

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
14<sup>th</sup> September 2021

Moyne Shire Council  
PO Box 51  
Port Fairy  
Vic 3284

Dear Councillors,

**OBJECTION TO PROPOSED PLANNING SCHEME AMENDMENT C70moyn**

We wish to object to the proposed Planning Scheme Amendment C70moyn, Rural Housing and Settlement Strategy for the following reasons:

- We purchased our property and settled here due to the rural and bucolic nature of the area. The proposed changed zoning and subsequent increased housing and population density will irreversibly change the existing rural nature and general ambience into a hybrid that is neither rural nor urban.
- The proposed changes will result in a loss of productive farming land (despite what has been reportedly said by Councillors). This world has an exponentially increasing population with a converse depletion of available farming land. We need to maintain our farming land and contain our urban sprawl, not make the situation worse.
- The proposed changes will result in increased population within the Moyne Shire, which already has inadequate and poorly maintained infrastructure and Community facilities. This increased demand will make the situation significantly worse and result in an unsatisfactory level of service to the community and an across the board increased dissatisfaction of rate payers with our Councillors and Council services.
- Koroit's main street (Commercial Rd.) already has a 40 kph speed limit due to its inadequate width and heavy traffic use. Increased population in the Koroit area will increase the traffic and make this worse with the area becoming even more hazardous than is currently the case.
- The proposed changes will increase the value of the land that is directly impacted by the re-zoning; thereby benefiting the few but will decrease the value of the existing residential land in the general area, thereby negatively impacting the many as a result of the increased supply of residential property. No-one wants their property devalued and our incumbent Councillors will be directly responsible for this occurring if the re-zoning goes ahead.
- The Moyne Shire Council currently has an unsatisfactory reputation in regard to regulating development works within its boundaries. A significant increase in land that can be developed within the Shire will result in an increased demand for works which need to be regulated and approved by our Council staff. Such an increase in demand for approvals will be beyond their capability to manage acceptably.

So for all of these reasons we object to the proposed planning amendment and sincerely hope that the Council does not proceed with the changes and keeps the rural nature of or shire intact.

Yours sincerely

[REDACTED] and [REDACTED]  
[REDACTED]  
Email: [REDACTED]  
Phone: [REDACTED]



**Damien Drew**

---

**From:** [REDACTED]  
**Sent:** Wednesday, 22 September 2021 2:26 PM  
**To:** Moyne  
**Subject:** Amendment C70moyn

Dear Madam/Sir,

Re: **Moyne Planning Scheme, Notice of the preparation of an amendment C70Moyn.**

I write in my capacity as Business manager and on behalf of [REDACTED] as the owner of the [REDACTED] land in Purnim, [REDACTED] (approx. 2.36 ha).

It has been over a decade since [REDACTED] had a commitment from [REDACTED] that this land would be considered for rezoning, which would possibly enable the creation and subdivision of the excess [REDACTED] land into smaller lots for sale.

[REDACTED] is please to support this amendment on the grounds that the [REDACTED] land, [REDACTED] [REDACTED] has become extremely difficult to maintain [REDACTED]

[REDACTED] believes that it is thorough processes like these that encourages small towns like Purnim with a platform to attract much needed new residents to rebuild the lost vibrancy these small communities once had. The subject land is not valuable farmland, in that it is not used for farming for decades.

It is though larger scale farming and the lack of appropriately zoned land that declining populations in these small towns have caused closures of school, post offices, general stores and country pubs which has resulted in a significant loss of the sense of community.

I would like to commend the Moyne Shire for preparing this amendment and reiterate the **full support** from [REDACTED] as the owner of the subject land in Purnim.

If you would like any further details, please don't hesitate to make contact with me.

Warm Regards,

[REDACTED].

[REDACTED]  
Business Manager  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

This email message (and attachments) may contain information that is confidential to [REDACTED]. If you are not the intended recipient you cannot use, distribute or copy the message or the attachments. In such a case, please notify the sender by return email immediately and erase all copies of the message and attachments. Opinions, conclusions and other information in this message and attachments that do not relate to the official business of [REDACTED] [REDACTED], are neither given nor endorsed by it.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
Moyne Shire  
PO Box 51  
Port Fairy Vic. 3284

30<sup>th</sup> September 2021.

Dear [REDACTED]

I wish to make a submission to Amendment C70moyn.

I note that a minimum lot size of two hectares (20,000 squ.metres) is proposed for the Crossley area.

I wish to bring to your attention that a precedent has been set in Lowery road Crossley of :


- 2 lots of approx.. 4000 squ. metres
- 3 lots of approx.. 5200 squ. metres
- 4 lots of approx.. 8000 squ. metres

Plus many more under two hectares in the immediate area.

We propose a lot size of 5200 squ. metres would be more reflective of the area

Yours sincerely,

[REDACTED]

	15/10/21	21 OCT 2021
	Location:	

To Moynai Planning Scheme  
Amendment C70 Moynai  
Rural Housing and Settlement Strategy

To planning Committee.

I am the landowner at [REDACTED]. It consists of a productive cropping area, a dwelling and sheds on site.

My objections to the proposed amendments are: (1) that the amendments are unnecessary as there are already overlays on the property. (2) my concerns are for the future productivity of the farm if more regulations are put in place.

This farm has been farming responsibly for over 113 years and I would like to think that we could be certain of a future unhindered by overbearing rules and restrictions.

Finally a comment on the First Fact Sheet that arrived at my door.

"The Moynai Planning Scheme is a legal document prepared by Council and approved by the Minister for planning. It contains policies and provisions that Control land use and development."


This is a disturbing observation.

Thanking you

Yours



18-10-21

	Date:	
	22 OCT 2021	Deputy:
Location:		

To/  
Councillors & Planning Officers of the  
Moynal Shire Council.

Re/ Changes from Rural Farming Zone to  
Rural Conservation Zone.

As I have only a relatively small land holding, and in the future will need every available method of farming that becomes useful.

The area that joins [redacted] contains my family home area of 1.86000 hect. and also half of my farmland 113.40 hect. (marked on enclosed map)

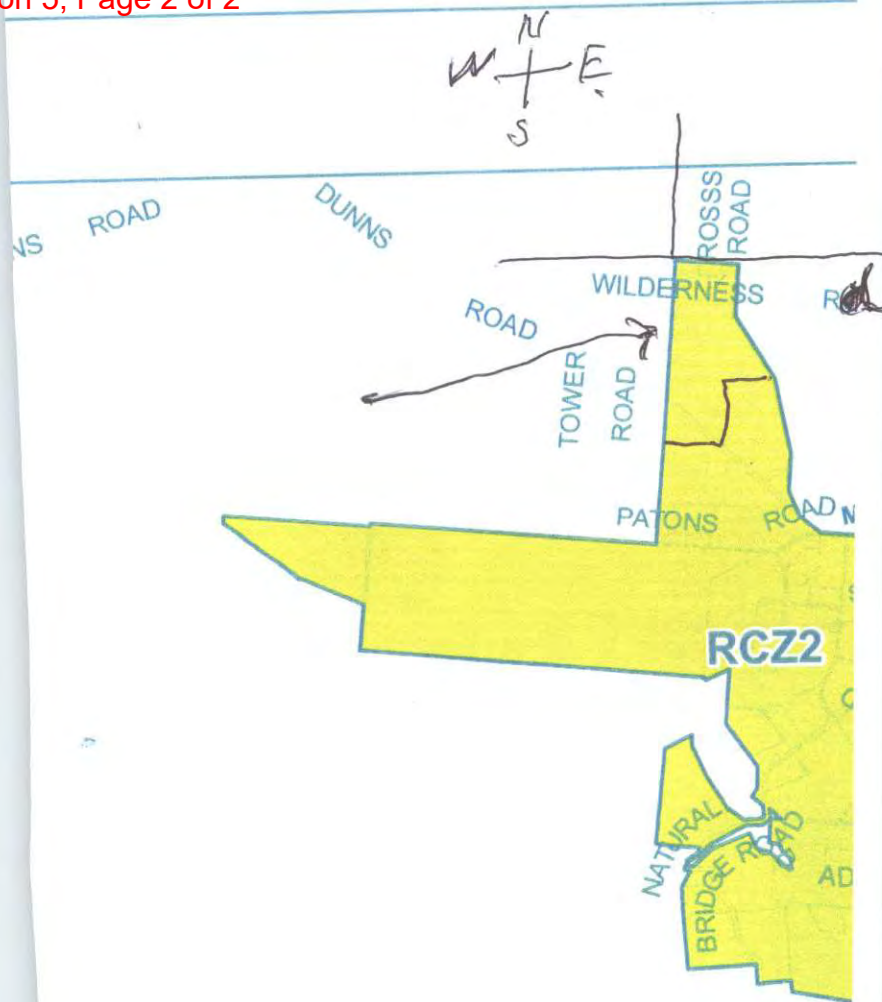
The country joining [redacted] is not related in anyway to the soil types around Mt Eccles. The mount cannot be seen from this area.

I strongly object to this area being in a R.C.Z 2 area.

The landowners in the area OWN the land & as for the Shire needing CONTROL over it is not needed. The Shire has control of the road, & everyone knows what the roadsides are like !!

Yours,  
[redacted]





## AMENDEMENT C70 SUBMISSION

### REZONING OF RURAL FARMING LAND TO RURAL CONSERVATION LAND

Name: [REDACTED]

Development address: [REDACTED]  
[REDACTED]

Postal address: [REDACTED]  
[REDACTED]

**RE:** The rezoning of private land to the North and East of the Budj Bim National Park from farming zone to Rural conservation zone Schedule 2

Firstly, we would like to acknowledge and thank both [REDACTED] and [REDACTED] for their time, stakeholder engagement and accessibility.

Even though as a directly affected landowner, the first correspondence about this planning scheme amendment was via word of mouth from an agricultural neighbor in the district. After our initial contact with [REDACTED] then our consultation with [REDACTED], who we were very approachable, positive, and sympathetic regarding our concerns.

## 1. What I like about the planning scheme amendments

Budj Bim National Park is an important heritage asset, and I am enthusiastic about a sensible land buffer zone, which adds substantially to the ecological integrity of the park.

Supportive of a buffer zone around Budj Bim National Park and the rezoning of **Non-Active Farmed Land** to RCZ2 within the shires stated strategy aim of *“continued to protect the Shire’s valuable agricultural land”*

## 2. What you do not like about the planning scheme amendments

The rezoning of quality diverse productive agriculture land, that is of some distance from the Budj Bim National Park boundary to RCZ2.

I feel in doing so **increases resource and administration costs** to the freehold landowners and **increases the need of permits and complexities** of which is in contrary to the said stated strategies aim of the, *“continued to protect the Shire’s valuable agricultural land”* (Appendix B) and *“avoiding the need for unnecessary planning permit applications for land use”* stated in the explanatory report.

*Our land which is being included in this proposed amendment is over approximately 1.2klms and 4.8klms from the national parks East and North boundary’s respectively with both forest and private uncleared woodland between us and the Budj Bim National Park. (Appendix map A – position of our land in respect to NP). Thus, there will be a sizable land buffer already in place (as per objectives of the RCZ) without including our small title that is on the far Eastern edge of the currently proposed buffer zone which has been actively farmed for generations.*

*Our land is productive and strategic for stock during the worst of the winter months, as the inclined treed area on the property protects the livestock from West and Southerly winds and provides dry shelter from the harsh elements. It is also greatly beneficial during the hot mid-summer months giving protection from sun exposure and the frontage provides an extended period of green fodder (exceedingly high in lambing rates and the excellent condition of cattle at these times of year is proof of this)*

*Our land also houses our only undercover working fodder storage facility of which is an all-weather access facility, strategic to our agriculture primary production.*

### 3. How I would change the planning scheme amendments

With respect to the far East side of the Budj Bim National Park, I would proceed with the rezoning to RCZ2 of **nonprimary agricultural unproductive uncleared woodland** (of which is all land directly West and South-West of us) thus ensuring a sizable buffer for the National Park and maintain the current FZ zone on productive strategic land of which includes our allotment.

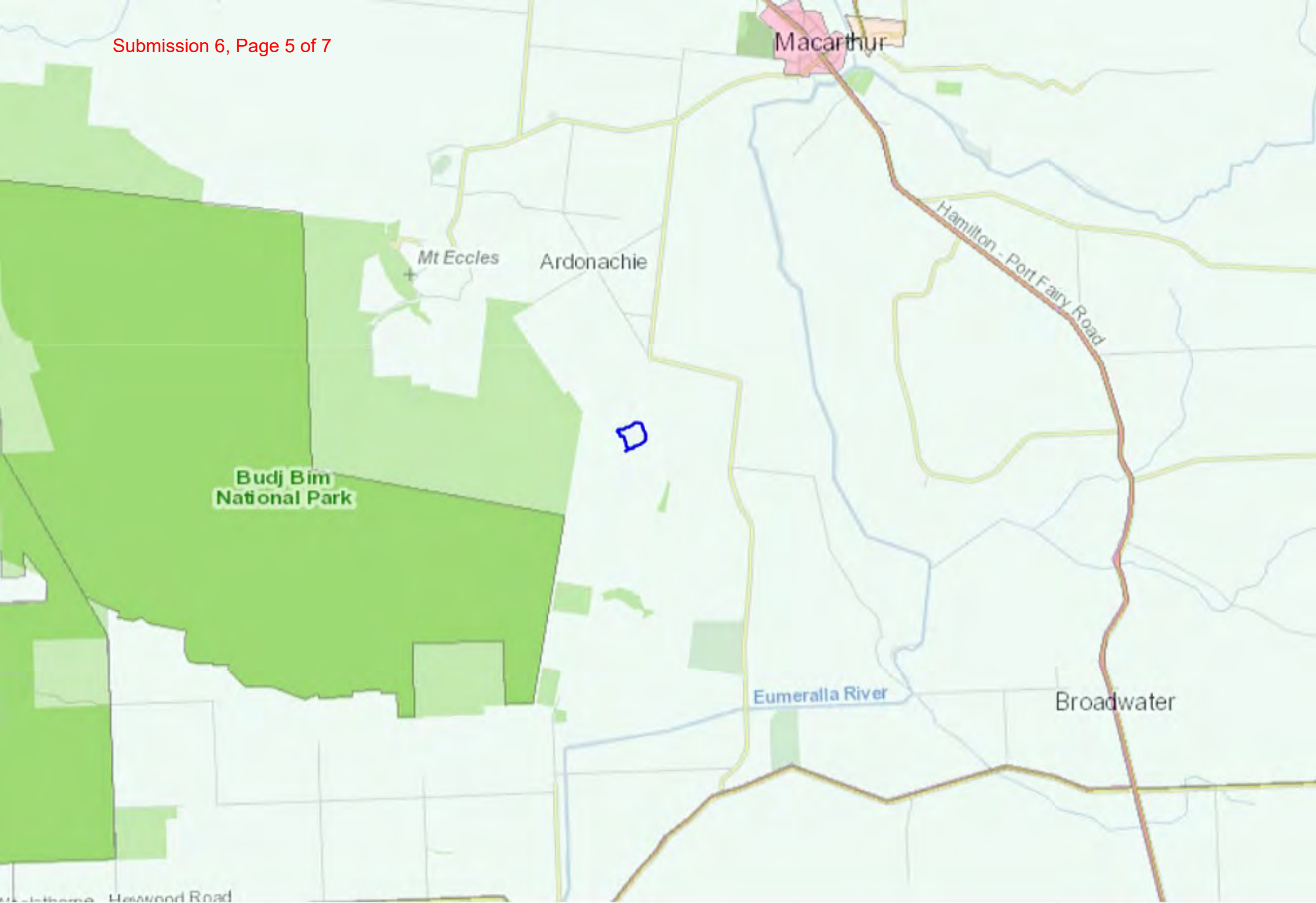
### 4. Why I would change it:

- a. Keeps in line with the C70moyn strategy of creating an effective buffer zone to the East of Budj Bim National Park.
- b. Keeps in line with C70moyn strategy to continue to protect the Shire's valuable agricultural land.
- c. Keeps in line with C70moyn stated aims of avoiding the need for unnecessary planning permit applications for land use. Maintaining farming zone, the zoning prevents increased costs and complexities for said agriculture land.
- d. Keeps consistent with Moyne Land Capability and Biodiversity Studies Project (2009) stated objectives
  - i. Rezoning this small title of partly uncleared agriculture land that has been and still is extensively used for primary production would be in contrary to these stated objectives. (Appendix C – page 62 of Moyne land capability and biodiversity studies project)
  - ii. Rezoning this small title that has no wetlands or water course would be in contrary to the decision guidelines stated in schedule 2 to clause 35.06 for the proposed C70moyn (Appendix D – schedule 2 to clause 35.06 Rural Conservation Zone – Conservation Values)
  - iii. Planning tool that can be considered is to remain as Farming Zone
- e. State legislation including native vegetation clearance controls and Clause 66 of the Victoria Planning Provisions in the Moyne Planning Scheme protect stands of native vegetation on farmland.

On top of that, our allotment already has a Bushfire Management Overlay and Heritage Overlay. Thus, RCZ2 zoning would be unnecessary onerous.

End of submission





## *Moyne Land Capability and Biodiversity Studies Project*

- It identifies an area that it wishes to promote for a use or uses consistent with the purpose of the RAZ
- If specific proposals are presented that will not cause land use conflict with surrounding existing land uses, and that can demonstrate environmental, economic and social benefits for an area being proposed for rezoning to RAZ.

Both require Council to adopt a set of criteria against which proposals can be assessed. A set of criteria are proposed in the conclusion 3 at the end of this Section.

