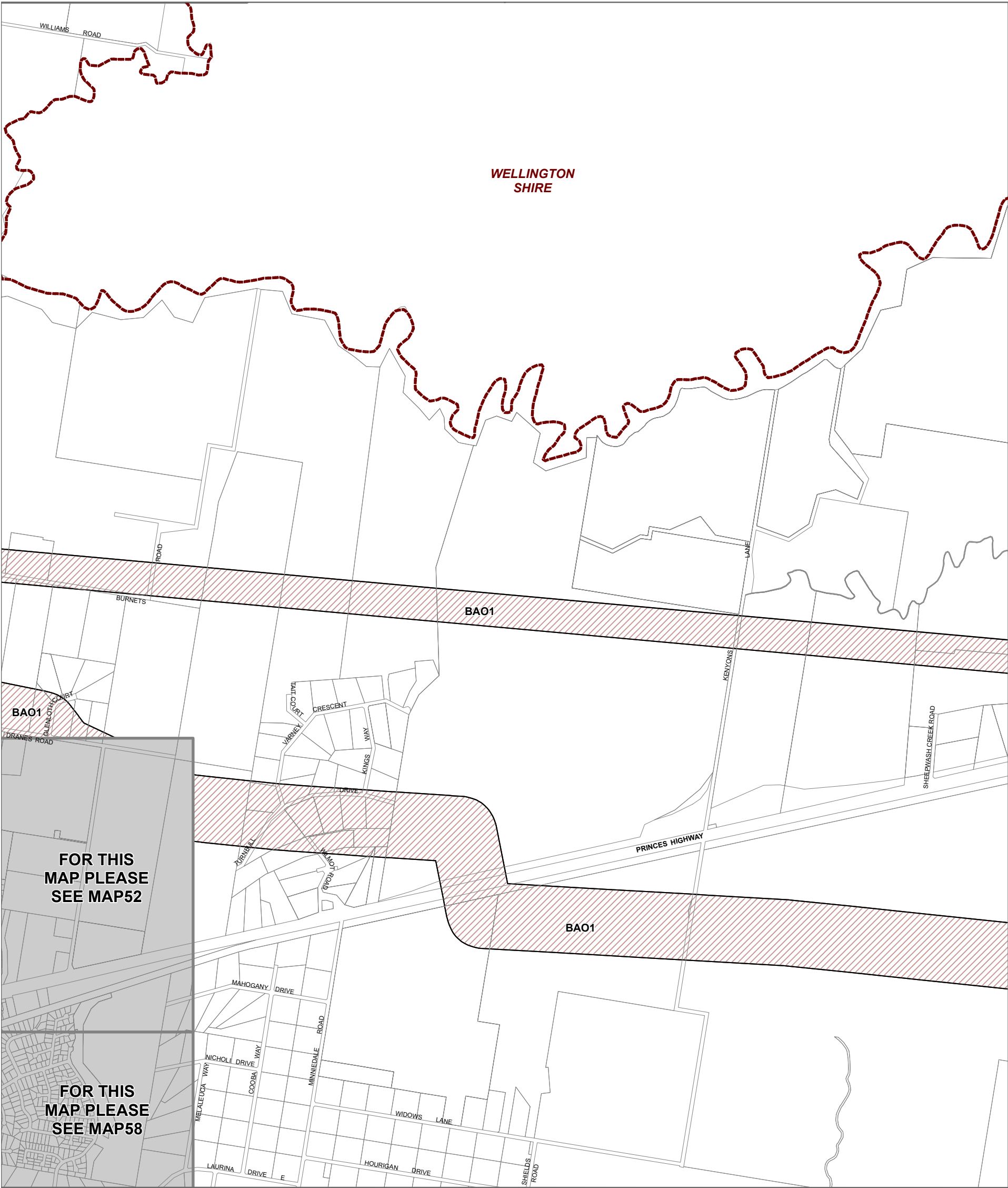
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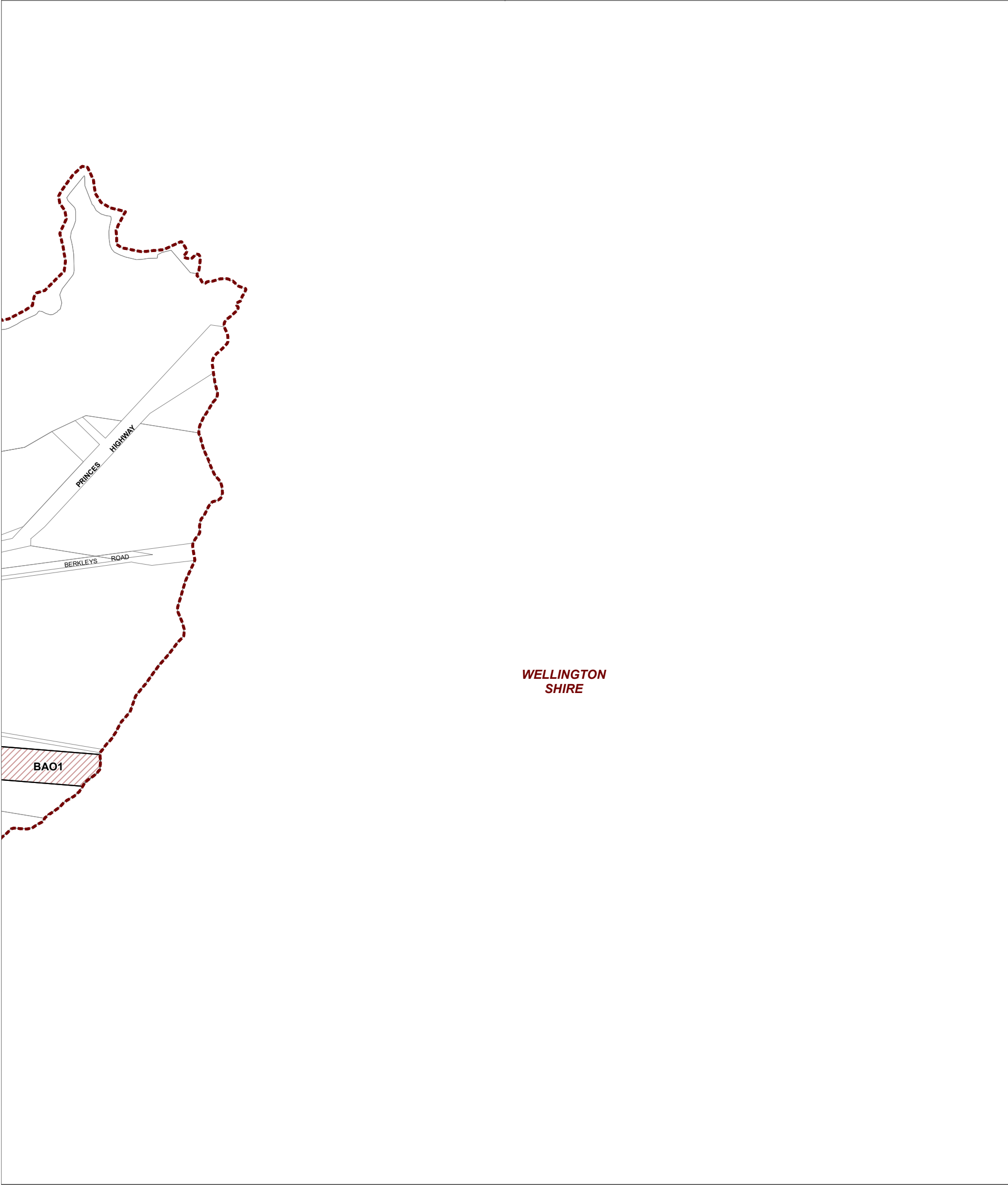
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BAO1 - Buffer Area Overlay - Schedule 1