### **Rural Conservation Zone (RCZ)**

Consistent with the objectives of the zone, the RCZ should be applied only where there is strong reason to protect important ecological or landscape values, and where the primary use of the land is or should be for conservation purposes.

The only area considered for this application has been uncleared woodland around the margins of the Mt Eccles National Park that contains important biodiversity values (refer to Figure 9). In this area the RCZ could assist to provide more long term surety over the ecological values of that land and to sustain an ecological buffer to the Park.

Further discussion and a specific conclusion on this matter are contained in Section 9.2.1. A changed outcome for this area should be discussed by Council with respective landholders, prior to Council reaching a final position on this matter.

**SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE**

Shown on the planning scheme map as **RCZ2**.

**CONSERVATION VALUES**

The private land surrounding the Budj Bim National Park comprises a contiguous significant vegetation community with associated volcanic landscape wetlands which reflects the environmental significance of the area. The vegetation provides a protective buffer around Budj Bim that is required to protect the ecological integrity of the National Park. The native vegetation is classified as vulnerable or endangered and requires recognition for its value and protection.

The vegetation and wetland values of the area are to be protected through sensitive land development which avoids the removal of native vegetation and impacts on the wetlands area.

**Subdivision and other requirements**

	Land	Area/Dimensions
Minimum subdivision area (hectares)	All land	40 hectares



Moyne Shire Council Planning Department  
PO Box 51  
Port Fairy 3284  
via E-mail moyne@moyne.vic.gov.au

26 October 2021

Dear Sir/Madam,

**Re: Moyne Planning Scheme**

We appreciate the opportunity to provide comment in response to the Moyne Planning Scheme document that sets out the vision and strategic direction for the municipality.

We also note and commend Council for leading the Key and Essential Worker Housing Supply Action Plan to address the acute shortage of housing to support realisation of the growth potential that exists within the region's most significant industries of agriculture, renewable energy and tourism. This critical housing shortage has been further exacerbated by the Covid-19 pandemic-induced interest in people seeking to relocate to rural and regional Victoria. A failure to capitalise on this once in a generation opportunity will fail to secure the skills and cultural diversity essential to the region's economic and social development.

The Scheme enunciates a desire by Council to anticipate and respond to the needs of existing and future communities with a focus on those towns where there is connection to larger towns. In view of all the aforementioned factors, together with the growth in residential development demonstrated in Purnim, we respectfully encourage Council to consider the merits of elevating the hamlet of Purnim for additional Township and Rural Living zoned areas.

Our farm adjoins the proposed Township Zoned land contained within Amendment C70 and borders the south-west side of [REDACTED] Road, directly opposite the land zoned Rural Living and Public Park and Recreation. We wish to express our interest in making available additional land adjacent to these areas to further support the aims of Council and satisfy the current demand for new residential development,

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

especially for Key and Essential Workers and those seeking to enjoy rural style living but within a 10-minute drive of the region's largest centre.

It may also be of interest to Council that the owner of the land adjoining ours on [REDACTED], is willing to see such development objectives achieved.

Please extend our appreciation to [REDACTED], with whom a meeting was held on Friday 22<sup>nd</sup> October and who was generous with his time and knowledge. We thank you for your time in considering our request and would be happy to engage in further discussion if that would be useful.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]



27/10/2021

Moyne Shire Council  
PO Box 51  
Port Fairy VIC 3284

**SUBMISSION TO PLANNING SCHEME AMENDMENT C70  
MOYNE PLANNING SCHEME**

Dear Sir/Madam,

We act on behalf of the landowners of [REDACTED] – for [REDACTED]

The above land is made up of [REDACTED]. All lots are established with pasture and are used for low level grazing, other than [REDACTED] that contains the landowners principal place of residence/dwelling.

**SUBMISSION DETAIL**

On their behalf, the following concerns are raised regarding the proposed C70 Planning Scheme Amendment to their property at [REDACTED].

- The Rural Housing and Settlement Strategy and its Addendum Report 2015 indicated that the above land would be included in a Rural Living Zone as well as selected surrounding land that already contain substantial rural living development. C70 is not consistent with the Zoning outcomes from the Addendum Report.
- The strategic basis of the Rural Housing and Settlement Strategy Addendum Report was to also limit rural living areas to protect immediate adjoining agricultural land uses west and south of the subject site. The landowner agrees with the protection of larger farming operations in the area that are located south and west of the subject site, but the line between those larger farming uses and the existing rural living areas needs to be better defined.
- The expansive use of the Farming Zone 3 west and south of Koroit, with a 10ha area allowing a dwelling without a planning permit will compromise and convert substantially more agricultural land beyond what was proposed to be in the Rural Living Zone west and south of Koroit in the Addendum Report.
- The use of the Farming Zone 3 should not be used west and south of Koroit. The Farming Zone controls should remain unaltered to effectively protect those existing agricultural businesses.
- The subject land and some of the immediate surrounds have already been substantially converted for rural living purposes and on that basis, it is more appropriate to have the subject land and those selected surrounds located in the Rural Living Zone to acknowledge the existing land use.

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

- The subject land is already heavily fragmented from surrounding larger agricultural land uses and will not effectively be able to be used in conjunction with larger farming operations as the land parcels are not contiguous and if used for agriculture will likely increase the potential for land use conflicts.
- C70 is not consistent with the Koroit Structure Plan, in that the Koroit Structure Plan contains a plan that shows proposed rezoning of the subject land to the Rural Living Zone, and that the Rural Living Zone should extend and effect land west of Duffus Street back to the Koroit Port Fairy Road on the southern side of the Penshurst Warrnambool Road.
- Any proposals in C70 need to be consistent with the Koroit Structure Plan.
- Figure 1 below demonstrates the existing Rural Living development pattern west of Koroit, to clearly articulate the above concerns.
- Figure 2 below provides the suggested extension of the Rural Living Zone 2 with respect to this submission's subject land and selected surrounds, which will ensure the following:
  - Protection of larger existing agricultural farming businesses;
  - Locating the most concentrated cluster of existing rural living development within the most appropriate zone so that the Zone reflects the actual land use, while still allowing for some limited growth of rural living uses within that limited area.
  - Aligning the boundary of the two zones generally along road boundaries, rather than lot boundaries to limit split zoning issues in the future.

## SUMMARY

This submission seeks to:

- Remove the Farming Zone 3 from being applied to the area west and south of Koroit in its entirety to effectively protect existing agricultural businesses.
- Extend the proposed Rural Living Zone 2 area west of Koroit as exhibited to also include land as detailed in Figure 2 below.

Please contact me on [REDACTED] or [REDACTED] on [REDACTED] or via email if you have any questions about the above submission. Any further correspondence regarding the amendment and this submission should be directed to [REDACTED]

Yours faithfully,

[REDACTED]

DIRECTOR - TOWN PLANNING  
B. Urb Plan & Dev.

[REDACTED]

TOWN PLANNER  
PGDip RurRegPlan MPIA

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



Figure 2 Context Plan – existing agricultural/rural living interface

Existing dwellings on lot of 2ha≈ shown in blue.

Approved dwelling, planning application for dwelling or land being sold for a dwelling on a lot of 2ha≈ shown in green.



Figure 1 Expanded Rural Living Zone area - shown in orange

Purpose- to encapsulate concentrated cluster of existing rural living development




27/10/2021

Moyne Shire Council  
PO Box 51  
Port Fairy VIC 3284

**SUBMISSION TO PLANNING SCHEME AMENDMENT C70  
TO THE MOYNE PLANNING SCHEME**

Dear Sir/Madam,

We act on behalf of [REDACTED] who have an interest in [REDACTED]. Our clients are contracted to purchase this land from the current landowners and await the release of the new titles for the land, prior to settlement.

On their behalf, the following concerns are raised regarding the proposed C70 Planning Scheme Amendment regarding land at [REDACTED]. A plan of subdivision is provided to clarify the land.

- Amendment C70 seeks to alter the zoning of the land by locating the site within the Farming Zone Schedule 3 (FZ3).
- The intent of the new FZ3 is to provide for contemplates dwellings on land parcels of above 10 hectares.
- The subject land is 3.826ha and is directly adjacent to a concentrated area of existing rural living development that extends from the Port Fairy Koroit Road directly west to the eastern side of Cruise Street and generally on the southern side of the Penshurst Warrnambool Road (see Figure 1 for rural living development pattern).
- Based on its lot size and direct connection to the rural living development pattern, it is more appropriate that the subject land be included in the Rural Living Zone 2 that is proposed directly adjacent to the land.
- The land should not be included in the Farming Zone 3 as the land size is well below the minimum lot size for a dwelling on 10 hectares.
- The land is rated for residential purposes and is not viable to be absorbed into adjoining larger commercial farming businesses on that basis as the commercial land price would far exceed the market rate for agricultural land.
- Given the above, the land is best served being located in the Rural Living Zone as the land parcel is no longer viable as an agricultural land resource nor is it financially viable to be included in an adjoining larger farming business.
- There is a current planning permit application submitted with Council for the subject land for a dwelling. The basis of this application is that the land can sustain limited agricultural outputs and that the proposed dwelling/residential component of the application is complementary

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

with the adjoining rural living development that is prevalent along Lumsdens Lane. The proposed land use also acts as somewhat of a buffer to the rural living development in that the subject land will only be capable of containing limited lower levels of agricultural outputs and therefore lessen potential for land use conflicts and therefore more complimentary to those more sensitive land uses.

Please contact me on [REDACTED] or [REDACTED] on [REDACTED] or via email if you have any questions about the above submission. Any further correspondence regarding the amendment and this submission should be directed to [REDACTED]

Yours faithfully,

[REDACTED]

DIRECTOR - TOWN PLANNING  
B. Urb P an & Dev.

[REDACTED]

TOWN PLANNER  
PGD p RurRegP an MPIA

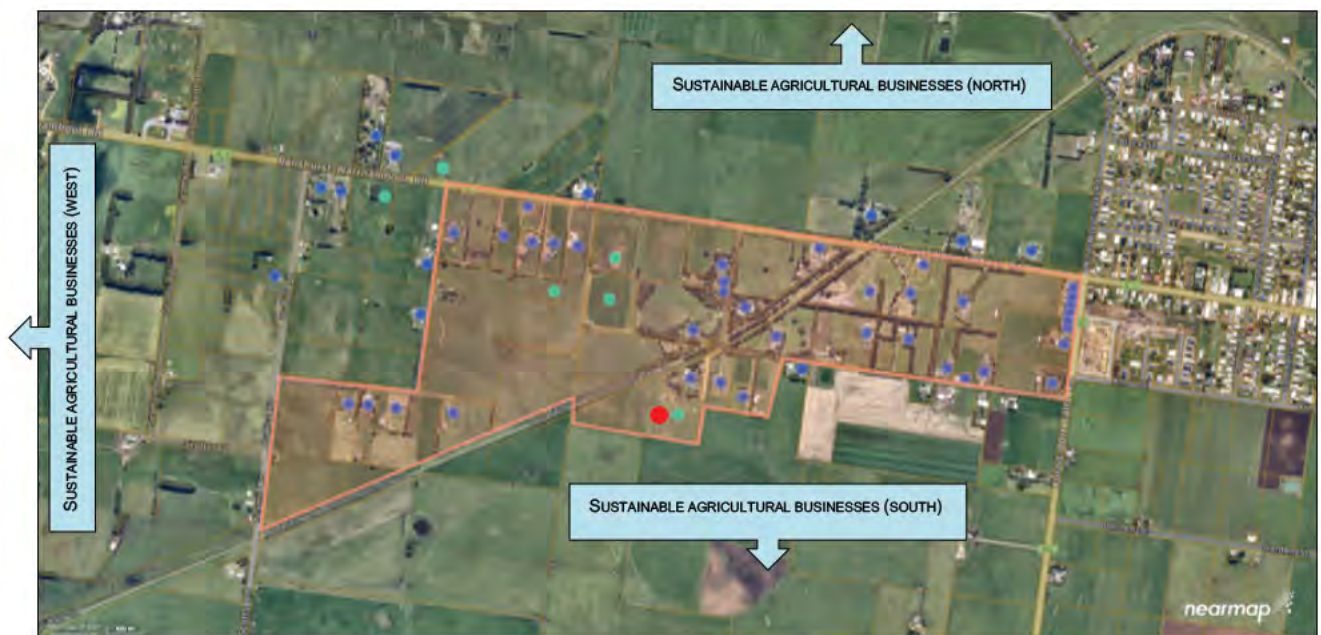


Figure 1 Context Plan – existing agricultural/rural living interface

Existing dwellings on lot of 2ha≈ shown in blue.

Approved dwelling planning application for dwelling or land being sold for a dwelling on a lot of 2ha≈ shown in green.

Include the subject land within the Rural Living Zone as shown above in orange.

Subject land shown in red

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



PLAN OF SUBDIVISION			EDITION 1		PS 819405H	
LOCATION OF LAND  PARISH: KOROIT TOWNSHIP: _____ SECTION: _____ CROWN ALLOTMENT: _____ CROWN PORTION: 20 (PART) TITLE REFERENCES: VOL.10303 FOL.164  LAST PLAN REFERENCE: <div></div>  POSTAL ADDRESS: <div><div></div><div></div></div> (at time of subdivision)  MGA CO-ORDINATES:   E: 617 520                   ZONE: 54 (of approx centre of land   N: 5 760 700                   GDA 2020 in plan)			COUNCIL NAME: MOYNE SHIRE COUNCIL			
VESTING OF ROADS AND/OR RESERVES			NOTATIONS			
IDENTIFIER	COUNCIL/BODY/PERSON		LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS  FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS COPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATION RULES.			
NOTATIONS						
DEPTH LIMITATION: DOES NOT APPLY						
SURVEY: This plan is based on survey.  STAGING: This is not a staged subdivision. Planning Permit No. PL17/067  This survey has been connected to permanent marks No(s). Warrong No.30 & Koroit No.32  In Proclaimed Survey Area No. _____						
EASEMENT INFORMATION						
LEGEND:   A - Appurtenant Easement   E - Encumbering Easement   R - Encumbering Easement (Road)						
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of		
A-1	CARRIAGEWAY	10.06	BOOK 151 NO.147	LAND IN THIS PLAN		
A-2	CARRIAGEWAY, DRAINAGE & SUPPLY OF ELECTRICITY	SEE DIAG.	Y923M	SEE Y923M		
<div><div></div><div>VINCENT LAND SURVEYING</div><div>A.B.N. 96 098 938 138</div><div>482 RAGLAN PARADE, WARRNAMBOOL 3280</div><div>PHONE (03) 55 629211</div></div>			SURVEYORS FILE REF: 1014		ORIGINAL SHEET SIZE: A3	
			LICENSED SURVEYOR: GARY VINCENT		SHEET 1 OF 3 SHEETS	
			VERSION 5			

PS 819405H

SCALE OF ENLARGEMENT 1:250  
 2.5 0 2.5 5 7.5 10  
 LENGTHS ARE IN METRES

COMMON  
PROPERTY  
NO.1  
22.8m<sup>2</sup>

18A 2030  
 66°36'  
A&C2.36  
R1222.1  
 8°31'10" 10.75 12  
 188°31'10" 98°31'

SEE ENLARGEMENT

18A  
(FORMER RAILWAY RESERVE)  
 346.22  
 68°09'50"

1  
8094m<sup>2</sup>

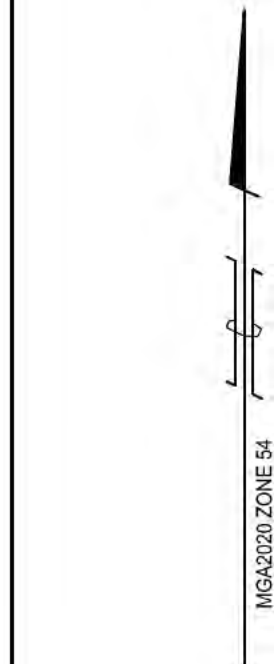
R1222.1  
67°53'20"  
(C57.35)  
(A57.36)  
 A&C55.00  
67°56'40"

R1222.1  
A&C40.45  
65°35'50"  
 6°20' 64°04'30" 38.42  
 66°16' A&C11.89  
 65°19' 7.79  
 A-2

LUMSDENS LANE

99°19'30"  
(952.2)

KOROIT - PORT FAIRY ROAD



2  
3.826ha  
 266.57  
 8°31' 29.51  
 202.02  
 279°11'30"  
 1.02 187°51'  
 146.43  
 279°24'10"  
 118.89  
 188°22'00"  
 108.71 106.43  
 188°31'10" 97.96 118.43  
 93.22 99°24'  
 45.26 138°09'40"

SURVEYORS REF:1014



VINCENT LAND SURVEYING

A.B.N. 96 098 938 138

482 RAGLAN PARADE, WARRNAMBOOL 3280  
 PHONE (03) 55 629211

SCALE  
1:1250

12.5 0 12.5 25 37.5 50  
 LENGTHS ARE IN METRES

ORIGINAL SHEET  
SIZE: A3

SHEET 2

LICENSED SURVEYOR: GARY VINCENT

VERSION 5





[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Email: [REDACTED]

Thursday 28<sup>th</sup> October 2021

Moyne Shire Council  
Planning Department  
Po Box 51  
PORT FAIRY VIC 3284

**RE: Amendment C70 Submission**

We would like to tender our submission opposing the C70 Amendment which is proposing to make rezoning changes to private land to the north and east of the Budj Bim National Park from Farming Zone to Rural Conservation Zone Schedule 2.