Municipal Boundary

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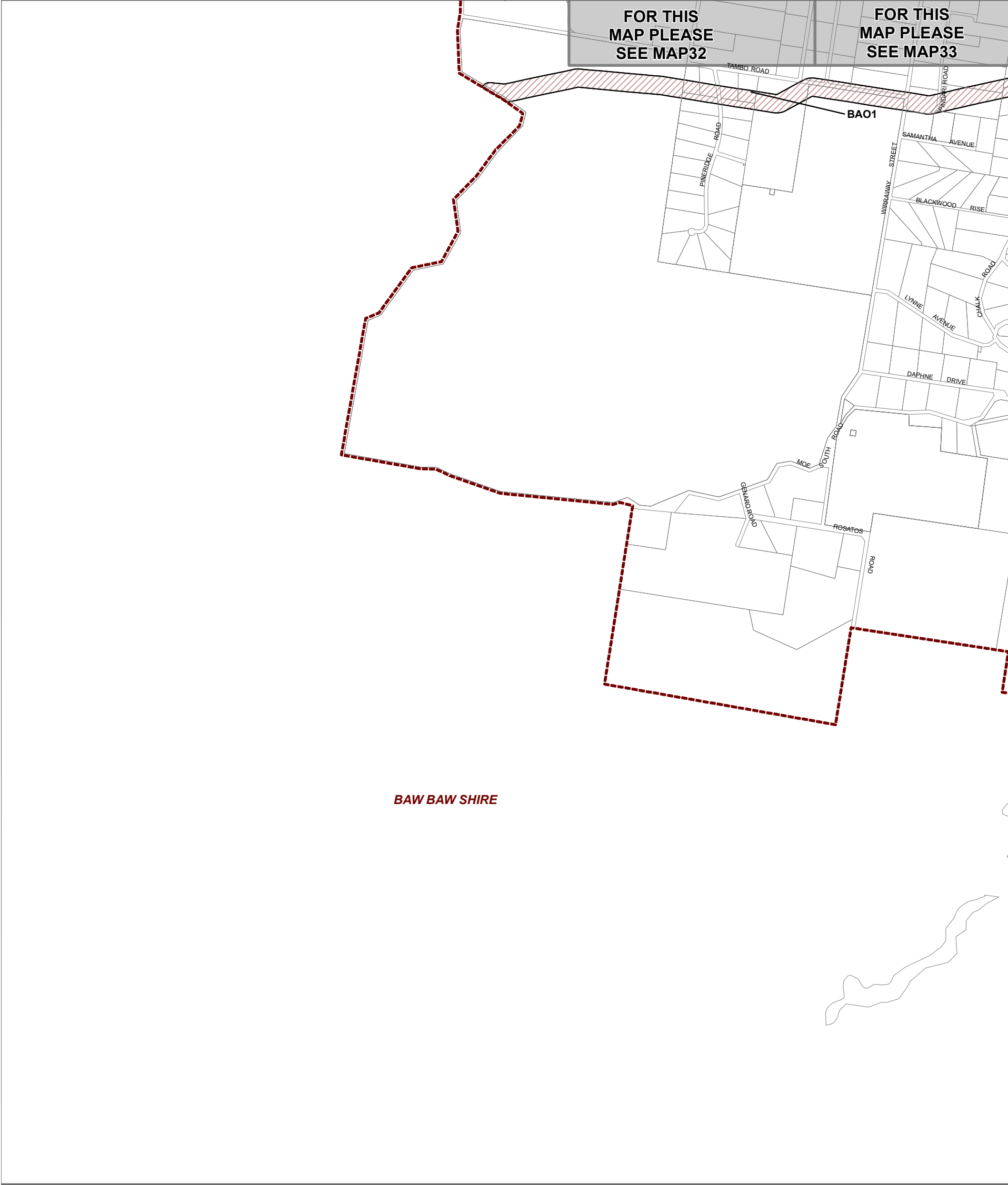
BUFFER AREA OVERLAY

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LEGEND

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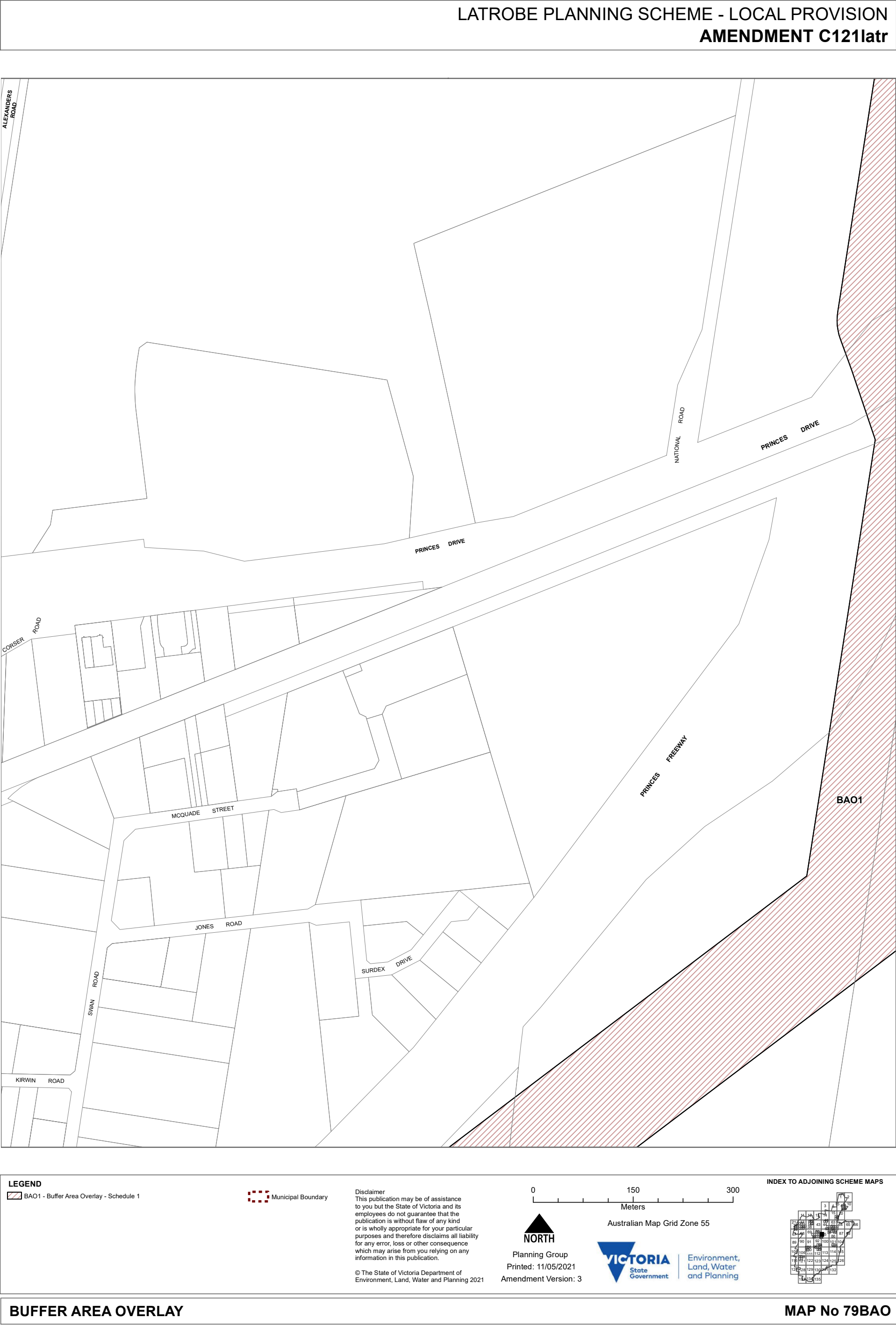
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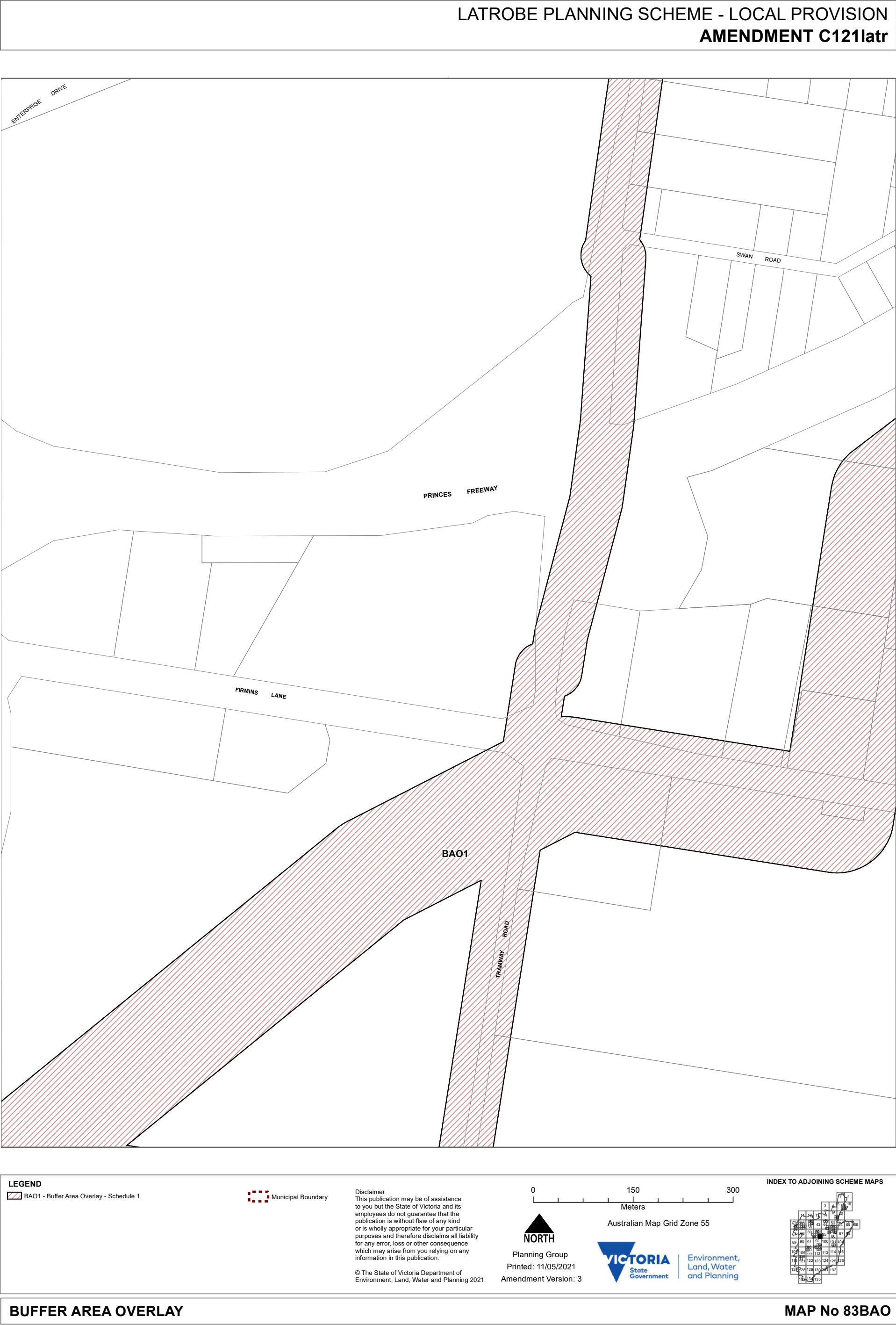
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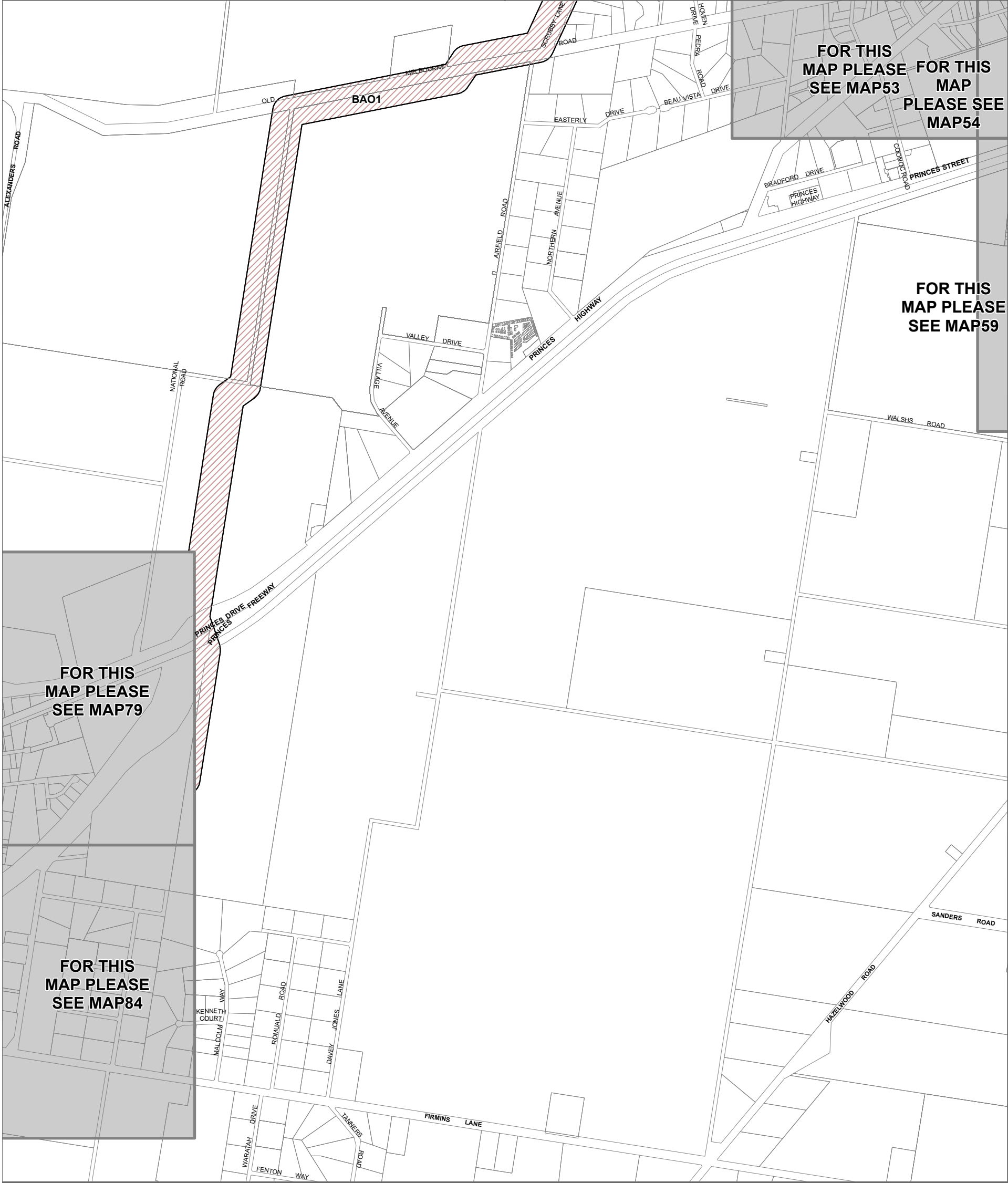










LATROBE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C121



LEGEND

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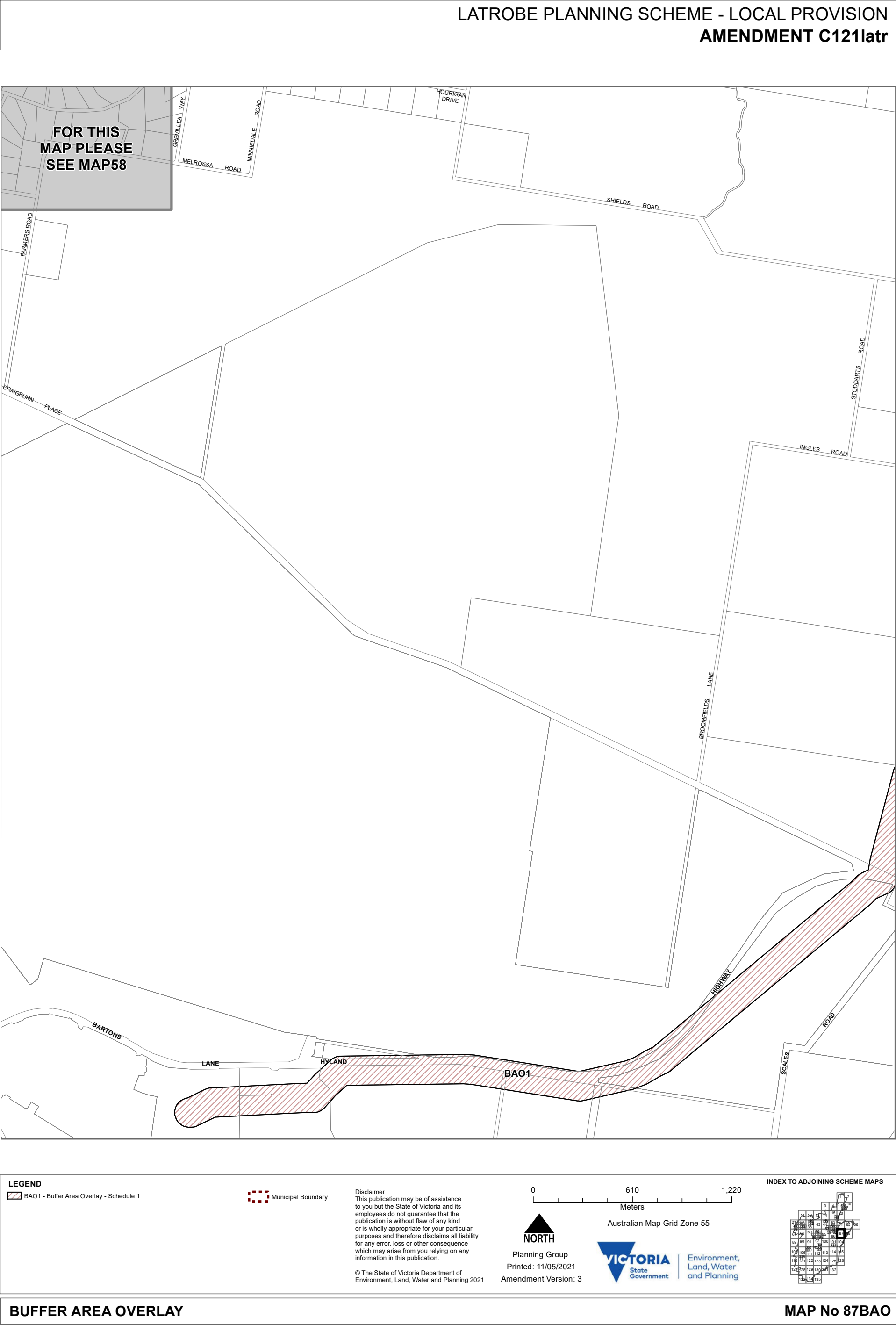
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AMENDMENT C121latr



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SERVICE REVIEW PRIORITISATION 2022/23

PURPOSE

The purpose of this report is to provide Council with the proposed service review prioritisation for 2022/23 for decision.