We understand that the aim is to protect the biodiversity values and/or provide a “buffer” to the National Park and that the 40-hectare minimum lot size for this land is being retained.

However, the following arguments demonstrate our objection to any changes to the current privately owned farming zoned land.

1. On the east side of the park, a large area of the land (which the National Park backs onto) is owned by Traditional Owners or is a Native Vegetation Off Set site of which there is approximately 800acres of this area along with a small section of crown land. Surely, this provides more than an adequate buffer to protect the biodiversity values of the National Park.



**Fig 1 & 2** - Open, cleared improved pastures, any native vegetation was ploughed in 100 plus years ago.

2. Our block [REDACTED] which has been in [REDACTED] family for over 100 years is not even near the National Park – being there is [REDACTED] Road and [REDACTED] Road between the National Park and the Private Land- is all cleared and improved pastures as per Fig 1 & 2 above. Why would it even be included as a “buffer” it isn’t even adjacent to the park, and any native pastures were ploughed back into the earth long ago. This is not a logical selection of land, and it should be removed from the rezoning schedule.

3. We understand that the Planning Scheme Amendment C70moyn has used the Land Capability and Biodiversity Studies Project (Project) which was compiled by [REDACTED] Partners which was finalised in 2009.

Within this report, the Project itself states: “Application of the RCZ should be considered only for areas of uncleared remnant vegetation adjacent to Mt Eccles National Park” (page 64).

**Table 16: (Page 71 - 72)**

This table puts arguments for and against changing the Farming Zone to Rural Conservation Zone; “Application of the RCZ will make no practical difference as the environmental values of the land are already protected by surface constraints and the basic inability to use the land for agriculture” – This statement is a false claim. The land has and is being used for agriculture – it has been used for over a 100 years as farming land both within wooded areas and open land. Within the Park itself there are many stone walls which were built by early settlers as they grazed sheep and cattle in there during winter – where the bracken was cleared and ryegrass sown, the stock thrived from the protection of the cold western district winters. This is still being practiced today by some local farmers. It is hard ground to farm, but to those who know what they’re doing, the reward is worth the effort.

Page 7 of the Project – “The purposes of these new zones are to:

- Recognise the State, regional and local importance of farming as an industry and provide greater protection for productive agricultural land”. Moyne Shire Council should be helping farmers to “recognise .... Farming as an industry and provide greater protection for productive agricultural land”. Not just focus on Tourism in the region and what might be but focus on what is and what will be in the future for a long time to come!
4. Our other concern is what will this change in the zoning do to our property valuation? Is Moyne Shire Council going to adjust the rates accordingly?

In conclusion, we urge you to not approve this rezoning, it is an unnecessary change which will negatively impact our ability to flexibly farm this land and devalue the land in circumstances where the environmental significance can continue to be protected in other, less onerous ways. Please do not approve this rezoning amendment.

Thank you.

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Mobile : [REDACTED]  
[REDACTED]  
Email: [REDACTED]

Thursday 28<sup>th</sup> October 2021

Moyne Shire Council  
Planning Department  
Po Box 51  
PORT FAIRY VIC 3284

**RE: Amendment C70 Submission**

We would like to tender our submission opposing the C70 Amendment which is proposing to make rezoning changes to private land to the north and east of the Budj Bim National Park (Private Land) from Farming Zone to Rural Conservation Zone Schedule 2 (RCZ2).

We understand that the aim of this amendment is to protect the biodiversity values and/or provide a “buffer” to the National Park and that the 40 hectare minimum lot size for this land is being retained.

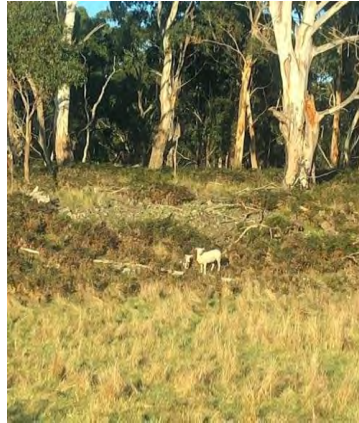
However, a change from Farming Zone – a zone that is strongly focussed on protecting and promoting farming and agriculture, to a Rural Conservation Zone, must give adequate consideration to the particular environmental characteristics of the particular area. We do not consider that this has been done and wish to record our complete objection to this proposal.

This is particularly the case given that, while Rural Conservation Zones do contemplate the use of the land for agriculture, in a Rural Conservation Zone, farming is subordinate to other land uses or the environmental values of the land. This onerous obligation will be applied to all future farming use of the land, in circumstances where the environmental characteristics of the area are already adequately protected, and which we would assert, have also been mis defined by Council which has also failed to identify any alternative and less onerous means of managing any perceived risk in this area.

For example:

1. On the east side of the park, a large area of the land (which the National Park backs onto) is owned by Traditional Owners or is a Native Vegetation Off Set site of which there is approximately 800acres of this area. Surely, this provides more than an adequate buffer to protect the biodiversity values of the National Park.

2. The Private Land [REDACTED] has the Native Vegetation Off Set Site on one side and traditional owners on the other, our block provides excellent protection to lambing ewes in winter as per Fig. 1 below:



**FIG 1.**

These ewes were single lambing maidens that marked at 94%, they had warmth, privacy, and protection from the cold winter winds. To you this land might be just “scrub and stones”, but to us, it’s so much more! This land has been in [REDACTED] family for three generations, we have improved the pastures where we could and managed the land accordingly. What is putting a RCZ2 on the land going to achieve?

3. Our other block [REDACTED] which is not even near the National Park – being there is [REDACTED] Road between the National Park and the land - is all cleared and improved pastures as per Fig 2, 3 & 4 below. Why would it even be included as a “buffer” it isn’t even adjacent to the park, and any native pastures were ploughed back into the earth a 100 plus years ago, this is not a logical selection of land and it, like the land mentioned above, should be removed from the rezoning schedule.



**Fig 2, 3 & 4 – Open, cleared improved pastures, any native vegetation was ploughed in 100 plus years ago.**



4. We understand from meeting with [REDACTED] Manager Planning, Building and Health and [REDACTED] Strategic Planner that the Planning Scheme Amendment C70moyn has used the Land Capability and Biodiversity Studies Project (Project) which was compiled by [REDACTED] which was finalised in 2009.

Within this report, the Project itself states: “Application of the RCZ should be considered only for areas of uncleared remnant vegetation adjacent to Mt Eccles National Park” (page 64).

**Table 16: (Page 71 - 72)**

This table puts arguments for and against changing the Farming Zone to Rural Conservation Zone; “Application of the RCZ will make no practical difference as the environmental values of the land are already protected by surface constraints and the basic inability to use the land for agriculture” – This statement is a false claim. The land has and is being used for agriculture – it has been used for over a 100 years as farming land both within wooded areas and open land. Within the Park itself there are many stone walls which were built by early settlers as they grazed sheep and cattle in there during winter – where the bracken was cleared and ryegrass sown, the stock thrived from the protection of the cold western district winters. This is still being practiced today by some local farmers. It is hard ground to farm, but to those who know what they’re doing, the reward is worth the effort.

Page 7 of the Project – “The purposes of these new zones are to:

- Recognise the State, regional and local importance of farming as an industry and provide greater protection for productive agricultural land”, Moyne Shire Council should be helping farmers to “recognise .... Farming as an industry and provide greater protection for productive agricultural land”. Not just focus on Tourism in the region and what might be but focus on what is and what will be in the future for a long time to come!
5. Our other concern is what will this change in the zoning do to our property valuation? If we want to borrow against the land, and it has a RCZ2 the bank is not going to loan as much against the land, limiting our borrowing capacity. Is Moyne Shire Council going to adjust the rates or pay us compensation accordingly?
6. And, finally, what about the bushfire risk, is Moyne Shire Council, going to assist with fire prevention strategies to ensure that local residents adjacent to the National Park aren’t burnt out in the future? Or assist in regular cold burns as have been conducted in the past?
7. The comment was made by Council Staff that applying the RCZ2 to the land which is currently being farmed will have no impact on what we can farm or how we go about farming the land. If this is the case, then why do it? Why not leave the land as a Farming Zone with its current conditions? This is clearly not the case and, by making these comments publicly, Council is misleading those who might otherwise also be concerned about these changes.

In conclusion, we urge you to not approve this rezoning. We have received 362 signatures to date on a Change.Org petition supporting our request to stop the rezoning, these are attached. The rezoning from Farming to Rural Conservation Zone is an unnecessary change which will dramatically and negatively affect our ability to flexibly farm this land into the future and devalue the land in circumstances where the environmental significance can continue to be protected in other, less onerous ways.

Thank you.

[REDACTED]  
[REDACTED]

**CHANGE.ORG SIGNATURES OF SUPPORT**

Name	City	State	Postal Code	Country	Signed On
Catherine [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Bridie [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Carol [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Helen [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Bruce [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Stuie [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Debbie [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Scott [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Miriam [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Leigh [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Jenny [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Sarah [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Christine [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Jane [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Stuart [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Alex [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Geordie [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Lyn [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Elisa [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Graeme [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Lachlan [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Zoe [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Sandra [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Katelyn [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Warren [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Mark [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Dave [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Rebecca [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Helen [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Andrew [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Bev [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Patrick [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Jayden [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Jen [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Glen [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Wallace [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Kate [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Kevin [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Karen [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Darren [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Bruce [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Leon [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
David [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Johanna [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Philip [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Melinda [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Scott [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021
Thea [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Australia	22/09/2021

Barry				Australia	22/09/2021
Velia				Australia	22/09/2021
Elsie				Australia	22/09/2021
Jill				Australia	22/09/2021
Mal				Australia	22/09/2021
Janine				Australia	22/09/2021
David				Australia	22/09/2021
Michael				Australia	22/09/2021
Matthew				Australia	22/09/2021
Elizabeth				Australia	22/09/2021
Gavin				Australia	22/09/2021
Laura				Australia	22/09/2021
Nicole				Australia	22/09/2021
Tarryn				Australia	22/09/2021
Carol				Australia	22/09/2021
Tom				Australia	22/09/2021
Kaitlin				Australia	22/09/2021
Jill				Australia	22/09/2021
Tanya				Australia	22/09/2021
Virginia				Australia	22/09/2021
Yvonne				Australia	22/09/2021
Phil				Australia	22/09/2021
Stuart				Australia	22/09/2021
Gary				Australia	22/09/2021
Greg				Australia	22/09/2021
Leigh				Australia	22/09/2021
Annabelle				Australia	22/09/2021
Lorrene				Australia	22/09/2021
Sam				Australia	22/09/2021
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Mary				Australia	22/09/2021
David				Australia	22/09/2021
Kristy				Australia	22/09/2021
Harold				Australia	22/09/2021
Patricia				Australia	22/09/2021
Daniel				Australia	22/09/2021
Mark				Australia	22/09/2021
Maureen				Australia	22/09/2021
Nyomie				Australia	22/09/2021
Rob				Australia	22/09/2021
Ross				Australia	22/09/2021
Angela				Australia	22/09/2021
Liz				Australia	22/09/2021
Noah				Australia	22/09/2021
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Simon				Australia	22/09/2021
Peter				Australia	22/09/2021
Gail				Australia	22/09/2021
Simon				Australia	22/09/2021
Corinna				Australia	22/09/2021

Grace				Australia	22/09/2021
Matthew				Australia	22/09/2021
Mary-Anne				Australia	22/09/2021
Knox				Australia	22/09/2021
Lee				Australia	22/09/2021
Corey				Australia	22/09/2021
Natalie				Australia	22/09/2021
Ayla				Australia	22/09/2021
Jack				Australia	22/09/2021
fawzi				Australia	22/09/2021
Aaron				Australia	22/09/2021
Jarred				Australia	22/09/2021
Emma				Australia	22/09/2021
Kerrilee				Australia	22/09/2021
Zane				Australia	22/09/2021
Trevor				Australia	22/09/2021
Ashlee				Australia	22/09/2021
Brett				Australia	22/09/2021
Jonathan				Australia	22/09/2021
Anna				Australia	22/09/2021
Terry				Australia	22/09/2021
Sarah				Australia	22/09/2021
Susan				Australia	22/09/2021
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James				Australia	22/09/2021
Georgina				Australia	22/09/2021
Kate				Australia	22/09/2021
Jesse				Australia	22/09/2021
Jessica				Australia	22/09/2021
Patrick				Australia	22/09/2021
Vian				Australia	22/09/2021
Angus				Australia	22/09/2021
Archie				Australia	22/09/2021
Christopher				Australia	22/09/2021
Lisa				Australia	22/09/2021
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Neil				Australia	23/09/2021
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Mal				Australia	23/09/2021
bob				Australia	23/09/2021
Mark				Australia	23/09/2021
Samara				New Zealand	23/09/2021
wayne				Australia	23/09/2021
Stephen				Australia	23/09/2021
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Rosie				Australia	23/09/2021
Maddy				Australia	23/09/2021
Richard				Australia	23/09/2021
Stewart				Australia	23/09/2021
Anne				Australia	23/09/2021
Will				Australia	23/09/2021
Scott				Australia	23/09/2021
Fleur				Australia	23/09/2021
Skyla				Australia	23/09/2021
Fiona				Australia	23/09/2021
Kamani				Australia	23/09/2021
Liza				Australia	23/09/2021
Deb				Australia	23/09/2021
Mitzi				Australia	23/09/2021
Kit				Australia	23/09/2021
James				Australia	23/09/2021
william				Australia	23/09/2021
Johnny				Australia	23/09/2021
Bryce				Australia	23/09/2021
Nikki				Australia	23/09/2021
Adan				Australia	23/09/2021
Lee				Australia	23/09/2021
Glynis				Australia	23/09/2021
Suzi				Australia	23/09/2021
Lou				Australia	23/09/2021
Michael				Australia	23/09/2021
Aggie				Australia	23/09/2021
Robyn				Australia	23/09/2021
Scott				Australia	23/09/2021
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Amelia				Australia	23/09/2021
Katrina				Australia	23/09/2021
Joy				Australia	23/09/2021
paul				Australia	23/09/2021
Wil				Australia	23/09/2021
Matt				Australia	23/09/2021
Kerry				Australia	23/09/2021

Patrick		Australia	23/09/2021
Dean		Australia	23/09/2021
Lacy		Australia	23/09/2021
April		Australia	23/09/2021
Harry		Australia	23/09/2021
Dallas		Australia	23/09/2021
Lynette		Australia	23/09/2021
Keri		Australia	23/09/2021
Sherrie		Australia	23/09/2021
Belinda		Australia	23/09/2021
Angela		Australia	23/09/2021
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Lucy		Australia	23/09/2021
Paul		Australia	23/09/2021
Megan		Australia	23/09/2021
Angus		Australia	23/09/2021
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James		Australia	23/09/2021
Cass		Australia	23/09/2021
Jodie		Australia	23/09/2021
Elly		Australia	23/09/2021
Lyn		Australia	23/09/2021
Sally		Australia	23/09/2021
Netsanet		Australia	23/09/2021
Chris		Australia	23/09/2021
Susan		Australia	23/09/2021
yvonne		Australia	23/09/2021
Vivienne		Australia	23/09/2021
Sally		Australia	23/09/2021
Kate		Australia	23/09/2021
Douglas		Australia	23/09/2021
marie-anne		Australia	23/09/2021
Brad		Australia	23/09/2021
Stuart		Australia	23/09/2021
Daniel		Australia	23/09/2021
Jordan		Australia	23/09/2021
Edwina		Australia	23/09/2021
Sam		Australia	23/09/2021
Di		Australia	23/09/2021
Jane		Australia	23/09/2021
Bonnie		Australia	23/09/2021
Lance		Australia	23/09/2021
Lusia		Australia	23/09/2021
Mozatti		Australia	23/09/2021
Hayley		Australia	23/09/2021
Jacqui		Australia	23/09/2021
Debbie		Australia	23/09/2021
aroha		Australia	23/09/2021
Paul		Australia	23/09/2021
Leanne		Australia	23/09/2021