EXECUTIVE SUMMARY

- The Business Intelligence team aim to conduct three service reviews in the 2022/23 financial year. The primary purpose of a service review is to address three critical questions:
 - a. What is the most efficient and cost effective option for delivering the required service in line with community expectations?
 - b. Is it possible to vary the current service level?
 - c. Are there options to increase revenue streams within the service?
- Prioritisation for 2022/23 service reviews has been undertaken and the following services have been proposed as potential reviews for the 2022/23 financial year:
 - Local Laws
 - Buildings and Assets – Stage 2
 - Child Care

OFFICER'S RECOMMENDATION

That Council endorses the following service reviews for 2022/23

- 1. Local Laws**
- 2. Buildings and Assets – Stage 2**
- 3. Child Care**

BACKGROUND

The Service Planning and Review Framework defines a service review as “undertaking a comprehensive and detailed analysis of a service to determine the most efficient operating model and/or service level requirements to meet future community needs, whilst remaining within Council’s financial operating environment”. Service reviews may identify cost savings/efficiency gains by altering the method of delivering the service or via the variation of service levels or revenue streams.

In the current financial year, Council resolved to undertake the following service reviews:

- Organisational Data
- Buildings and Assets
- Customer Service Process Review

An update on the above service reviews will be provided to the Council after the completion of the program at end of financial year.

ANALYSIS

It is important to develop future years’ service review programming given the large number of Council services. Prioritisation of these service reviews is important as it allows Council to strategically align reviews with internal and external factors and work towards services being reviewed once every four years.

The following three service reviews have been proposed for the 2022/23 financial year, following consultation and approval by the Executive Team.

Local Laws

A *mandatory* service responsible for creating the awareness of and implementing Council local laws, environmental standards and relevant legislation in an effort provide for peace, order and safety through community engagement, education and compliance.

The Local Laws service is responsible for the following major activities, in addition to a range of sub-services:

- Provide an Animal Management Service
- Provide a Compliance Service to administer the Community Amenity Local Law No.2 and the Road Safety Rules 2017

The Local Laws leadership team worked with the Business Intelligence team this financial year to develop a range of dashboards to enable data driven decision making in relation to the delivery of the service. This data can now be explored to generate insights and potential improvements to the service.

Buildings and Assets – Stage 2

The Building and Assets Review undertaken across 2021/22 identified 891 Council-owned buildings and structures on Council's asset register. Of the 891 buildings and structure, approximately 40% were found to have formalised usage agreements (i.e. leases, or seasonal hire agreements) – leaving a significant shortfall of Council assets that are either; not utilised, underutilised, or whereby the utilisation is not formally captured.

Emanating from this review, the Business Intelligence team has developed a dashboard to consolidate all relevant building information in one central location, including:

- A complete list of all Council buildings
- A geographical map of all Council buildings
- The relevant Tier (hierarchy level) associated with each building
- Identification of all formal agreements in place to permit community use of Council's buildings
- The level of formal usage that each building receives - where available (i.e. Seasonal Hire agreements)
- Annual revenue received from each building – where applicable (i.e. Leases)

Stage 2 of the review involves incorporating the results from the Asset Condition Assessments (being completed in 2022/23), which will provide Council with a complete range of data for all buildings across the municipality.

Child Care

This service offers a range of childcare options, Long Day Care for children aged 0-5 years and School Holiday Care to children aged 6-12 years. Childcare services operate 5 days per week (excluding Public holidays), 50 weeks of the year while the school holiday program only operates within the school holidays. The service is classified as a *discretionary* service with several alternative providers offering childcare services to the Latrobe City community. All child care service providers (including those operated by Council) are assessed and rated according to the National Quality Standards.

A sessional kindergarten program operates from each childcare service, however this would not be included in this service review.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)	N/A	N/A
SERVICE DELIVERY The Business Intelligence Team is not resourced to complete the Service Review Program	Rare	The Business Intelligence team will conduct a planning process to assign resources to each service review.
FINANCIAL	N/A	N/A
STRATEGIC (INC REPUTATIONAL) Strategic development does not occur as a result of service reviews	Rare	Service review scopes are determined with a project board and regular updates are provided throughout the process.

CONSULTATION

The Executive Team have been consulted as part of the prioritisation process and have determined the proposed service reviews for 2022/23. A briefing report was tabled at Councillor Briefing 2 presenting the proposed service reviews.

The service review program will be communicated to SLT and Coordinators when adopted by Council.

COMMUNICATION

N/A

DECLARATIONS OF INTEREST

N/A

APPENDICES: IMPACT ASSESSMENT

N/A

APPENDIX 1 IMPACT ASSESSMENT

Social

Nil

Cultural

Nil

Health

Nil

Environmental

Nil

Economic

Nil

Financial

Nil

Attachments

Nil

STATUTORY PLANNING

8. STATUTORY PLANNING

Nil reports

CORPORATE ITEMS FOR DECISION

9. CORPORATE ITEMS FOR DECISION

Item Number 9.1

04 July 2022

Organisational Performance

PROPOSED ROAD RENAMING - ASHLEY AVENUE, MORWELL

PURPOSE

The purpose of this report is to seek approval from Council to proceed with the proposed renaming of Ashley Avenue, off Alliss Road, to Nathan Avenue, Morwell.

EXECUTIVE SUMMARY

- There are currently two separate roads named Ashley Avenue in Morwell, the original (with 3 households) running in a southerly direction off Alliss Road and a newer road (over 20 households) created in the Heritage Boulevard Estate, running in a westerly direction off Maryvale Road.
- This duplication is inconsistent with the *Naming Rules for Places in Victoria* as such duplication is not allowed within the same locality or within a 15km radius in urban areas.
- Council, at its meeting held on Monday, 4 October 2021, resolved to give public notice of its intention to consider the proposal to rename the original Ashley Avenue, off Alliss Road, to Nathan Avenue, Morwell.
- Two submissions have been received from residents in the original Ashley Avenue objecting to the proposed name change.
- Having considered these submissions Council can now determine whether to proceed with the renaming of the original Ashley Avenue to Nathan Avenue, Morwell.

OFFICER'S RECOMMENDATION

That Council:

1. **Having considered submissions received, resolves to rename the original Ashley Avenue, off Alliss Road, to Nathan Avenue, Morwell;**
2. **Authorises the Chief Executive Officer to complete the administrative process to officially rename the original Ashley Avenue, off Alliss Road, to Nathan Avenue, Morwell; and**
3. **Notifies the three residents of the original Ashley Avenue, Morwell, of this decision.**

BACKGROUND

It has been identified that there are currently two separate roads in Morwell named Ashley Avenue. The original road, running in a southerly direction off Alliss Road, was created in 1974 on LP 111605 and has three households. The more recent road, within the Heritage Boulevard Estate running in a westerly direction off Maryvale Road, was initially created in 2005 on PS 533422A and has more than 20 households. (Attachment One)

It was originally intended that the new road would commence at Maryvale Road through to the intersection with Sowerby Road and then continue north to connect with the existing Ashley Avenue as part of a future subdivision.

This has not been the case and the new road has continued in a westerly direction through subsequent stages of the subdivision, though it should be noted that even if Ashley Avenue did proceed as intended it would still not be compliant with the current *Naming Rules for Places in Victoria* ("Naming Rules").

The Naming Rules identify a duplicate name as follows:

Duplicates are considered to be two (or more) names within a close proximity, and those which are identical or have similar spelling or pronunciation.

Following further consideration, it has been determined that the most appropriate course of action would be to change the name of the original Ashley Avenue, off Alliss Road, to Nathan Avenue, Morwell.