Clint				Australia	23/09/2021
Dylan				Australia	23/09/2021
Daniel				Australia	23/09/2021
Michael				Australia	23/09/2021
Georgie				Australia	23/09/2021
Sel				Australia	23/09/2021
Noah				Australia	23/09/2021
Charles				Australia	23/09/2021
Paul				Australia	23/09/2021
Ric				Australia	23/09/2021
Daniel				Australia	23/09/2021
James				Australia	23/09/2021
Phillip				Australia	23/09/2021
Peter				Australia	23/09/2021
Paul				Australia	23/09/2021
Caitlin				Australia	23/09/2021
Matthew				Australia	23/09/2021
Malachi				Australia	23/09/2021
Noel				Australia	23/09/2021
Judy				Australia	23/09/2021
Loris				Australia	23/09/2021
Georgina				Australia	23/09/2021
Linda				Australia	23/09/2021
Kaye				Australia	23/09/2021
Deborah				Australia	23/09/2021
Dominic				Australia	24/09/2021
Jen				Australia	24/09/2021
Margaret				Australia	24/09/2021
Viva-Lyn				Australia	24/09/2021
Rebecca				Australia	24/09/2021
Julian				Australia	24/09/2021
Tracey and Peter				Australia	24/09/2021
J H				Australia	24/09/2021
Pam				Australia	24/09/2021
Joëlle				Australia	24/09/2021
Pammie				Australia	24/09/2021
Cate				Australia	24/09/2021
Carlie				Australia	24/09/2021
neilo				Australia	24/09/2021
Portia				Australia	24/09/2021
Ros				Australia	24/09/2021
James				Australia	24/09/2021
Lochlan				Australia	24/09/2021
Katy				Australia	24/09/2021
tom				Australia	24/09/2021
Samantha				Australia	24/09/2021
Jocelyn				Australia	24/09/2021
Frank				Australia	24/09/2021
Logan				Australia	24/09/2021
Vicki				Australia	24/09/2021



geoff				Australia	24/09/2021
Katherine				Australia	24/09/2021
Cassandra				Australia	24/09/2021
Joanne				Australia	24/09/2021
Linda				Australia	24/09/2021
Tracy				Australia	24/09/2021
Ray				Australia	24/09/2021
Tracey				Australia	24/09/2021
Tess				Australia	24/09/2021
Shirley				Australia	24/09/2021
Reilly				Australia	24/09/2021
James				Australia	24/09/2021
Skye				Australia	24/09/2021
Michelle				Australia	24/09/2021
Alex				Australia	24/09/2021
Kathy				Australia	24/09/2021
	Red			Australia	24/09/2021
Elyse				Australia	25/09/2021
Sue				Australia	25/09/2021
Shane				Australia	25/09/2021
Austin				Australia	25/09/2021
Sarah				Australia	25/09/2021
Ashlyn				Australia	26/09/2021
Rob				Australia	26/09/2021
tamara				Australia	26/09/2021
Jo				Australia	26/09/2021
Gary				Australia	27/09/2021
Rebecca				Australia	27/09/2021
Leonie				Australia	27/09/2021
Judy				Australia	27/09/2021
Adrian				Australia	28/09/2021
Julianne				Australia	29/09/2021
Julie				Australia	29/09/2021
Louise				Australia	29/09/2021
Pat				Australia	29/09/2021
Hendrina				Australia	29/09/2021
Tony				Australia	29/09/2021
davena				Australia	29/09/2021
Jennifer				Australia	29/09/2021
Cameron				Australia	29/09/2021
Heidi				Australia	29/09/2021
taylah				Australia	29/09/2021
Troy				Australia	29/09/2021
Amy				Australia	29/09/2021
Kim				Australia	29/09/2021
Nessa				Australia	29/09/2021
Gyorgyi				Australia	29/09/2021
Stever				Australia	29/09/2021
Shelby				Australia	29/09/2021
brooke				Australia	29/09/2021

Amira				Australia	29/09/2021
Heather				Australia	29/09/2021
Darren				Australia	30/09/2021
Abz				Australia	30/09/2021
Neil				Australia	30/09/2021
Grant				Australia	30/09/2021
Lachlan				Australia	30/09/2021
Jordan				Australia	30/09/2021
Yussef				Australia	30/09/2021
shanshan				Australia	30/09/2021
Dan				Australia	30/09/2021
Allison				New Zealar	6/10/2021
Belinda				Australia	10/10/2021

27<sup>th</sup> October 2021

Moyne Shire Council  
PO Box 51  
Port Fairy 3284

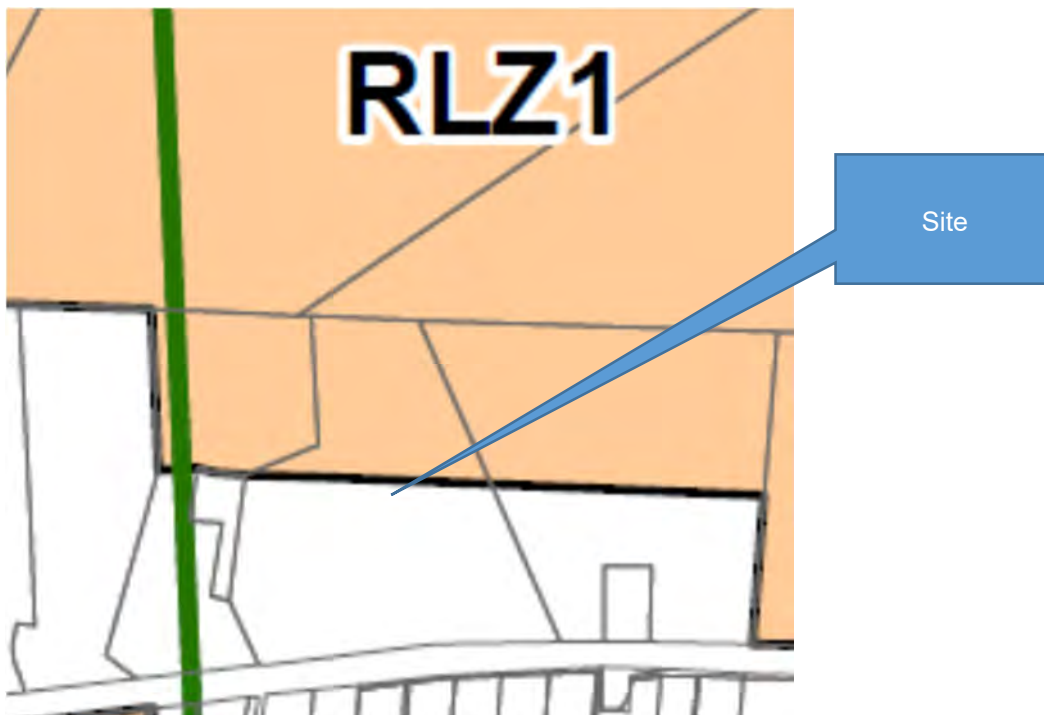
Email: moyne@moyne.vic.gov.au

**RE: MOYNE PLANNING SCHEME AMENDMENT C70moyn  
RURAL HOUSING AND SETTLEMENT STRATEGY**

Dear Moyne Shire Council,

I write this submission to the proposed planning scheme changes proposed by amendment C70moyn and am acting for the landowners [REDACTED] in this matter.

This submission is in relation to a large property located [REDACTED], described as [REDACTED]. This site is adjacent to [REDACTED] and land identified in the Port Fairy Structure Plan as being proposed be rezoned to Neighbourhood Residential Zone as part of Growth Area A (to the east), however this site has not been included in the changes proposed by that structure plan. The southern part of the site is currently within the Low Density Residential Zone, with the northern part of the site within the Rural Living Zone. This land is partially included within the proposed Rural Living Zone Schedule 1 (RLZ1) in map 35 of the exhibited amendment, of which an extract is shown below:



[REDACTED]

A planning permit application is currently being assessed for the subdivision of this property and during the planning of this subdivision, there was some confusion over the minimum lot size applicable to this land, with a contention that a 4ha lot size applied. As the RLZ1 proposed for this site maintains the 1ha minimum lot size, this proposed change is supported as it resolves any future confusion in interpretation.

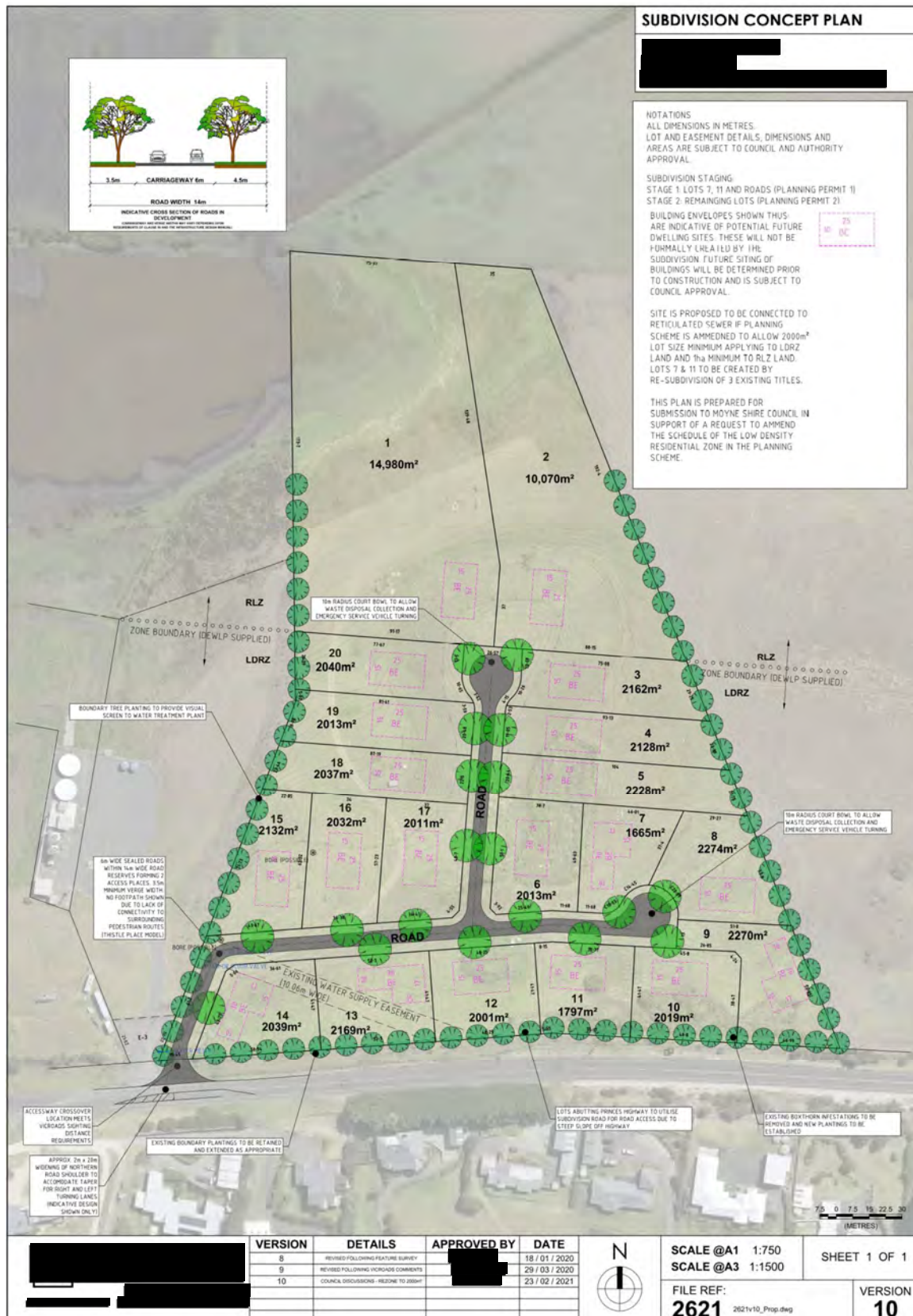
Additionally during the planning of this subdivision, it was identified that the wording of the minimum subdivision area provision in the schedule to the Low Density Residential Zone limits the lot sizes created by this subdivision to 0.4ha (4000m<sup>2</sup>) even if reticulated sewerage services are connected. This conflicts with the default provisions of the zone which allows minimum lot sizes of 0.2ha (2000m<sup>2</sup>) if each lot is connected to reticulated sewerage.

The existing sewerage network servicing Port Fairy ends in the Princes Highway approximately 450m to the east of the site, and therefore is the possibility of this land being connected to reticulated sewerage if practically and economically viable. It is considered that this would only be the case if the site was able to be subdivided into lots of 2000m<sup>2</sup> under the current zoning, with an amended schedule to allow this lot size. It is requested that the schedule to the Low Density Residential Zone (Clause 32.03) be amended to remove the first line in the schedule which states that *'All land other than that specified below 0.4ha'*. The removal of this line would allow the standard zone provisions of 0.4ha minimum lot sizes for unsewered developments and 0.2ha minimum lot sizes for sewerer developments. The other existing requirement in the schedule which deals with land in Mailors Flat would be unchanged and would remain in place. It is argued that this change will allow more appropriate development of the Low Density Residential Zone throughout the shire, providing for greater density of development where appropriate services are provided. It is noted that there is a minimal amount of land which is affected by this change as it is primarily this area in Port Fairy which has the possibility of being connected to the reticulated sewerage network. A concept plan showing the development potential of allowing 2000m<sup>2</sup> lots is shown below and also attached to this submission.



P:

E:



[REDACTED]

It is understood that this amendment does not propose to alter the Low Density Residential Zone (LDRZ), however given the emphasis within the proposed Settlement and Housing Policy (Clause 21.05) on rural residential development on the peripheries of settlements and the clear nexus between the RLZ and the LDRZ in providing similar forms of rural residential development, it is submitted that this amendment should revisit the application of the Rural Living Zone and replace it with the Low Density Residential Zone, especially in areas of higher growth potential and in situations, such as this, where land is proposed to be in 2 zones. Indeed, given the application of the RLZ to many areas of the municipality where large residential lots exist or are being developed, a more considered approach to utilising the LDRZ instead of the RLZ is requested.

**In summary this submission:**

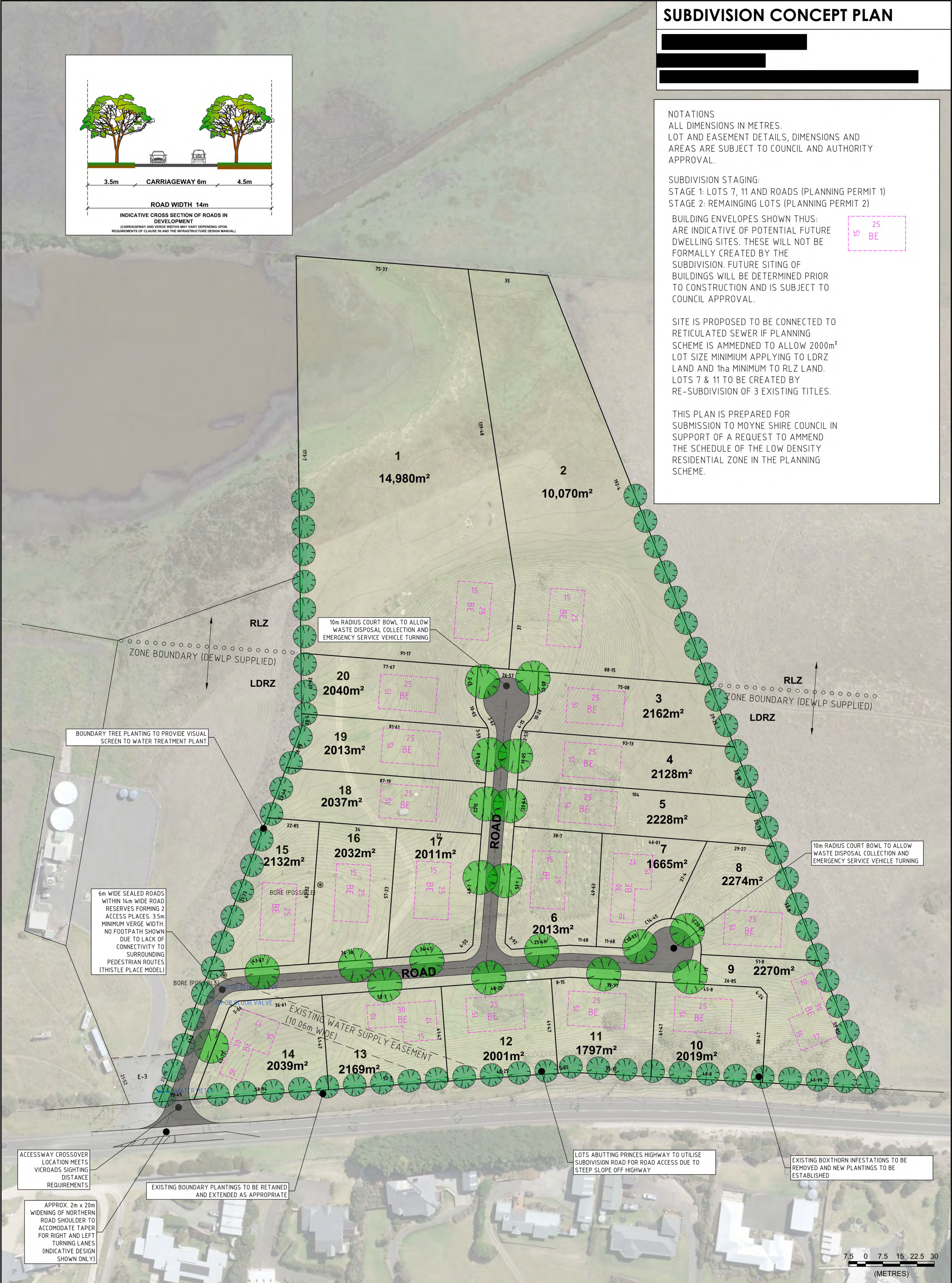
- 1. Supports the RLZ1 proposed to be applied to this land.**
- 2. Requests to revise the schedule to the Low Density Residential Zone to support sewered development of LDRZ land with 2000m<sup>2</sup> minimum lot sizes.**
- 3. Requests the LDRZ be applied to the entire site, as an alternative to the application of RLZ1.**
- 4. Requests that council undertake further consultation and reviews to apply the LDRZ rather than the RLZ in appropriate locations such as existing settlements and areas which have growth potential.**

If you have any queries or wish to further discuss this submission, please don't hesitate to contact me.

Yours sincerely,

[REDACTED]  
Licensed Surveyor - Director  
[REDACTED]





SUBDIVISION CONCEPT PLAN

[Redacted]  
[Redacted]  
[Redacted]

NOTATIONS  
ALL DIMENSIONS IN METRES.  
LOT AND EASEMENT DETAILS, DIMENSIONS AND AREAS ARE SUBJECT TO COUNCIL AND AUTHORITY APPROVAL.

SUBDIVISION STAGING:  
STAGE 1: LOTS 7, 11 AND ROADS (PLANNING PERMIT 1)  
STAGE 2: REMAINING LOTS (PLANNING PERMIT 2)

BUILDING ENVELOPES SHOWN THUS:  
ARE INDICATIVE OF POTENTIAL FUTURE DWELLING SITES. THESE WILL NOT BE FORMALLY CREATED BY THE SUBDIVISION. FUTURE SITING OF BUILDINGS WILL BE DETERMINED PRIOR TO CONSTRUCTION AND IS SUBJECT TO COUNCIL APPROVAL.

SITE IS PROPOSED TO BE CONNECTED TO RETICULATED SEWER IF PLANNING SCHEME IS AMMEDNED TO ALLOW 2000m<sup>2</sup> LOT SIZE MINIMUM APPLYING TO LDRZ LAND AND 1ha MINIMUM TO RLZ LAND. LOTS 7 & 11 TO BE CREATED BY RE-SUBDIVISION OF 3 EXISTING TITLES.

THIS PLAN IS PREPARED FOR SUBMISSION TO MOYNE SHIRE COUNCIL IN SUPPORT OF A REQUEST TO AMMEND THE SCHEDULE OF THE LOW DENSITY RESIDENTIAL ZONE IN THE PLANNING SCHEME.

25  
BE

10m RADIUS COURT BOWL TO ALLOW WASTE DISPOSAL COLLECTION AND EMERGENCY SERVICE VEHICLE TURNING

10m RADIUS COURT BOWL TO ALLOW WASTE DISPOSAL COLLECTION AND EMERGENCY SERVICE VEHICLE TURNING

6m WIDE SEALED ROADS WITHIN 14m WIDE ROAD RESERVES FORMING 2 ACCESS PLACES. 3.5m MINIMUM VERGE WIDTH. NO FOOTPATH SHOWN DUE TO LACK OF CONNECTIVITY TO SURROUNDING PEDESTRIAN ROUTES (THISTLE PLACE MODEL)

ACCESSWAY CROSSOVER LOCATION MEETS VICROADS SIGHTING DISTANCE REQUIREMENTS

APPROX. 2m x 20m WIDENING OF NORTHERN ROAD SHOULDER TO ACCOMMODATE TAPER FOR RIGHT AND LEFT TURNING LANES (INDICATIVE DESIGN SHOWN ONLY)

EXISTING BOUNDARY PLANTINGS TO BE RETAINED AND EXTENDED AS APPROPRIATE

LOTS ABUTTING PRINCES HIGHWAY TO UTILISE SUBDIVISION ROAD FOR ROAD ACCESS DUE TO STEEP SLOPE OFF HIGHWAY

EXISTING BOXTHORN INFESTATIONS TO BE REMOVED AND NEW PLANTINGS TO BE ESTABLISHED

<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><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27/10/2021

Moyne Shire Council  
PO Box 51  
Port Fairy VIC 3284

**SUBMISSION TO PLANNING SCHEME AMENDMENT C70  
TO THE MOYNE PLANNING SCHEME**

Dear Sir/Madam,

We act on behalf of [REDACTED] who are the landowners of land at [REDACTED]  
[REDACTED]

On their behalf, the following concerns are raised regarding the proposed C70 Planning Scheme Amendment regarding their land described above. A plan of subdivision is provided to clarify the land parcel.

- Amendment C70 seeks to alter the zoning of the land by locating the site within the Farming Zone Schedule 2 (FZ2) and also partly located in the Farming Zone 1 (FZ1).
- The intent of the new FZ2 within the context of the current zoning of the land makes minor alterations to the structure of the Farming Zone Schedules to ensure that the controls relating to land size and land size for dwellings are more correctly connected to the Zone provisions rather than the SLO Overlay controls. The landowner has no concerns with the intent of the minor structural change of the planning provisions.
- This submission is a more administrative submission or correction as to how the FZ1 and the FZ2 is applied to the subject land.
- The current Farming Zone 1 (FZ1) controls extend across the entirety of the subject land, while the proposed Amendment C70 propose that the land will be located in two Zones, one being the FZ1 and the other being FZ2.
- It appears that the boundary between the two Zones has been aligned based on the boundary of the SLO5 and the SLO6 boundaries that intersect across the land, based on former lot boundaries, that have now been consolidated into a singular title.
- We consider this to be a drafting/administrative matter and that a Zone boundary should not be proposed that intersects through the middle of a title. A Zone boundary is better placed to be located along a title boundary or ideally along a road boundary to avoid procedural difficulties in the future. Figure 1 & 2 below details the current and proposed/advertised Zone boundaries for clarity.
- The intent of the current controls for the subject land and the surrounds are to provide for agriculture on lots generally with a lot size of 10ha, rather than the traditional 40ha minimum lot size and from that perspective, the change that is being requested is consistent with the

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]



current zoning of the land. The only variation requested in this submission is to correct a Zone boundary that is currently drafted inaccurately.

Please contact me on [REDACTED] or [REDACTED] or via email if you have any questions about the above submission. Any further correspondence regarding the amendment and this submission should be directed to [REDACTED]

Yours faithfully,

[REDACTED]  
[REDACTED]  
**DIRECTOR - TOWN PLANNING**  
B. Urb Plan & Dev.

[REDACTED]  
[REDACTED]  
**TOWN PLANNER**  
PGDip RurRegPlan MPIA



Figure 2 - Current Zone & Overlay Extent

Subject land outlined in blue

FZ1 extent across whole site

Overlay boundary SLO5 & SLO6 shown in red

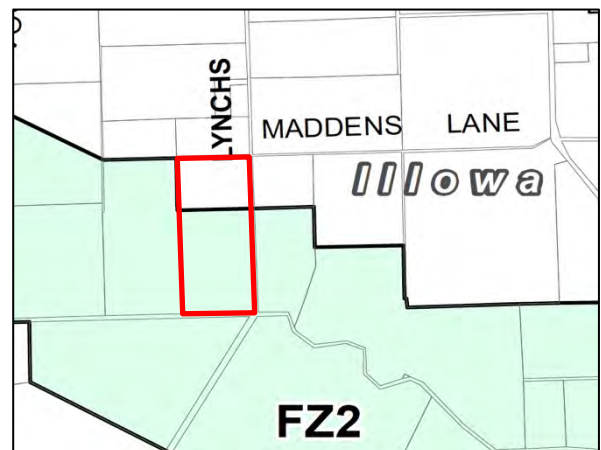


Figure 2 Current exhibited FZ2 Extent

Subject land shown in red

Zone boundary for FZ1 & FZ2 intersects the site

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

# Imaged Document Cover Sheet

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<b>PLAN OF CONSOLIDATION</b>		<b>EDITION 1</b>		<b>PC379510Y</b>	
<b>LOCATION OF LAND</b>  <b>PARISH:</b> YANGERY <b>TOWNSHIP:</b> _____ <b>SECTION:</b> _____ <b>CROWN ALLOTMENT:</b> PART OF RUTLEDGE'S CROWN SPECIAL SURVEY <b>CROWN PORTION:</b> _____ <b>TITLE REFERENCE:</b> VOL. 12101 FOL. 154 VOL. 12101 FOL. 155  <b>LAST PLAN REFERENCE:</b> [REDACTED]  <b>POSTAL ADDRESS:</b> [REDACTED] (at time of subdivision)  <b>MGA2020 CO-ORDINATES:</b> E: 621 430 ZONE: 54 (of approx centre of land N: 5 755 570 GDA2020 in plan)			Council Name: Moyne Shire Council  Council Reference Number: [REDACTED] Planning Permit Reference: N/A SPEAR Reference Number: [REDACTED]  <b>Certification</b> This plan is certified under section 6 of the Subdivision Act 1988  <b>Statement of Compliance</b> This is a statement of compliance issued under section 21 of the Subdivision Act 1988  Public Open Space  A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made  Digitally signed by: [REDACTED] Moyne Shire Council on 03/07/2020		
<b>VESTING OF ROADS AND/OR RESERVES</b>			<b>NOTATIONS</b>		
IDENTIFIER		COUNCIL/BODY/PERSON			
Nil.		Nil.			
NOTATIONS					
DEPTH LIMITATION: Does not apply.					
<b>SURVEY:</b> This plan is not based on survey.  <b>STAGING:</b> This is not a staged subdivision. Planning Permit No. _____  This survey has been connected to permanent marks No(s). _____  In Proclaimed Survey Area No. _____					
EASEMENT INFORMATION					
LEGEND: A – Appurtenant Easement E – Encumbering Easement R – Encumbering Easement (Road)					
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	
_____	_____	_____	_____	_____	
[REDACTED] [REDACTED] [REDACTED]		<b>SURVEYORS REF: 998</b> 998_PC_V1.DWG 998_PLANE.SEE <b>VERSION 1</b>  Digitally signed by [REDACTED] Surveyor's Plan Version (1), 25/06/2020, SPEAR Ref: [REDACTED]		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 2
Amended by: [REDACTED] Licensed Surveyor 25/09/2020.				<b>PLAN REGISTERED</b> TIME: 1:02PM DATE: 25/9/20 [REDACTED] Assistant Registrar of Titles	

PC379510Y

WERRONGGURT (UNMADE) ROAD

82°27'  
240.60

LYNCHS ROAD

172°27'  
565.85

13.57ha

566.31  
352°16'

238.79  
262°20'

SCALE  
1:2000

20 0 20 40 60 80  
LENGTHS ARE IN METRES

ORIGINAL SHEET  
SIZE: A3

SHEET 2

Digitally signed by: [REDACTED] Licensed  
Surveyor,  
Surveyor's Plan Version (1),  
25/06/2020, SPEAR Ref: [REDACTED]

Digitally signed by:  
Moyn Shire Council,  
03/07/2020,  
SPEAR Ref: [REDACTED]



SUBMISSION OF [REDACTED]  
[REDACTED] – LANDOWNERS  
OF [REDACTED]  
[REDACTED]

Rural Housing and Settlement Strategy (2010) and  
Addendum Report (2015)



## **Moyne Planning Scheme – Amendment C70**

### **Rural Housing and Settlement Strategy (2010) and Addendum Report (2015)**

**Submission of [REDACTED] – landowners [REDACTED]**

#### **Introduction**

This submission is made by [REDACTED], landowners of [REDACTED], [REDACTED] in response to Amendment C70 (the Amendment) to the Moyne Planning Scheme.

The Amendment under exhibition seeks to implement the findings and recommendations of the Moyne Warrnambool Rural Housing and Settlement Strategy (2010) (RHSS) and Addendum Report (2015) (the Addendum) to provide strategic land use planning direction for the rural-residential development of the Shire's smaller townships, settlements and non-urban areas.

This submission seeks Council's review and consideration for the proposed rezoning of land from Farming Zone to Rural Living Zone on the eastern extent of Kirkstall, to provide a long-term front for future rural-residential development. The proposal is strategically supported and consistent with the vision and direction of the RHSS and Amendment.

The proposal is for an area of approximately 18.6ha of land, which has primary frontage to [REDACTED] Road, to be rezoned to the Rural Living Zone with a 1ha minimum lot size. A secondary option for a 2ha minimum lot size is also presented.

The submission will address:

- The proposal
- Subject site and surrounds
- The RHSS and Addendum
- Public consultation
- Discussion

Whilst the merits of the Amendment are acknowledged and Council is commended in seeking to support small township growth and coordinated rural-residential development across the Shire, there is concern that the Amendment presents a poor planning outcome and relies on outdated land supply data that lacks relevance. Adoption of the Amendment will have a negative long-term impact on future development opportunities in Kirkstall, in not providing for or identifying strategic rural-residential land supply that is market ready and caters for current and future needs.

The recent effects of COVID-19, combined with positive economic conditions, have led to a strong uplift in the regional property market, influenced by both regional migration and the retention of local population within the regions. People now want to live in the country and rural townships, capitalising on the lifestyle benefits and affordability that rural living has to offer.

Council has a fantastic opportunity in promoting its small towns across the Shire and continuing to attract and promote population growth. The Amendment's lack of recognition of these current housing and population trends will have a long-term impact on the availability of rural-residential land supply, particularly for Kirkstall itself.

It is requested that Council support and accept this submission by adopting the Amendment with changes to include the proposed rezoning. It is essential that Council's current strategic planning provides for clear and realistic rural-residential needs across each of its townships. This proposal presents a fantastic opportunity to support the sustainable growth of Kirkstall on a site with limited constraints and in a well-planned manner.

If the submission cannot be supported through the Amendment, we request that Council make a commitment to further strategic planning for Kirkstall in the short-term, to respond to current planning policy direction, land supply and development trends, in the aim to support the township's growth and meet the requirements of future housing needs.

### **The Proposal**

The proposal specifically seeks Council's support to rezone approximately 18.6ha of land located on [REDACTED] from Farming Zone to Rural Living Zone – with a 1ha minimum lot size for a dwelling and subdivision.

The subject land is located within the Farming Zone and provides a logical future rural-residential development front on the eastern extent of Kirkstall.

Rezoning of the land would release future rural-residential land supply, with approximately 1ha (and above) allotments to be subdivided utilising the strategic location of the site with three road frontages. It is estimated that the rezoning would provide for between 12-18 new rural-residential lots for housing.

Alternatively, implementation of a 2ha minimum lot size would deliver an approximate lot yield of approximately 5-9 new lots.

The Rural Living Zone presents as the most appropriate outcome for the property which adjoins land within the Township Zone of Kirkstall on [REDACTED] Road, providing for a logical and well-planned transitional rural-residential area to surrounding farmland.

The proposal also includes suggested rezoning of [REDACTED] located [REDACTED] [REDACTED] which was previously subdivided from the subject land and contains an existing dwelling. This is a rural-residential property with an approximate area of 2ha.

Figure 1 provides an aerial plan of the site and area of proposed rezoning.

Figures 2 and 3 outline the extent of the land proposed to be rezoned, which [REDACTED] has a frontage to [REDACTED] of approximately 648m and depth of 277m along both [REDACTED]. This part of the property adjoins the existing Kirkstall Township Zone.

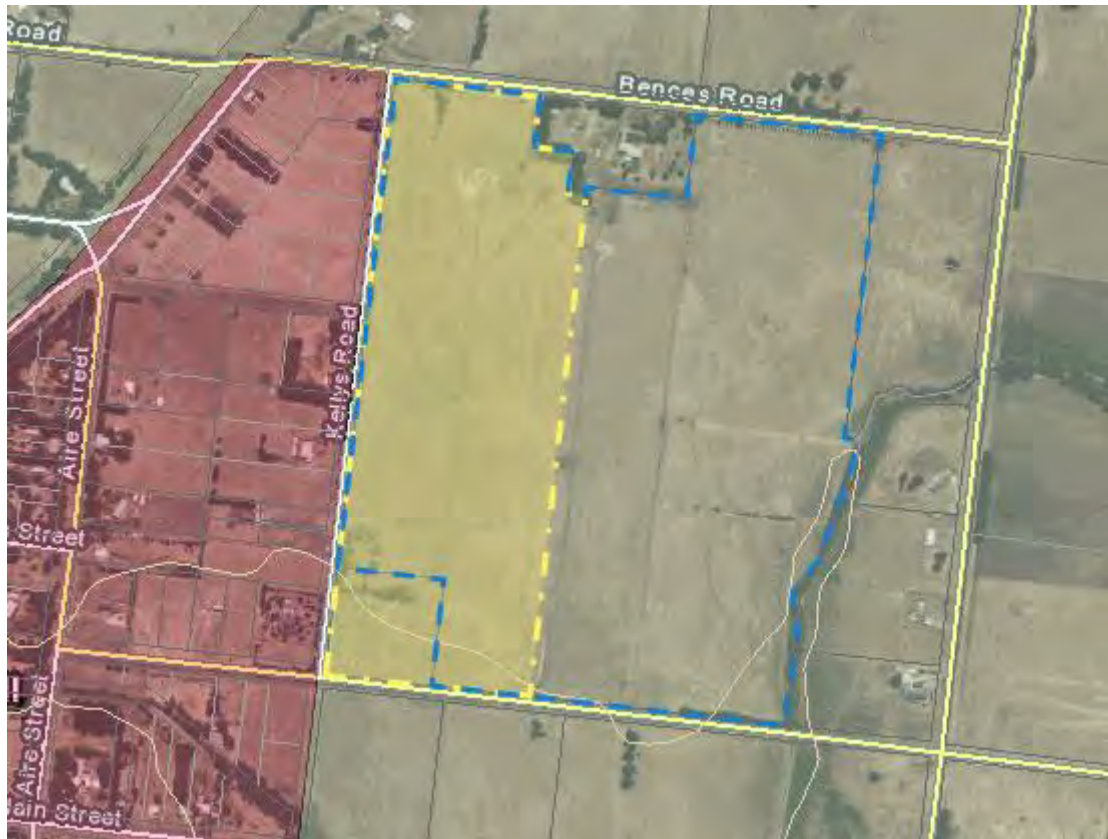


Figure 1. Proposed RLZ Aerial Plan



Figure 2. Proposed RLZ Planning Zone Map



**Figure 3. Proposed RLZ Planning Zone Map (excluding Lot 1 PS 748216)**

## **Subject Site and Surrounds**

### Subject Site

The subject site has an overall area of approximately 46ha and is located within the Farming Zone.

The site is used for agriculture (beef cattle) and does not contain an existing dwelling.

The site has an irregular shape as a result of previous subdivision and with its boundary to [REDACTED] in the south-east corner. Direct road frontage is provided to [REDACTED] Road, [REDACTED] Road and [REDACTED] Road, each of which are existing sealed roads.

The site has primary frontage to [REDACTED] Road, which provides existing access to residential properties along the eastern extent of Kirkstall.

The site is relatively flat and slightly decreases in gradient towards the south-east to the existing waterway, which is the natural flow of drainage.