The decision to rename the original Ashley Avenue was also based on advice that was received from Geographic Names Victoria suggesting that this would be the more appropriate road to be renamed.

Ashley Avenue was originally named in memory of Ashley Nathan Bond, the proposed use of his middle name therefore retains a link whilst resolving the current duplication. This has been referred to Geographic Names Victoria who indicated their in-principle support for the proposed name subject to Council undertaking the required consultation process.

The family of the late Mr Ashley Bond were advised in writing of the proposed name change in August 2021 and have subsequently indicated that, while disappointed with the decision, they understand the reasoning behind the change. They have requested that they be provided with the existing street sign once it has been replaced.

ANALYSIS

Council considered this matter at its meeting held on Monday, 4 October 2021 and resolved to give public notice of the proposed renaming and invite written submissions concerning the proposal to rename the original Ashley Avenue, off Alliss Road, to Nathan Avenue, Morwell.

In response, submissions have been received from two of the three residents in the original Ashley Avenue objecting to the proposed renaming. (Attachments Two and Three)

It is understandable that both residents are disappointed in the decision to rename the original Ashley Avenue however this matter has been considered by Council on

multiple occasions and there is an obligation to rectify the current duplication as the relevant naming authority.

While it will be necessary for the residents to provide updated address details to their personal contacts, emergency services and utility providers will be informed of the new name following registration of the change by Geographic Names Victoria.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY) Risk of confusion for emergency services due to duplication of name.	3	The renaming of the original Ashley Avenue to Nathan Avenue will eliminate this risk.
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY) Duplication of Ashley Avenue is inconsistent with the <i>Naming Rules for Places in Victoria</i> .	5	The renaming of the original Ashley Avenue to Nathan Avenue will remove the current duplication.

CONSULTATION

In addition to the informal consultation undertaken previously, two public notices were published on Council's website and in the Latrobe Valley Express on Monday, 15 November 2021 and Monday, 4 April 2022 inviting comment on the proposed renaming.

Correspondence was also sent to the three property owners in Ashley Avenue advising of the proposed renaming and inviting them to make a submission.

COMMUNICATION

Council has previously undertaken informal consultation with the family of the late Mr Ashley Bond together with the residents of the new Ashley Avenue to assist in determining which of the two roads should be renamed.

In accordance with the Council resolution of Monday, 4 October 2021, public notice has been given of the proposed name change and two submissions have been received in response from the residents of 77 and 89 Ashley Avenue.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

APPENDICES: IMPACT ASSESSMENT

APPENDIX 1 IMPACT ASSESSMENT

Social

There are no social implications associated with the proposal.

Cultural

There are no cultural implications associated with the proposal.

Health

There are no health implications associated with the proposal.

Environmental

There are no environmental implications associated with the proposal.

Economic

Not applicable

Financial

There are no significant financial implications associated with the proposed name change and any costs would be part of BAU budget including the installation of new signage.

Both submissions allude to expenses that may be incurred by the residents of Ashley Avenue as a result of the proposed name change though these are not clearly defined. Council could potentially offer some form of financial assistance for any reasonable costs incurred by the three property owners in Ashley Avenue.

Attachments

1   Ashley Avenue, Morwell

2   Ashley Avenue Resident Submission

3   Ashley Avenue Resident Submission

9.1

Proposed Road Renaming - Ashley Avenue, Morwell

1	Ashley Avenue, Morwell.....	590
2	Ashley Avenue Resident Submission.....	592
3	Ashley Avenue Resident Submission.....	593





89 Ashley Avenue,

Morwell 3840

15th October 2021

Dear Sir/Madam,

I wish to refer to an article featured in the Latrobe Valley Express 11th October, 2021, regarding change of our street name from Ashley Avenue to Nathan Avenue.

We are disappointed and dismayed that there has been no consultation with us or our neighbour regarding changes. We have lived at this address for over 40 years and in that time there have been at least three changes of numbers. After the last change we went to the expense of having a special plaque installed. In each case we have had the inconvenience of changing our personal particulars and object to a further change.

This is most unprofessional and over the time that the new Ashley Avenue was installed lots of confusion.

Yours faithfully,

Valerie Panther

From: Marjorie Smith
77 Ashley Avenue
Morwell Victoria
3840.

To: Steven Piasente
Latrobe City Council
PO Box 264
Morwell Victoria
3840.

15 April 2022

Forwarded By email To: Latrobe@Latrobe.vic.gov.au

Dear Steven,

Re: Proposal to Rename Ashley Avenue, Morwell to Nathan Avenue, Morwell

Thank you for the opportunity to comment on the proposed name change for Ashley Avenue Morwell.

As you will be aware the reasons for the name change have come about due to council allowing a new subdivision street close by to where we live being named Ashley Avenue as well, on the assumption (we understand) that they would merge sometime into the future?

This has sadly proved not to be the case hence the proposed name change proposed for the original Ashley Avenue.

I suppose your reconning was that it was easier to potentially upset three households rather than the over twenty households who reside at the new Ashley Avenue.

I believe there was consultation process undertaken by Council for the residents of the new Ashley Avenue, we (me)at the original Ashely Avenue have yet to receive our consultation.

It does not matter that the street where I live and the house that I built (in 1975) has had the same name for over 47 years.

You are aware that Ashley Avenue was named after the son of the original developer of the land in the avenue who still resides at Ashley Avenue, sadly it is now in memory of their late son.

I suppose it is of little consequenceto you that all three of the residents of Ashley Avenue have resided their over 30 years. Not until a few years ago did we have a sealed road (which has not been maintained since made), and gas and sewerage are not connected. We still have to go to the post office to collect our mail.

It will of course be inconvenient and at and expense to us to have the address altered after such a time.

Importantly our Avenue 's name should not be altered and us disregarded.

Yours Sincerely,

Marjorie Smith.

REGIONAL CAR PARKS FUND MAIN WORKS PACKAGE 2

PURPOSE

To seek Council endorsement to include Site 4a & 4b (Jane Street Overpass) under the Regional Car Parks Fund – Main Works Package 2.

EXECUTIVE SUMMARY

- Council previously endorsed delivery of Main Works Package 1 which included: Site 1 – VicTrack Lot 93 Moe, west of the Moe Service centre; Site 3 – Princes Drive Morwell - the western undeveloped portion of Lot 96 Morwell, opposite Collins Street; Site 5a – Princes Drive Morwell opposite Hoyle Street and Hopetoun Streets; Site 6 – Seymour/Hotham Street Traralgon Multi level car park (additional deck). Council also previously endorsed construction of car parking at the following sites/locations under what would be Main Works Package 2 for RCPF: Site 2 – VicTrack Lot 18 Queens Parade, Traralgon; Site 7 – 2 Kay Street, Traralgon being Council's current car park; and Site 8 – 141 Commercial Road, Morwell (western car park).
- With a reduction in yield at Sites 3 and 5a, the addition of Site 4a and 4b at Jane Street would offset this yield loss but also provide sufficient offset parking support during construction of Site 8 (Morwell HQ) in early 2023.

OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse inclusion of Sites 4a & 4b (Jane Street Overpass) under the Regional Car Parks Fund – Main Works Package 2, subject to;**
 - a. Funding being confirmed by Regional Development Victoria;**
 - b. Council Officers approving detailed design prior to construction and;**
 - c. The sites listed under Main Works Package 1 and 2 being delivered as per previous resolutions of Council.**

BACKGROUND

The Regional Car Parks Fund (RCPF) arose from a \$30 million election promise to provide car parking spaces in Ballarat and Gippsland primarily on VicTrack and Regional Roads Victoria land.

The program seeks to fund up to 900 car spaces across Latrobe City, nominally Traralgon (500), Morwell (300) and Moe (100).

Main Works Package 1 Sites have now been tendered (excluding 5a to be delivered by RRV) of which a greater understanding of yield and delivery/completion timeframes has been ascertained.

Table 1 below summarises the yield and timing of the RCPF program

Table 1 – RCPF Program Summary Table

Site No.	Town	Location	Yield	Comments
1	Moe	George Street Moe	101	Contract Awarded. Estimated completion September 2022
Moe Subtotal (target 100)			101	
3	Morwell	Princes Drive Ex Petrol Station	18	Contract Awarded. Estimated completion August 2022. Original Yield estimate was 35 spaces.
4	Morwell	Jane Street Bridge	Option 4A: 45-50 Option 4B: 90-100	
5a	Morwell	Princes Drive Extension to Lone Pine Tree	29	Being delivered by Regional Roads Victoria, estimated completion end of 2022. Original Yield Estimate was 50 spaces.
8	Morwell	HQ Car Park	170	Would not commence until the Gippsland Line Upgrade return all of the parking spaces presently occupied, in early 2023.