There is no major infrastructure or buildings on the property and it is predominantly covered by pasture and fenced to support its existing use for agriculture.

No Section 173 Agreement or other restrictive covenant applies to the land.

Photos of the site are provided in Appendix 1.



### Surrounding Area

The site is located on the [REDACTED] extent of Kirkstall and directly adjoins the existing Township Zone, which contains properties with dwellings and associated outbuildings, predominantly used for residential purposes.

Kirkstall is a small rural township located approximately 7km west of Koroit and 26km north-east of Port Fairy. The town is largely comprised of rural-residential properties on lots sizes of >0.2ha and includes a pub, community hall and playground.

Kirkstall is a short 5-minute drive to Koroit and approximately 20 minutes to both Warrnambool and Port Fairy, making it a township with increasing popularity for lifestyle residential development.

Kirkstall township contains a number of old Crown Allotment and parish plan titles which have not been developed as reticulated sewer is not available and properties require on-site wastewater management systems. Many lots individually are too small to contain on-site wastewater.

North, east and south of the subject site the land is located within the Farming Zone and is used for mixed purposes. The prevailing land use within the area is for agriculture, however, there are a number of small rural-residential properties which adjoin the site, containing existing dwellings and not associated or connected to agriculture. One (1) rural-residential property fronts [REDACTED] Road, three (3) have frontage to [REDACTED] Road and one (1) is located at [REDACTED]  
[REDACTED]

The subject site itself is predominantly bounded by small lots containing dwellings and used for rural-residential purposes not connected directly with agriculture.

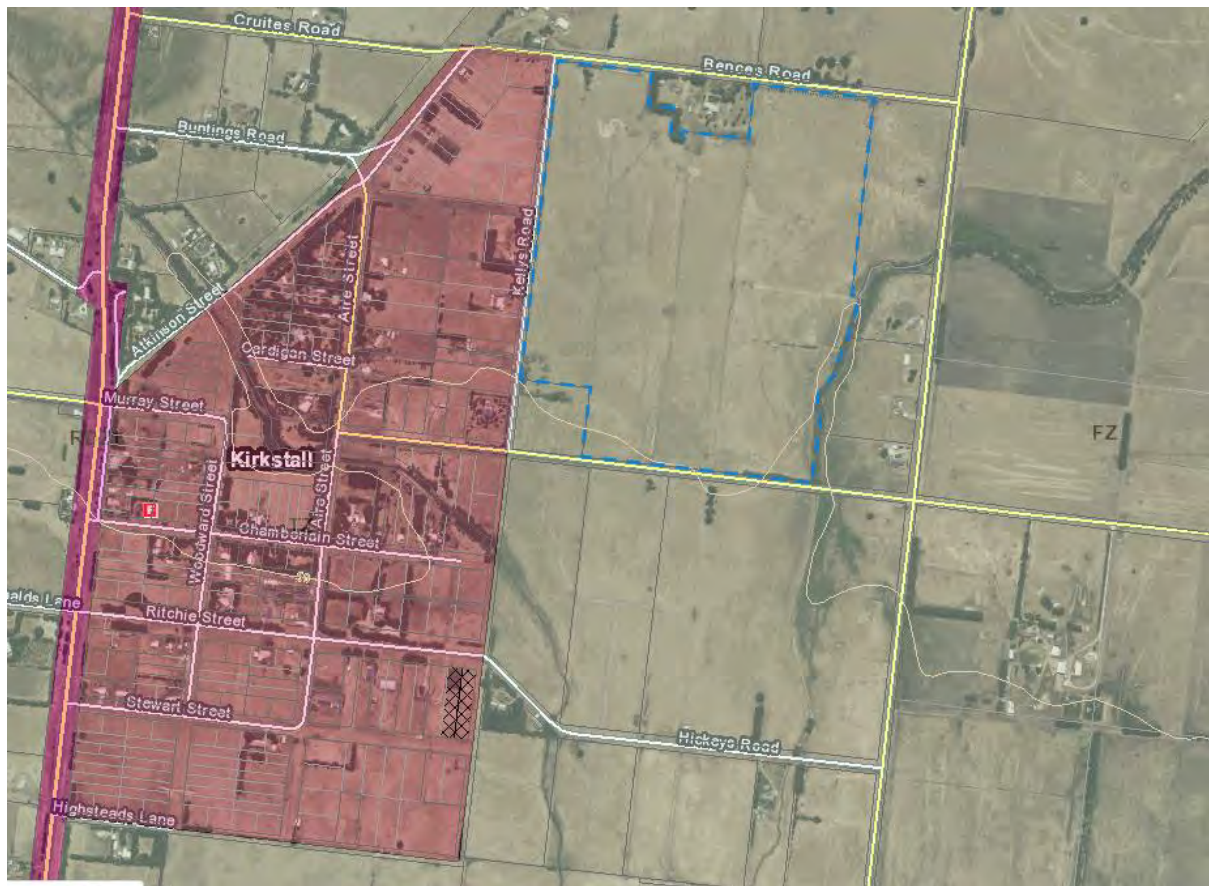
[REDACTED] Road provides direct road connection back through to Koroit.

The [REDACTED] waterway runs along the eastern boundary of the site in a southerly direction from its wider drainage catchment to the north.

[REDACTED] of the site is a former piggery with associated buildings and infrastructure, located approximately 250m away from the site's northern property boundary. This property is now used primarily for grazing animal production (sheep and beef). More broadly, there is no major agricultural infrastructure within proximity of the site – the closest dairy being approximately 1.8km south-east of the site.

Figure 4 provides an aerial plan of the subject site proximate to the Kirkstall township and road network.





**Figure 4 – Township and Site Locality Plan**  
**Kirkstall Township**

## **RHSS and Addendum Report**

A substantial amount of time has elapsed since preparation of the RHSS in 2010 and the subsequent review and Addendum Report in 2015, which was adopted by Council. The Amendment relies on development figures and land supply data from no later than 2014 and is based upon an outdated planning policy framework that does not reflect current strategic and policy directions.

Since adoption of both reports, and more recently as a result of COVID-19 influencing regional population trends and an uplift in the regional property market, a lot has changed and market ready land supply is being purchased and developed faster than ever before. There is strong and growing demand for rural-residential land as an attractive lifestyle option for those seeking to move to the regions or shift away from standard residential living and housing estates within regional centres such as Warrnambool.

A price squeeze, affordability and a lack of suitable and affordable housing options that meet changing needs is leading to a shift in focus to small rural townships and settlements as providing future residential and rural-residential opportunities. This has been evidenced recently in a number of Moyne Shire towns – Cudgee, Mailors Flat and Winslow as a primary example.

The RHSS sought to establish a settlement hierarchy and identified Kirkstall as a village with deferred growth potential. It was recommended that land north-west of the town be investigated to be rezoned to Low Density Residential Zone to manage land capability constraints.

The Addendum reviewed Kirkstall and its recommendations by completing a basic land supply and development trends analysis, resulting in the proposed LDRZ recommendation being removed and no further zoning or growth changes planned for the town. Growth potential was identified as low and the planning framework for the town not altered. Ultimately, this means that there is no long-term future growth or development direction for the township and only infill development will occur.

The use of such outdated development and land supply data, no more current than 2014, to guide planning recommendations for the Amendment is flawed and will lead to a poor and ill-considered planning outcome. The Amendment does not take into account the current context, strengths, issues or opportunities of Kirkstall and Moyne Shire rural townships more broadly.

In relation to Kirkstall, the Amendment provides no short or long-term growth potential, which will significantly constrain future housing growth and diversity within the town.

Between Koroit and Kirkstall there has been high recent demand for rural-residential properties to be developed, which the Amendment aims to reflect. Even outside of these areas and within Kirkstall itself, the demand for housing has been high and the last 1-2 years has seen many properties purchased and developed, or going through that process. These new dwellings are bringing people into the Shire, but even more importantly, supporting the sustainability and economic viability of these towns. Until

changes influenced by COVID-19, many of the Shire's rural townships and population overall were declining, a trend that needed to change and no one wanted to see continue.

The absence of any future rural-residential strategic direction and rezoning for Kirkstall to support its growth, is a major issue with the Amendment and will lead to unprecedented negative outcomes for the town if new development is not supported.

Instead of the Amendment seeking to reduce the minimum lot size within the Koroit-Kirkstall area to 15ha for a dwelling, as outlined in Option 6 of the Addendum, a much better planning outcome would be to provide a clearly designated rural-residential growth area for Kirkstall and seek to protect existing productive and high-quality farmland. Agriculture is the primary contributor to the local and regional economy within the Shire, which must be protected and promoted for agricultural use. Instead, the Amendment seeks to encourage the growth of rural lifestyle properties within an existing farming area which will undermine viable agricultural production.

A further issue with the Amendment and Addendum is the suggestion that Kirkstall has 72 years of available land supply to be developed. This figure again is based upon outdated data and does not take into account land ownership, development constraints such as wastewater, housing demand or long-term strategic direction for the town.

Kirkstall is identified as having development constraints due to land capability and small lot sizes, so to suggest that there is 72 years of residential land supply in the town is misleading and incorrect. By subsequently making strategic planning decisions on this basis, prejudices the town's growth by not being based upon accurate analysis, which leads to inappropriate land use recommendations.

The growth potential being identified as low for Kirkstall is only because it has been referenced in the RHSS and Addendum in this way. The market demand and characteristics of Kirkstall as a commuter town, located 5 minutes from Koroit and 20 minutes from both Warrnambool and Port Fairy, has changed substantially since the Addendum was adopted. It is vital that Council recognise this in its strategic planning and having regard to this proposal. Kirkstall is now a town which boasts new housing and has strong potential for growth if supported by Council through rezoning, delivering of market ready land to meet current demands.

### **Public Consultation**

It has now taken over ten (10) years since adoption of the original RHSS and six (6) year since adoption of the Addendum for this Amendment to come to fruition. It is unfortunate the Amendment has taken so long to get to this point.

An important component of community acceptance and understanding of any strategy or plan is adequate, targeted and relevant community consultation. Given the elapse of time since the Addendum was adopted by Council before preparing the Amendment, both the RHSS and Addendum should have been reviewed check their currency and strategic alignment, to ensure findings and recommendations were still

relevant. This review process should have incorporated a community consultation process to engage with affected landowners and residents, contributing to the delivery and implementation of a more robust and accurate strategy that plans for long-term rural-residential needs.

Community consultation has not been used to inform any review or preparation of the Amendment and this is a significant shortfall. With regard to Kirkstall, the Amendment does not reflect what is occurring on the ground or has the potential to be delivered by way of good strategic planning outcomes.

## **Discussion**

This submission has been prepared to request that the Amendment be changed to support the proposed rezoning of land on the eastern extent of Kirkstall from Farming Zone to Rural Living Zone.

The requested rezoning provides a logical and coordinated rural-residential development front supporting the future growth and development of Kirkstall, but also promoting an improved land use planning outcome, as opposed to ad-hoc and continued pressure for dwellings within the Farming Zone.

The proposal represents a land use planning outcome that will deliver a vital long-term rural-residential development opportunity for Kirkstall, rezoning approximately 18.6ha of existing land from Farming Zone to Rural Living Zone with a 1ha minimum lot size. This has the potential to deliver between 12-18 new rural-residential lots which are unconstrained and can be developed.

The subject land is elevated and does not present any land capability constraints, whilst providing adequate buffer distances to adjoining productive farmland to adequately manage land use conflict. There is no major agricultural infrastructure nearby the site which the rezoning and future development would affect or conflict with.

The subject land also presents a low bushfire risk which complies with Clause 13 planning policy directions within the Planning Policy Framework, given the surrounding site and landscape features. The rezoning will deliver a development and settlement expansion of Kirkstall that will not exceed a Bushfire Attack Level (BAL) of 12.5, ensuring a low-risk planning outcome.

The site does not hold any other landscape significance or ecological value, whilst the area of the proposed rezoning is not included within an area of cultural heritage sensitivity in accordance with the *Aboriginal Heritage Regulations 2018*.

Pending the rezoning outcome to Rural Living Zone, the future subdivision of the land would be presented to Council as a planning permit application, to be accompanied with subdivision design and layout plans and supporting planning reports and technical assessment, including a land capability assessment.

A secondary proposal is presented within this submission for Council's consideration, to increase the proposed Rural Living Zone minimum lot size to 2ha, delivering between 8-10 new rural residential lots (subject to subdivision design).

This is not the preferred option as a 1ha minimum lot size would ensure an adequate supply of rural-residential land to meet Kirkstall's short-medium term needs.

If the proposal cannot be supported by Council through the Amendment, it is requested that Council provide a short-term commitment (within the next two (2) years) for budget allocation to undertake a strategic planning review for Kirkstall to provide long-term land use planning direction. This proposal would be presented again for Council's consideration as a logical and valuable rural-residential opportunity supporting housing growth and new development.

In our view, if the Amendment is not changed and the rezoning supported, the resultant outcome will have a major negative impact on Kirkstall, where infill development is currently constrained due to land ownership and land capability. The land supply and development trend figures presented within the RHSS and Addendum are inaccurate and have led to poor planning recommendations.

COVID-19 has seen a strong push for rural-residential development within the Shire through regional migration and population retention. Now is the right time for Council to capitalise on this opportunity to support future township growth and housing development in Kirkstall, not only enhancing sustainability and liveability, but supporting Council's population growth and adding to its rate revenue base.

## **Conclusion**

For the reasons outlined in this submission, we respectfully request that Council give due consideration to our proposal to rezone part of our land from Farming Zone to Rural Living Zone with a 1ha minimum lot size.

The proposal will deliver a new rural-residential development opportunity in Kirkstall which will attract housing growth and support township sustainability, whilst consequentially helping to promote overall population growth within the Shire.

Kirkstall presents a fantastic opportunity for tree-changers, new homeowners or residents looking for a lifestyle change, and given its location and proximity to Koroit as the primary service town, the proposal will provide a strategic planning outcome that is consistent with the vision of the RHSS of supporting rural-residential development whilst protecting productive agricultural land.



## **Appendix 1**

### **Site Photos**



**Photo 1 – Subject Land viewed from [REDACTED] Road**



**Photo 2 – Subject Land viewed north from [REDACTED] Road (including road and grass verge)**



**Photo 3 – Subject Land viewed east from [REDACTED] Road**





Photo 4 – [REDACTED] Road viewed north



**Photo 5 – Subject Land viewed south from [REDACTED] Road**





29<sup>th</sup> October 2021

To Moyne Shire Council  
Councillors, Planning Officers, CEO

[REDACTED] response to  
[Moyne Planning Scheme Amendment C70moyn.](#)

[REDACTED] at [REDACTED] October meeting discussed the proposed C70moyn in how it effects Hawkesdale and the email sent by Planning officer [REDACTED] on 27 September. At [REDACTED] November meeting a report was given of a private meeting between [REDACTED] and [REDACTED] [REDACTED] as a result wishes to slightly amend [REDACTED] submission re proposed siting of rural living zone from the south east corner to the south end adjoining Dawson St. Everything else including reasoning remains the same.

[REDACTED] email explained the State government and DELWP position of having to reduce the Rural residential proposal previously shown to [REDACTED] due to the amount of what they consider available land already existing in town.

[REDACTED] position is still quite strongly that the Moyne Shire should lobby and work towards returning to the town boundaries to what they previously were.

In relation to the plan for Hawkesdale as on the DELWP website it is noted that there are 2 farming paddocks included in the proposed Rural residential Zone and yet the section of town in the south east corner with lots set up from when they were previously in town have again been ignored. It seems as though a simple line has been drawn with no understanding of what the current land use is. [REDACTED] does NOT want farming use compromised.

At the worst-case scenario for the time being, the relevant lots currently used for stock should be removed from the rural residential zone and the same area of land heading south along Dawson St, beginning at the corner of Church St and Dawson St be included.

[REDACTED] simply wants the best chance for current blocks that are now outside the town boundary to be presented as viable and easy to develop housing blocks for a rural town setting. In the current climate there would not be a better time to advertise such blocks on the market. For the sake of the town's economic survival growth needs to be encouraged not thwarted as the current practices are doing.

In the longer term [REDACTED] urges council to lobby local state members of parliament to intervene and have what appears as "one case suits all" changed so differing communities can have their own situations taken into account.

Regards

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, 26 November 2021 3:06 PM  
**To:** [REDACTED]  
**Subject:** [REDACTED] planning amendment C70moyne response reply [REDACTED]

**From:** [REDACTED]  
**Sent:** Friday, 12 November 2021 5:41 PM  
**To:** [REDACTED]  
**Subject:** [REDACTED] re planning amendment C70moyne response reply [REDACTED]

Hi [REDACTED]  
[REDACTED] would like to add that [REDACTED] supports the proposal about to be presented by [REDACTED]. I have seen it and the letters of support from landowners who would not sell or subdivide in the area put forward as rural living. This I am told was discussed in the recent meeting at Hawkesdale with [REDACTED]  
[REDACTED] [REDACTED] I would appreciate if this email be added to [REDACTED] submission.

Thanks for taking these submissions on board.

Regards

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, 12 November 2021 11:10 AM  
**To:** [REDACTED]  
**Subject:** RE: [REDACTED] planning amendment C70moyne response

Hi [REDACTED],

I have received [REDACTED] original and amended submissions.

Thanks very much for contributing to planning process.

Kind regards

[REDACTED]



██████████  
**Strategic Planner**

## MOYNE SHIRE COUNCIL

PO Box 51 | PORT FAIRY | VIC | 3284 | DX 28402

P – ██████████ | F ██████████

E – ██████████

For more information about Moyne Shire, visit [www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)

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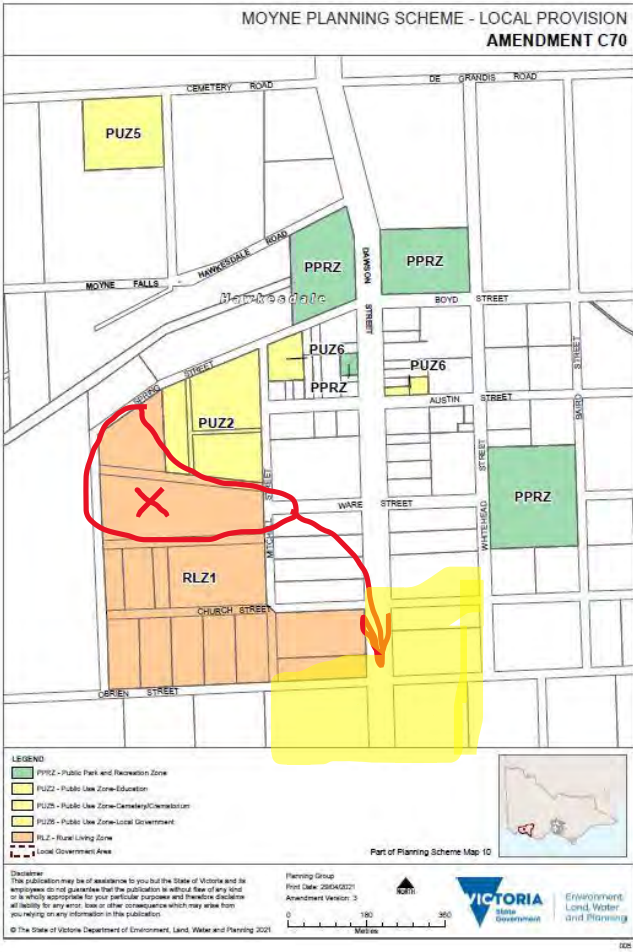
**From:** ██████████  
**Sent:** Friday, 29 October 2021 12:15 PM  
**To:** ██████████  
**Subject:** RE: ██████████ re planning amendment C70moyne response

Hi Damien,

Please find attached ██████████ response from ██████████ monthly October meeting re C70moyn amendments. Also attached a rough diagram of changes to C70 in a worst case scenario.

Regards

██████████  
██████████



[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

25 October 2021

Director Planning and Economic Development  
Moyne Shire Council  
PO Box 51  
Port Fairy 3284

Re Amendment C70moyn

I have been consulted by several residents of Curdievale who are concerned that their village on the banks of the Curdies River does not appear to have been considered as part of the C70 Amendment process. The explanatory memorandum names 22 small to medium sized townships within the Shire of Moyne where rezoning is recommended to provide improved guidance and direction for rural residential and rural living development.

I am informed that Curdievale currently includes over 20 residences and a functioning hotel, the Boggy Creek Pub and may be the only settlement of this size which has not been considered for rezoning. As a consequence, the residents feel disadvantaged and unfairly treated.

Curdievale is somewhat unusual however since it is divided by the Curdies River with the eastern side of the town falling within the Shire of Corangamite, while the western side is in the Shire of Moyne. Once this town had a School, a Post Office and a Saw mill but the question may now be raised, does it have a future?

It would be unfortunate if through the political chance of Curdievale's location covering two Planning Authorities that this most attractive small town would be left without a planned future and denied the opportunity for any planned growth.

There appears to be no planning reason why Curdievale should have been ignored during the C70 process and I would urge Council to give serious consideration to Curdievale's future by examining the current zoning in a similar way that other settlements have been reviewed throughout the Shire.



In my submission, this examination would need to include consideration of the following;

- The continued appropriateness of broad scale farm zoning which covers the whole settlement on both sides of the Curdies River.
- The desirability of rural residential and rural living options within a kilometer of the core of the settlement represented by the Boggy Creek Pub.
- The need to protect the Curdies River from farm and other nutrient run off which causes algae blooms downstream in the estuary and the need for buffer protection for its banks.

In summary Curdievale, just like other small to medium sized townships in the Shire needs a plan for its future. It is an extremely attractive and desirable location with a functioning hotel at its core where growth opportunities need to be planned and managed sustainably in accordance with the responsibilities of its Planning Authorities. It would be essential for the task to be undertaken in cooperation with Corangamite Shire. The potential cooperation of the two Planning Authorities to achieve a revised structure plan for Curdievale should be examined by Council.

I would be happy to discuss the planning opportunities and challenges of Curdievale with Council including any suggestions for the involvement of Corangamite Shire.

Attached is a google aerial image of the Curdievale Township and a plan of current lots and Planning Scheme Zone.





Curdievale current allotments and zone.



The township

27<sup>th</sup> October 2021

Moyne Shire Council  
PO Box 51  
Port Fairy 3284

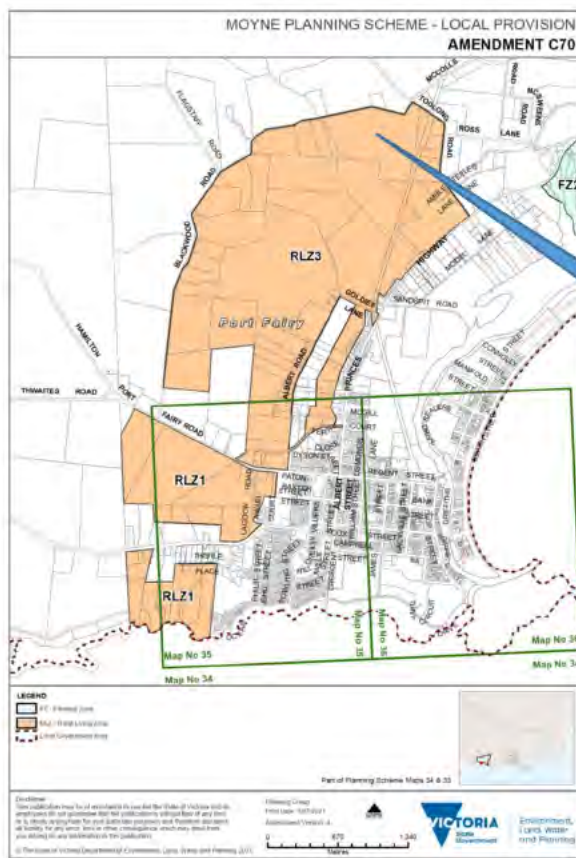
Email: moyne@moyne.vic.gov.au

**RE: MOYNE PLANNING SCHEME AMENDMENT C70**  
**RURAL HOUSING AND SETTLEMENT STRATEGY**

Dear Moyne Shire Council,

I write this submission to the proposed planning scheme changes proposed by amendment C70moyn and am acting for the landowners [REDACTED] in this matter.

This submission is in relation to a property located to the north of Port Fairy, extending west from [REDACTED] Road along the southern side of [REDACTED] Road. It is described as [REDACTED]. This site is currently within the Rural Living Zone and amendment C70 proposes to change the zoning of this land to Rural Living Zone Schedule 3 (RLZ3). The site is in map 34 of the exhibited amendment, of which an extract is shown on the following diagram.





The current schedule to the Rural Living Zone lists the minimum lot size for subdivision and for use of land for a dwelling as 4ha. The proposed change to RLZ3 maintains these minimum areas and other permit requirements. The use of multiple schedules in the zone makes the identification of land use controls simpler and is supported. However it is noted in the proposed Clause 21.05 the statement that:

*Rural residential development and rural living on small lots is provided for under both the Low Density Residential Zone and the Rural Living Zone. There are areas zoned for these purposes mainly associated with existing settlements on or around their fringes. However, there are areas zoned for this form of development that have an excess supply or have not been taken up for development whereas other areas of land zoned for farming purposes are under pressure for small lot development unrelated to agriculture. There is a need to rationalise the locations for rural residential and rural living through zoning and subdivision lot size to better reflect and manage the demand and supply of land for this form of land use.*

In particular, the comment regarding lack of development of Rural Living Zone land appears to pertain to this area of land proposed to be included in the RLZ3 with a minimum lot area of 4 hectares. It is contended that this area, being quite large for rural living purposes, is effectively placing a brake on development of this area of Rural Living Zone land as this lot area is generally considered to be excessively large for domestic landscape management techniques while being unviable to for small scale agriculture, especially given the topography of this area being comprised of undulating stony rises interspersed with low lying flood prone land. The Rural Living Zone does allow for creation of lots less than the zone minimum where one of the following clauses can be met:

- *The subdivision is the re-subdivision of existing lots and the number of lots is not increased.*
- *The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.*
- *The subdivision is by a public authority or utility service provider to create a lot for a utility installation.*

However, pre-application advice from Moyne Shire Council has indicated that under the current planning scheme an application to create lots smaller than the zone minimum of 4ha utilising the 2<sup>nd</sup> dot point would not be supported as there is not a strategic basis for creating lots less than 4ha in area in the planning scheme. It is contended that a subdivision creating smaller lots which are designed to reflect the site topography and larger lots to allow for continued agricultural activities (especially on lower lying flood prone land) would result in greater take-up of the smaller Rural Living lots while supporting continued appropriate agricultural activities to manage the balance of the land.

While it is contended that such an approach of facilitating a context responsive subdivision of diverse lots should be supported by council and could be approved under the current planning scheme, it is considered that this amendment gives a significant opportunity to improve the development potential of this area by either:

- Including strategic support for subdivisions utilising the 2<sup>nd</sup> dot point of the RLZ into the planning scheme, supporting improved subdivision design, possibly through the development of a new zone schedule which allows greater flexibility in subdivision design

[REDACTED]

to allow a mix of lots with diverse areas to be developed following the site topography and other features; or

- Altering the land to be zoned RLZ3 on the outskirts of Port Fairy to be in the RLZ1 (1ha minimum lot area). Such an alteration would be a simpler change than that proposed above and allow subdivision of smaller lots, however it may not allow for a more nuanced assessment of development and its response to the site context, however in this case, the flood overlay controls would be likely to ensure much of the site is retained within a larger lot.

From review of the current planning scheme, the Rural Housing and Settlement Strategy and the Land Capability and Biodiversity Study, there does not appear to be any obvious reason that has guided the application of the 4ha minimum lot size to this area and it is assumed to be a relic of previous planning decisions, possibly from the old Belfast Shire. It is submitted that a significant improvement in the development of this area would be facilitated by the inclusion into the scheme of a local planning policy to further guide development in the Rural Living Zone. Of the proposed amendments to the planning scheme, it appears that only Clause 21.07 provides a proposed strategy which guides development in this zone (as the RLZ is a rural zone), however this strategy is primarily focused around the Farming Zone not the Rural Living Zone. As detailed earlier, it is requested that a specific local policy be prepared to guide development in the Rural Living Zone which will have greater regard to providing flexibility in subdivision design to respond to site features, topography, land capability and existing infrastructure. This could include provision for lot size averaging or creation of smaller lots where capacity for wastewater treatment etc can be demonstrated.

**In summary this submission:**

- 1. Supports the introduction of multiple schedules to the Rural Living Zone.**
- 2. Requests the development of a new schedule to the Rural Living Zone which facilitates the subdivision of land into a diverse range of lot sizes responsive to the site context and setting; or**
- 3. Requests that the land be included in the RLZ1 not the RLZ3.**
- 4. Requests the preparation of a local planning policy or strategy to guide subdivision of smaller lots in the Rural Living Zone utilising the 2<sup>nd</sup> dot point of Clause 35.03-3.**
- 5. Undertake new strategic planning studies as the original RHSS reports are now 10-11 years old.**

If you have any queries or wish to further discuss this submission, please don't hesitate to contact me.

Yours sincerely,

[REDACTED]



27<sup>th</sup> October 2021

Moyne Shire Council  
PO Box 51  
Port Fairy 3284

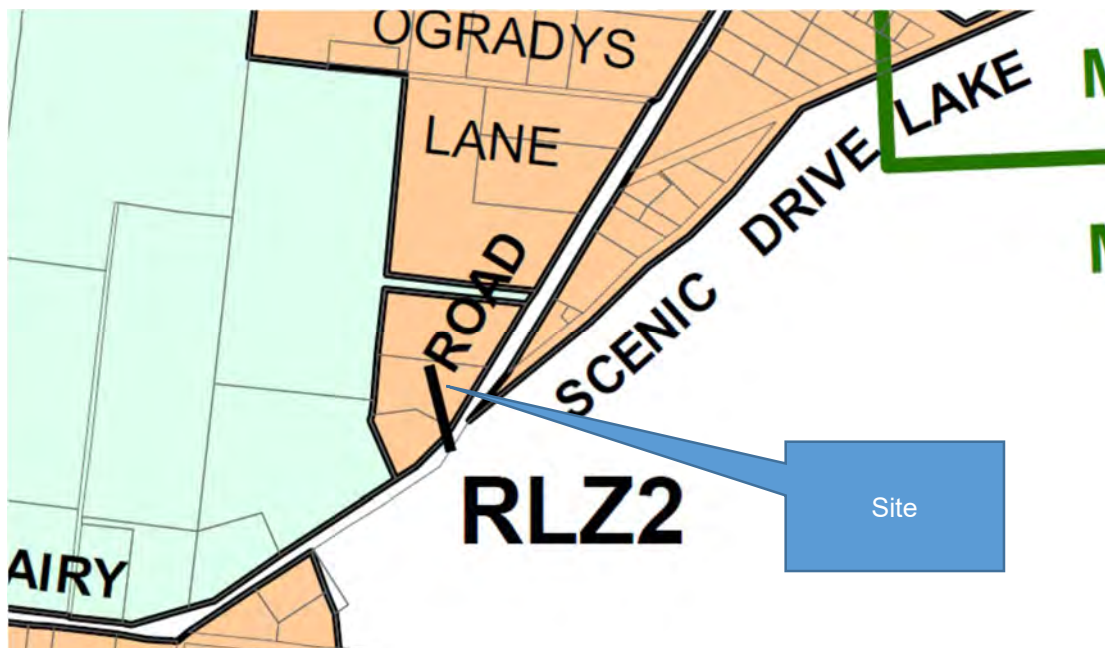
Email: moyne@moyne.vic.gov.au

**RE: MOYNE PLANNING SCHEME AMENDMENT C70moyn  
RURAL HOUSING AND SETTLEMENT STRATEGY**

Dear Moyne Shire Council,

I write this submission to the proposed planning scheme changes proposed by amendment C70moyn and am acting for the landowners [REDACTED] in this matter.

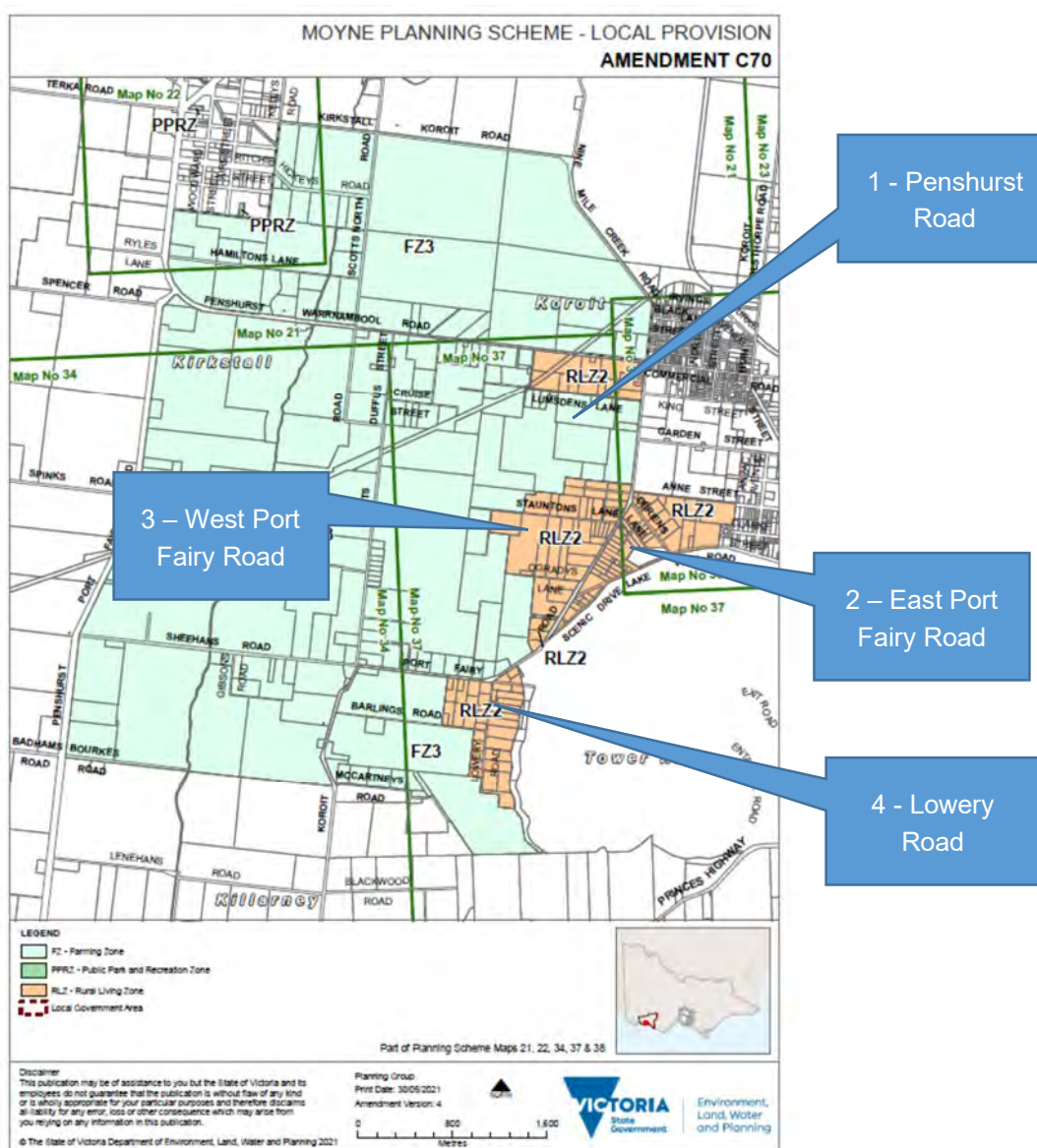
This submission is in relation to a property located on the [REDACTED]  
[REDACTED] It is described as [REDACTED]. This site is currently within the Farming Zone and C70 proposes to change the zoning of this land to Rural Living Zone Schedule 2 (RLZ2). The site is in map 37 of the exhibited amendment, of which an extract is shown below:



It is submitted that the proposed amendment to RLZ2 for much of the land surrounding Koroit will not assist in supporting growth and encouraging development in this area between Crossley, Koroit and Kirkstall which has attracted much interest in residential development over the last decade and has supported by the regeneration of Koroit with tourism & hospitality, agricultural services and other businesses being established and/or improved. It is considered that this proposed amendment will effectively lock in the current level of population and do little to assist the growth and development of the communities of Crossley, Koroit and Kirkstall. The continued growth of this

area will support the continued regeneration of the Koroit township through adding to the district population and bringing the associated benefits a larger and more involved population can supply to the local community and the wider shire.