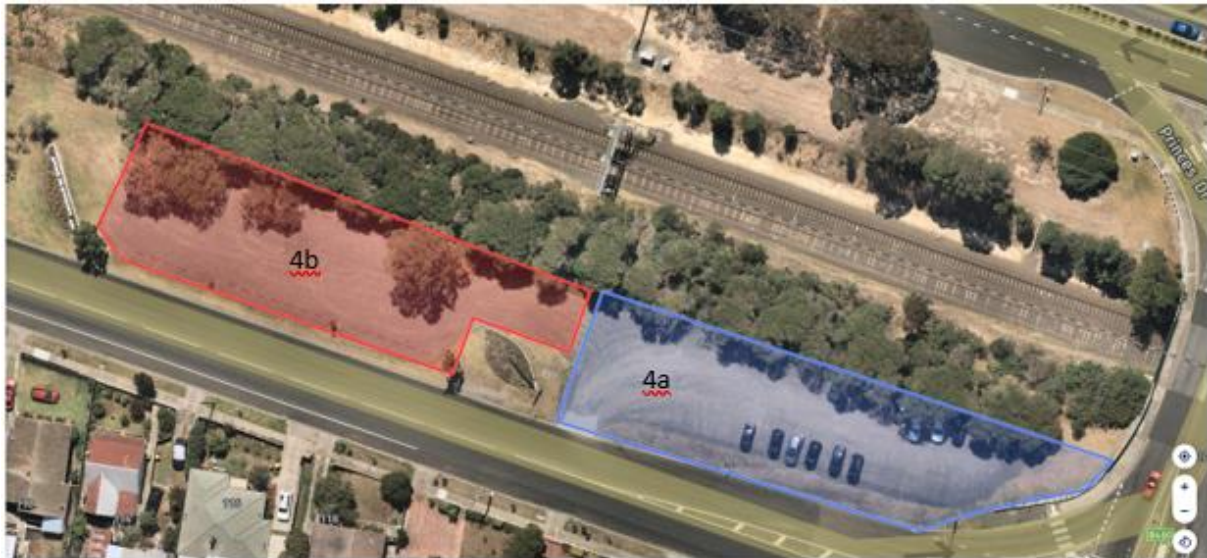
Morwell Subtotal (target 300)			Option 4A: 242 - 247	
			Option 4B: 292 - 302	
2	Traralgon	Queens Parade	45-50	VicTrack Lot 18 is presently being occupied as part of the Gippsland Line Upgrade (GLU), with an estimated demobilisation in March 2023. To remain in Main Works Package 2 as per previous endorsement.
6	Traralgon	Seymour/Hotham Existing Multi-Level	121	Program indicates completion in 2023.
7	Traralgon	2 Kay Street Traralgon	365 Net New spaces (160 existing)	4 level multi-level. Indicative early 2023 commencement.
Traralgon Subtotal (target)			531	

ANALYSIS

During detailed design phase for Sites 3 and 5a there has been a combined yield loss of 38 spaces. The current RCPF program yield estimate as outlined in Table 1 above shows a shortfall of around 50-60 spaces (based on prelim designs for remaining sites) from the 900 committed to by the State Government.

Regional Development Victoria (RDV) has approached Latrobe City Council to seek Council endorsement to include Site 4a and 4b (Jane Street) to Main Works Package - Stage 2.

Image 1: Site 4 - Jane Street Overpass



The car park design and construction would be completed by Regional Roads Victoria as the land owner but would have significant oversight and approval from Latrobe City Council to ensure the car park meets Council's requirements and incorporate retention of recent works and signage.

Scope of works will include asphalt car park with kerb and channel, line marking, lighting and landscaping.

Following construction of the car park, Latrobe City Council will take on the maintenance responsibilities of the car park.

RDV remains committed to delivering Site 2 at Queens Parade Traralgon (as per previous resolution) and all previously endorsed sites will still be funded and delivered under the RCPF program with the inclusion of Site 4a and 4b Jane Street.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
SERVICE DELIVERY RRV deliver but not to scope	Unlikely	LCC to be involved in the design process to guide RRV and ensure it meets our requirements
FINANCIAL Unable to deliver remainder of sites	Possible	Obtain written confirmation in the form of a funding agreement that all remaining sites are included in the Main Works Package Stage 2

RISK	LIKELIHOOD	TREATMENT
STRATEGIC (INC REPUTATIONAL) Negative Community Feedback	Possible	Undertake necessary consultation with businesses and ensure design meets needs of LCC and community

CONSULTATION

Necessary consultation with neighbouring businesses and community groups (if required) will occur around timing and closure of car park etc.

COMMUNICATION

Communications would be incorporated into the broader RCPF package and communications plans developed

DECLARATIONS OF INTEREST

None

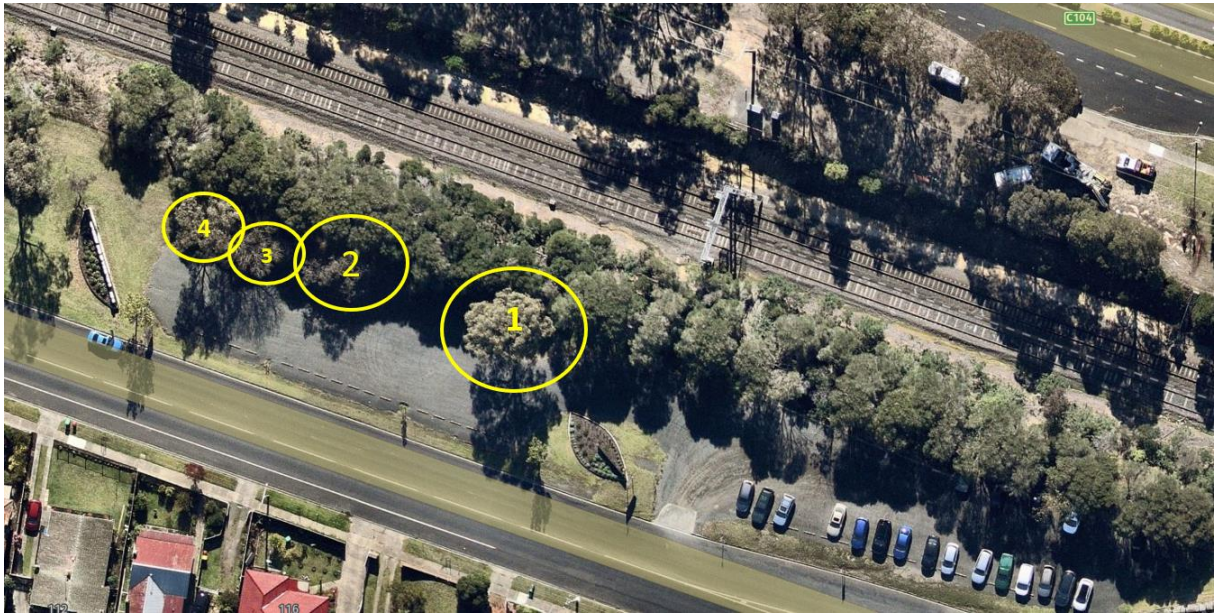
APPENDICES: IMPACT ASSESSMENT

Environmental

In order to formalise the car park, the 4 trees identified in Image 2 below would be required to be removed. The TPZ's of the trees are too significant to construct around and the car park would likely compromise on the health of the tree.

Trees No. 1-4 have been identified as Eucalypts and Ironbarks that have been planted for amenity purposes.

Image 2: Trees earmarked for removal



Financial

Latrobe City Council will become responsible for ongoing maintenance under the Road Management Act 2004 once constructed.

An estimated ongoing cost associated with this site encompassing lighting, asphalt surface, landscaping, line marking etc is approximately \$100 per car space.

Attachments

1. [Regional Car Parks Fund Sites](#)

9.2

Regional Car Parks Fund Main Works Package 2

1	Regional Car Parks Fund Sites.....	601
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Site 1 – George Street Moe VicTrack Lot 93



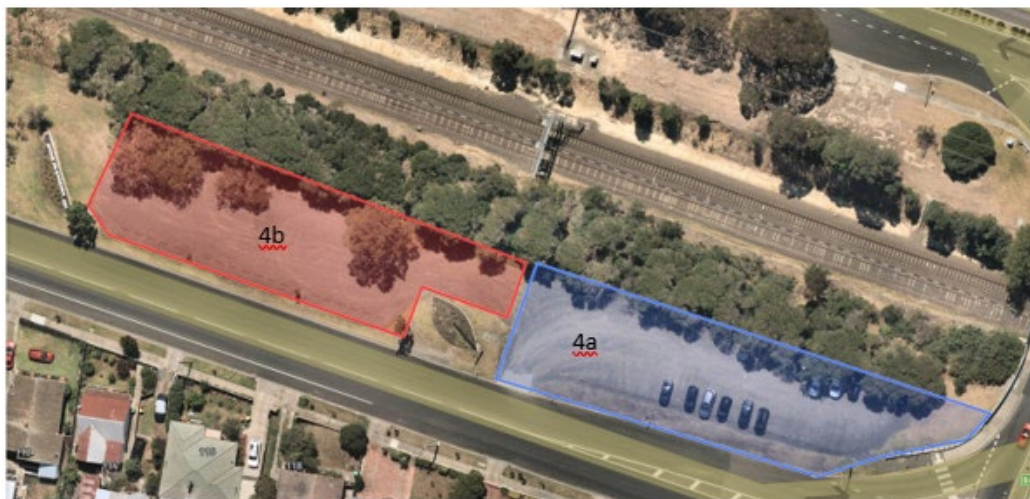
Site 2 – Queens Parade VicTrack Lot 18



Site 3 – Princes Drive Morwell VicTrack Lot 96



Site 4 – Jane Street Overpass



Site 5a – Princes Drive Morwell



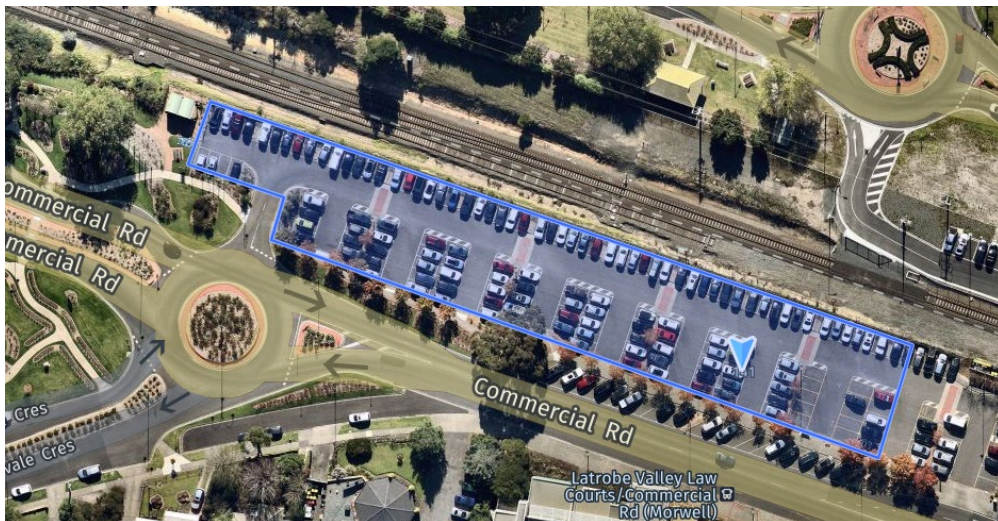
Site 6 – Multi-Level Traralgon Seymour Street



Site 7 – Kay Street Traralgon



Site 8 – 141 Commercial Road



MEMBERSHIP RENEWALS

PURPOSE

To propose the renewal of current industry organisation memberships and foreshadow a review towards the end of the financial year 2023.

EXECUTIVE SUMMARY

Latrobe City Council has been an active and long-standing member of a number industry specific organisations to support our advocacy activities including:

- South East Australian Transport Strategy
- Rail Freight Alliance
- Timber Towns Victoria
- National Timber Council Australia
- Australia China Business Council
- Victorian Chamber of Commerce and Industry (VCCI)
- Food and Fibre Gippsland

This is an opportunity for Council to annually review the benefits to Council from the memberships and decide whether to renew memberships for the 2022/2023 financial year.

Officers will work with the specific organisations to ensure LCC priorities are considered as part of the advocacy efforts of those appropriate organisations.

OFFICER'S RECOMMENDATION

That Council:

- **Supports the renewal of all existing memberships, apart from Victorian Chamber of Commerce and Industry**
- **Supports the implementation of assessment measures to determine the value that is achieved from the memberships and alignment to Council priorities. The assessment of outcomes will assist in the consideration of membership renewal for the following year.**

BACKGROUND

Listed below are all the organisations which Latrobe City Council currently supports with membership. These memberships align with Council's strategic priorities and Council's economic development objectives.

South East Australian Transport Strategy:

Membership period runs from September to August	Annual Membership fee is yet to be determined. Budgeted amount is \$6,618 plus GST
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SEATS provides advocacy services to its members for transport related issues that go beyond the boundaries of individual local councils and benefit the entire region and beyond. Cr Middlemiss is Councils current representative on the SEATS committee and currently serves as Treasurer. Cr Law is the alternative. Latrobe City Council currently provides in-kind support with accounts for SEATS, while Cr Middlemiss is in the role of Treasurer. The objectives of SEATS are aligned with the current Council Plan, where the transport infrastructure to move between Latrobe

Rail Freight Alliance:

Membership period runs from July to June	Annual Membership is \$5,500 plus GST
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The RFA advocates on behalf of member Councils, with the approach of sound research and consultation with members and industry to not only identify the issues, but to put solutions before government. The Alliance is regularly contacted by Federal and State Government, Opposition, Minor Parties, and Independents to gain information, insight and seek advice on priorities for Victoria. The objectives of Rail Freight Alliance are aligned with the current Council Plan and transport being an ongoing priority for advocacy. Cr Middlemiss & Cr Law are Councils current representatives on the RFA.

Timber Towns Victoria:

Membership period runs from July to June	Annual Membership is \$2,750 plus GST
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TTV has recently engaged the services of Premier Strategy who will be working alongside TTV leading into the next State Government election primarily to secure jobs within the native timber sector within the whole Gippsland region. Cr Gibson and Cr Harriman are Councils current representatives with TTV.

National Timber Councils Association:

Membership period runs from July to June	Annual Membership fee is yet to be advised. Budgeted amount is \$2,500 plus GST
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The National Timber Councils Association (NTCA) has advised that their mission is to promote vibrant, resilient communities, maintain regional investment, employment opportunities and responsible environmental practices. Cr Harriman is Councils current representative on the NTCA Committee. Cr Gibson is Councils' current alternative representative.

Australia China Business Council

Membership period runs from July to June	Annual Membership is \$930 plus GST
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The Australia China Business Council (ACBC) is the premier organisation dedicated to the Australia-China bilateral business and trade relationship. With a network of over 20,000 organisations and a membership of over 700 focused on furthering Australia-China trade and investment. ACBC is the largest, most active and diverse international business council in Australia. Hosting regular delegations from China for business to business matching opportunities and provide a range of business-focussed activities and events for members. Council has no formal representation, Council Officers work with the organisation.

Victorian Chamber of Commerce and Industry:

Membership period runs from July to June	Annual Membership is \$6,600 plus GST
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The mission of VCCI is to remain Victoria's most influential business organisation, to provide relevant and contemporary business services and to be a dynamic and modern chamber of commerce.

Council has no formal representation, Council Officers work with the organisation.

It is Council Officers recommendation not to renew this membership.

Food and Fibre Gippsland:

Membership period runs from July to June	\$10,000 plus GST
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The mission of Food and Fibre is to lead capacity building, innovation and knowledge sharing for the greater good of the sector across the whole of Gippsland. Food and

Fibre has advised that during this coming year it would like to sit with the LCC economic development team and develop an alternative approach for future years, being to set some KPI's relevant to each Shire together across the region. Council has no formal representation, Council Officers work with the organisation.

ANALYSIS

Currently there is not a procedure in place to assess the outcomes, return on investment and alignment with Council priorities from these organisations at the conclusion of each membership year. Assessment measures of proposed activities will be requested from each organisation that is supported for 2022/23. It will be important that these proposed activities align with our Council Plan and economic development priorities.

The rationale for not renewing VCCI membership is that VCCI have retracted all its service delivery back to the central Melbourne office. The Gippsland Regional Council has been disbanded and the Gippsland Regional Manager's position has been defunded. There has been minimal correspondence received from VCCI during the past twelve months and no regional events (virtual or in person).

In addition, an internal survey of Council Business Unit's was undertaken which confirmed that no other units were accessing VCCI's remote services. Finally, through an arrangement with the State Government, free VCCI membership is available to all businesses who become members of the new Latrobe City Business Chamber.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
FINANCIAL Latrobe City Council not receiving value for money from membership	3	Annual review into memberships. Requesting a list of projects and then review outcomes at the conclusion of the membership period to determine if membership of the organisation is benefiting Latrobe City.

RISK	LIKELIHOOD	TREATMENT
<p>STRATEGIC (INC REPUTATIONAL)</p> <p>Should Council determine not to continue membership this may have adverse impacts.</p>	3	<p>This could be managed by having detailed correspondence with this groups, with clear transparency as to why the decision not to renew memberships was made.</p>

CONSULTATION

Council Officers have contacted all groups listed in this report to advise them of the policy for the assessment of membership renewal and to request the membership fees for 2022/2023.

COMMUNICATION

Officers will be communicating the Council decision to organisations immediately following the Council decision.

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

APPENDICES: IMPACT ASSESSMENT

N/A

APPENDIX 1 IMPACT ASSESSMENT

Social

Nil

Cultural

Nil

Health

Nil

Environmental

Nil

Economic

Officers will be working with members organisations to establish clear KPIs for assessing progress and value to the City. Included in this evaluation will be KPIs related to economic benefit.

Financial

In the current BAU budget for 2022/2023 there is a total allocation of \$34,408 for Economic Development Memberships.

Current memberships of organisations are as follows:

Organisation	2021 / 2022 – Amount Paid	2022 / 2023 – Amount Budgeted	2022/2023 – Membership cost
South East Australian Transport Strategy	\$6,618 + GST	\$6,618 + GST	Not yet Determined
Rail Freight Alliance	\$5,255 + GST	\$5,255 + GST	\$5,500 + GST
Timber Towns Victoria	\$2,500 + GST	\$2,500 + GST	\$2,750 + GST
National Timber Council Association	\$2,500 + GST	\$2,500 + GST	Not yet Determined
Australia China Business Council	\$935 + GST	\$935 + GST	\$930 + GST
Victorian Chamber of Commerce and	\$6,600 + GST	\$6,600 + GST	\$6,600 + GST

Industry			
Food and Fibre Gippsland	\$3,000 + GST (only 6 months membership)	\$10,000 + GST	\$10,000 + GST
Total	\$27,408 + GST	\$34,408 + GST	

Should Council relinquish some/all of the above listed memberships or include additional organisations, further financial implications will be applicable.

Attachments

Nil

AUTHORISATION OF COUNCIL OFFICERS UNDER THE PLANNING & ENVIRONMENT ACT 1987

PURPOSE

This report seeks to authorise Alannah Sherwen, Planning Administration Officer and Amelia Coleman, Statutory Planner under section 147(4) of the Planning and Environment Act 1987 and section 313 of the Local Government Act 2020.

EXECUTIVE SUMMARY

Council utilises Instruments of Appointment and Authorisation to identify specific officer's incumbent in roles and, in turn, appoint the officer to be authorised officers for the administration and enforcement of legislation under applicable Acts.

- By authorising Alannah Sherwen and Amelia Coleman, the officers will be able to perform their duties with respect to the planning powers and functions of the Council.

OFFICER'S RECOMMENDATION

That Council in the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 resolves that:

- 1. Alannah Sherwen and Amelia Coleman be appointed and authorised as set out in the instrument;**
- 2. The instrument comes into force either immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it; and**
- 3. The instrument be sealed.**

BACKGROUND

Only a handful of Acts and Regulations require specific roles within an organisation to be identified to undertake a specific function. There are often clauses within Acts or Regulations that state an “authorised officer” can undertake a specific function. This is why Council needs to identify the authorised officer by role and officer name.

Section 147(4) of the *Planning and Environment Act 1987* provides for the following:

Any reference in this Act to an Authorised officer of a responsible authority or of the Department is a reference to an officer or employee of the authority or employee of the Department whom the authority or the Secretary to the Department (as the case requires) authorises in writing generally or in a particular case to carry out the duty or function or to exercise the power in connection with which the expression is used.

Section 313 of the *Local Government Act 2020* provides for the following:

- (1) *The Secretary, a Council or a person authorised by the Council either generally or in a particular case may institute proceedings in the corporate name of the Council for—*
 - (a) *the recovery of any municipal rates, service charges, special purpose charges, fees or other money due to the Council under any Act, regulation or local law; or*
 - (b) *the enforcement of any provision of any Act, regulation or local law for which the Council is responsible; or*
 - (c) *the recovery of any penalty or surcharge in relation to any offence under any Act, regulation or local law the enforcement of which is the responsibility of the Council; or*
 - (d) *any other purpose specified by the Council.*
- (2) *A Chief Executive Officer or person authorised by the Council either generally or in a particular case may represent the Council in all respects as though the Chief Executive Officer or person authorised by the Council was the party concerned in any proceedings in which the Council is a party or has an interest.*
- (3) *Proceedings for a summary offence under this Act may be commenced within the period of 3 years after the commission of the alleged offence.*

ANALYSIS

Section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020* specifically require that the appointment of an authorised officer must come from Council.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)	Officers not authorised by Council; officers will be unable to adequately perform their duties	Authorisation of Planning Officers
SERVICE DELIVERY	Delays in processing decisions on planning applications.	Authorisation of Planning Officers
FINANCIAL	Nil	N/A
STRATEGIC (INC REPUTATIONAL)	Risk that developers will become frustrated with delays and appeal to the Victorian Civil and Administrative Tribunal.	Authorisation of Planning Officers

CONSULTATION

Not Applicable

COMMUNICATION

Not Applicable

DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the Local Government Act 2020.

APPENDICES: IMPACT ASSESSMENT

Nil

APPENDIX 1 IMPACT ASSESSMENT

Social

Nil

Cultural

Nil

Health

Nil

Environmental

Nil

Economic

The authorisation of officers allows Council to enable infrastructure supporting private and public investment.

Financial

No financial implications resulting from the adoption of the officers recommendation.

Attachments

1 [!\[\]\(e3f255517d37bb309a3a931ec4849e6a_img.jpg\) !\[\]\(eef04a9a6024047feb4e192fed692ac6_img.jpg\)](#) S11A Instrument of Appointment & Authorisation - Alannah Sherwen

2 [!\[\]\(2b17f17ebbacc911bb0ff784ab641779_img.jpg\) !\[\]\(eb972575b342216ad59d6f97d308f1c0_img.jpg\)](#) S11A Instrument of Appointment & Authorisation - Amelia Coleman

9.4

Authorisation of Council Officers under the Planning & Environment Act 1987

- 1 **S11A Instrument of Appointment & Authorisation -
Alannah Sherwen..... 617**
- 2 **S11A Instrument of Appointment & Authorisation -
Amelia Coleman..... 619**

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*



Latrobe City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)

Alannah Sherwen
Planning Administration Officer

July 2022

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

Alannah Sherwen

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) is automatically revoked upon the officer referred to in this instrument ceasing employment with the Council.

This instrument is authorised by a resolution of the Council on the third of May 2021.

The Common Seal of **LATROBE CITY COUNCIL**
was affixed in accordance with Local Law No. 1
this day of 2022 in the presence of:

Steven Piasente – Chief Executive Officer

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*



Latrobe City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)

Amelia Coleman

Statutory Planner

July 2022

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

Amelia Coleman

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) is automatically revoked upon the officer referred to in this instrument ceasing employment with the Council.

This instrument is authorised by a resolution of the Council on the third of May 2021.

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was affixed in accordance with Local Law No. 1
this day of 2022 in the presence of:

Steven Piasente – Chief Executive Officer

10. URGENT BUSINESS

Nil reports

11. REPORTS FOR NOTING

Nil reports

12. QUESTIONS ON NOTICE

Nil reports

13. NOTICES OF MOTION

Nil Reports

14. ITEMS FOR TABLING

Nil reports

15. ACKNOWLEDGEMENTS

Councillors may raise any formal acknowledgements that need to be made at this time, including congratulatory or condolences.

**MEETING CLOSED TO
THE PUBLIC TO
CONSIDER
CONFIDENTIAL
INFORMATION**

16. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

Section 66 of the Local Government Act 2020 enables Council to close the meeting to the public to consider confidential information as defined in that Act.

Proposed Resolution:

That Council pursuant to section 66(1) and 66(2)(a) of the Local Government Act 2020 (the Act) close the Council Meeting to the public to consider the following items containing confidential information as defined in section 3(1) of the Act:

16.1 Social Media Strategy

Agenda item 16.1 *Social Media Strategy* is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. The information was provided by an independent consultant. Releasing this advice publicly could result in commercial disadvantage by disclosing their intellectual property to industry competitors

16.2 Tourism and Major Events Advisory Committee Appointments **Agenda item 16.2 *Tourism and Major Events Advisory Committee Appointments* is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. This report contains personal information**

- 16.3 Awarding of Contracts - LCC-718, LCC-748, LCC-756 and LCC-747**
Agenda item 16.3 *Awarding of Contracts - LCC-718, LCC-748, LCC-756 and LCC-747* is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—
- (i) relates to trade secrets; or**
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. Releasing this information publicly and/or prematurely may prejudice the undertaking of this process**