Analysis of the current vacant lots with dwelling potential (as many, especially to the east of Koroit – Port Fairy Road, are quite small and may not be able to contain waste-water treatment) and the amount which could be further intensified for future development through subdivision to create additional lots. This analysis is of the area shown on the plan below and is summarised in the following table and is based upon the proposed re-zoning to RLZ2.



***Proposed RLZ2 development capacity analysis***

<b>Area</b>	<b>Vacant Lots</b>	<b>Potential Dwellings (subject to permit)</b>	<b>Potential New Lots</b>
1 – Penshurst Road	1	1	1
2 – East Port Fairy Road (small lots)	14	9	0
3 – West Port Fairy Road	7	7	1
4 - Lowery Road	1	1	0
<b>Totals</b>	<b>23</b>	<b>18</b>	<b>2</b>

Given this analysis it is requested that the application of the RLZ2 be re-considered and instead the Low Density Residential Zone (LDRZ) be applied to this area. The application of the LDRZ would much more appropriately reflect the density of settlement and land-use patterns in this area while supporting appropriate continued growth and development of this area. Under the proposed RLZ2 the future development potential is limited and will be unlikely to take significant pressure off nearby agricultural land for residential development. Indeed, discounting the land to the east of the Koroit - Port Fairy land, there is capacity for only 9 new dwellings to be developed, which may further reduce depending on waste-water and drainage requirements being satisfied. The land to the east of the Koroit – Port Fairy Road contains a large number of small lots and is also adjacent to the western edge of Koroit with the associated infrastructure available in this area. The application the RLZ2 to this area will needlessly limit the growth of Koroit and the not make use of the urban infrastructure (sewerage, water supply etc) available in this area. The application of the LDRZ to this area, with a revision of the schedule to support sewered development, will provide more appropriate growth in this area.

To guide appropriate development of buildings, landscapes and infrastructure, it is submitted that that the Design and Development Overlay be applied to ensure that development respects the landscape qualities which exist in this area, including the Tower Hill rim and more open landscapes to the west. Such an approach would mirror the planning controls which apply to the Model Lane precinct on the eastern outskirts of Port Fairy which has developed into a sought-after location for peri-urban residential living. The range of lot sizes in this area, retention of small-scale agricultural pursuits and establishment of substantial amounts of re-vegetation and landscaping have been encouraged by the application of the Design and Development Overlay to this area and has led to the establishment of this area as an excellent template for this style of development.

It is further submitted that Moyne Shire Council should review the underlying strategies underpinning this amendment. The Rural Housing and Settlement Strategy dates from 2010, with an addendum report adopted in 2015. Both these documents pre-date the Koroit Structure Plan which remains under consideration by council and is dated 2019. Given the time elapsed since the RHSS strategy was prepared and the significant changes to population growth in that time, it is requested that council delay further action on progressing this amendment until a new RHSS can be developed and prepared subject to further public consultation.

[REDACTED]

In summary this submission:

1. Opposes the RLZ2 proposed to be applied to this land.
2. Requests that the LDRZ be applied to these areas to better reflect the large number of smaller lots in this area and support future development in keeping with the character of the area.
3. Requests that a Design and Development Overlay be applied to the area to guide future development in these areas with appropriate landscaping, building setbacks, lot areas and building siting.
4. Requests to revise the schedule to the Low Density Residential Zone to support sewered development of LDRZ land with 2000m<sup>2</sup> minimum lot sizes.
5. Requests that council undertake further consultation and reviews to apply the LDRZ (with associated DDO) rather than the RLZ in appropriate locations such as this and other existing settlements and areas which have growth potential.
6. Undertake new strategic planning studies as the original RHSS reports are now 10-11 years old.

If you have any queries or wish to further discuss this submission, please don't hesitate to contact me.

Yours sincerely,


[REDACTED]



# Amendment C70 Submission

2 November 2021

Moyne Shire Council  
PO Box 51  
Port Fairy, Vic 3284

	Doc ID:	
	File:	
	03 NOV 2021	Cheque:
Location:		

Dear Moyne Shire Council

We own a property at [REDACTED] and wish to comment on the proposed Amendments to the C70moyn – Rural Housing and Settlement Strategy.

Our property (zoned FZ) is not covered by the proposed amendments, although it is immediately adjacent to the land subject to proposed amendments (to FZ2, ref Map No 34) on the [REDACTED]

Our submission does not seek further amendments to re-zone our property but rather, broadly supports the overall strategy and amendments proposed.

However, we are also seeking recognition that small-scale farming enterprises can be farmed successfully alongside larger, economic size blocks, and that the addition of a dwelling can support and enhance the productive use of agricultural land on existing small-scale holdings.

## Background

Our small-scale farm is situated [REDACTED] It consists of 23 acres of land of which 70% is highly productive black clay flats and 30% is less productive shallow limestone base. The property envelopes but does not include a residential dwelling of approximately 0.5 acre on the corner of the abovementioned roads. Within 1km of the property boundary there are approximately 20 dwellings on residential blocks or small acreage, including 4 dwellings within 100m. (Attachment 1)

We purchased the property in 2007 with the view to moving back to the region and farming the property, initially supported by income from other work. At the time of purchase the property amenities were scant consisting of run-down boundary fences, a small stock yard, and an old windmill and tank with one stock trough. There were no internal fences or tree shelters, and the condition of the land could be best described as barren. (Attachment 2)

Since moving back to the area in 2011 we have undertaken substantial improvements to the property including new road-frontage and internal fencing, tree belts and stock shelters, upgraded stock water supply and reticulation to 7 stock troughs, machinery and equipment shedding, and installed basic equine training facilities. The productive capacity has been substantially improved through improved pasture management and stock rotation and is currently carrying 33 weaner steers and 4 horses.



The farm is operated as a Family Partnership Business, has an ABN and is GST Registered. Income has been derived from fattening and selling beef and dairy steers, stock agistment, hay sales and providing farm services (mowing, raking, spraying, spreading) to local farmers and small block holders.

While we have achieved modest success in farming the land and increasing farm productivity, we are currently limited by the lack of services (eg. power) and facilities to take it to the next level. Additionally, there are opportunities to increase the productive capacity of the land and introduce new farming methods which are currently limited by not living permanently on the property.

### **Current Situation**

We have both recently ceased outside work on a permanent basis and have the time, capability and desire to focus on introducing new farm practices and adding additional income streams to the business. Our plan is to rear and grow out dairy calves, grow the farm services business, and breed and train Quarter Horses. Providing horse agistment also has good potential to substantially increase income. The continued improvement of pasture, particularly the productive black clay flats, and further investment in tree shelter belts is also planned to support increased productivity and income.

It currently is not practical, nor makes financial sense, to further invest in facilities whilst managing and servicing the facility from off-site. Further investment in farm productivity, and practically delivering the increased productivity, requires a more intense connection with and time spent on the farm. Our aspirations for the farm are currently limited by the lack of a dwelling to provide permanent accommodation on the farm.

Our strong desire is to build our long-term home on our property and to make the best use of the property for small-scale farming. The house would quarantine approximately 1% of the property from farming and be situated on the least productive part of the property. It would be virtually invisible from the [REDACTED] being of low-profile design and screened by tree shelter belts.

The ability to permanently live on site will better allow us to maximize productivity from the highly productive agricultural land, provide the flexibility to introduce new income streams and enable continued investment of both time and money to secure the sustainability of small-scale farming.

### **Conclusion**

- We are not seeking to re-zone or subdivide our property for material gain but rather make the best use of high-quality agricultural land for sustainable small-scale farming.
- We have clearly demonstrated our commitment to small-scale farming through the tangible investment in capital and farm practices which have already clearly delivered improvements to the productive capacity of the property.
- Our desire is to continue to introduce new practices and income streams to secure the sustainability of the high-quality agricultural land, without over-capitalising vacant land which is already priced at marginal economic agricultural value.
- From our perspective, further investment (time and money) to increase farm productivity and generate higher returns can only be sensibly made on the basis of being able to construct a dwelling and live permanently on-farm.

- The dwelling would quarantine around 1% of the property from farming, be built on the least productive land, and would be more than compensated for by increased farm productivity from the remaining 99% of farmed land.
- The location and design of the dwelling would make it virtually invisible from [REDACTED] (being screened by a tree shelter belt planted in 2018) and not further contribute to “ribbon development” along [REDACTED]
- The Moyne Shire Council should maintain an open-mind to flexibly applying the Planning Policy Framework in assessing the best sustainable options for highly productive agricultural land on stranded small-scale farm blocks.

We are committed to the principle of preserving and sustainably developing highly productive agricultural land and feel a deep connection to our small-scale farm. Living on our land provides the best way of delivering on that principle.

Yours sincerely,

[REDACTED]

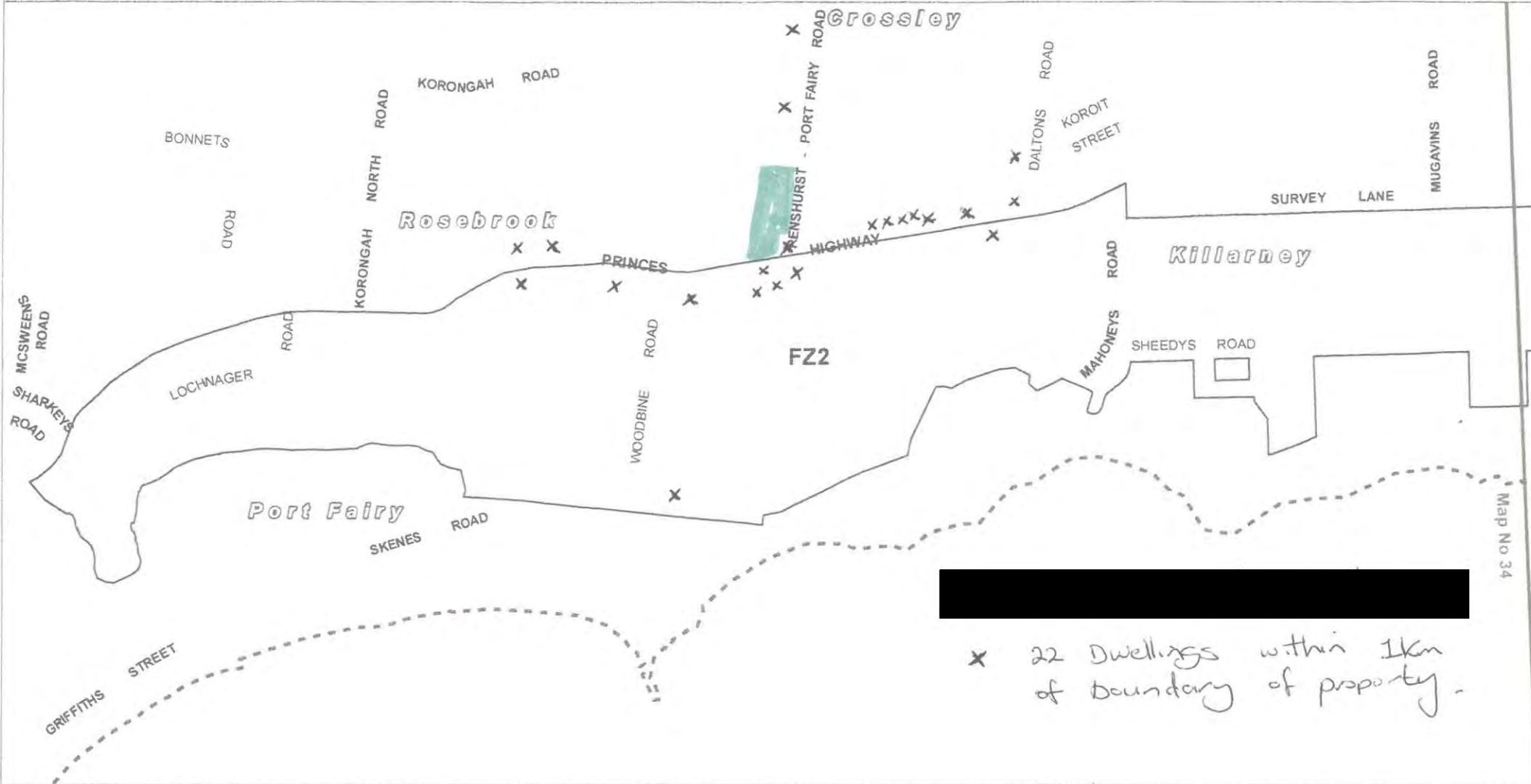
[REDACTED]

Email: [REDACTED]

[REDACTED]

Attachment 1

# MOYNE PLANNING SCHEME - LOCAL PROVISION AMENDMENT C70



## LEGEND

- FZ - Farming Zone
- Local Government Area

## Disclaimer

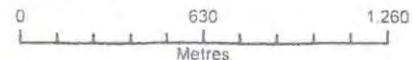
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Planning Group

Print Date: 29/04/2021

Amendment Version 3



Environment,  
Land, Water  
and Planning

Part of Planning Scheme Maps 34 & 37

Map No 34



Attachment 2.



As purchased  
in 2007.





Attachment 3 – [REDACTED] (October 2021)

Improvements to pasture, fencing, animal shelters and tree shelter belts made since 2007. The property currently supports 33 weaner steers and 4 horses.





**From:** [REDACTED]  
**Sent:** Wednesday, 3 November 2021 12:17 PM  
**To:** Moyne  
**Subject:** Amendment C70 Submission

**Re: Proposed Moyne Panning Scheme Amendment C70moyn Rural Housing & Settlement Strategy**

We wish to express our objection to the proposed changes to the Hawkesdale Town Boundary from Farming Zone (FZ) to Rural Living Zone (RLZ) for the following reasons;

- The potential effects on future business ventures which currently do not apply under the farming zone, it appears that the 'new' rural living zone is not conducive to new business within the RLZ and will in fact deter people from moving to Hawkesdale. It is more likely, if objections to our current business occur, that curfews and other restrictions may also apply, if so, this could be restraint of trade to our current businesses.
- The RLZ allows for the removal of planning permits to erect a dwelling, but the building requirements seem to be much stricter regarding the type, colour, construction, size of the building etc. If residents/landholders require a shed or other outbuildings to be built on their property, a planning permit is required and may not necessarily be granted. We feel given our current business situation this would not be ideal as we may need to build further machinery sheds in the future.
- Currently the height of grass is only an issue with property within the town boundary. If we feel the grass on our property is getting out of control during the fire danger period or creating other hazards, we bring more stock on to the property to clear the grass quickly, but also ensuring we still have adequate feed to accommodate stock during the summer and autumn months. If the RLZ changes and possible changes to local laws occur it is unclear if it will restrict the ability to continue to do this.
- At present, we are able to burn fallen trees and branches on the property (subject to CFA compliance), if the change proceeds it is unclear if this will be able to continue which will make it difficult to clear the property of debris.
- Currently under local laws FZ does not require a permit to keep working dogs and farm cats housed on the property, we are concerned the change to RLZ will impact the local laws and restrict the number of animals kept on the property resulting in added costs and the need for a permit, which may or may not be granted.
- It is also unclear as to whether it will be a requirement or not, but currently it is optional to have kerbside garbage collection at the front gate, which we wish to continue the option to decline kerbside garbage collection as it is an added cost and we prefer to deliver personally to the transfer station when it is convenient for us as we have farms which produce rubbish which we need to deliver to the local transfer station anyway. By using the local transfer station, we are helping to keep a local in work as a transfer station attendant.
- What will if any, be the implications for storing fuel in the RLZ, currently fuel for the local school buses is stored in Hawkesdale.
- Can it be guaranteed that there will not be any detrimental effects to current property valuations changing to RLZ from FZ given the extra restrictions of the RLZ. Our property valuation in Hawkesdale decreased by \$65,000 in the 2019/2020 to 2020/2021 year without explanation.

We understand that whatever we are doing under the FZ, the status quo would remain if the land is rezoned to RLZ, but there is always the possibility that as the zoning and possibly local laws change, objections could be expressed with no guarantee that the objection would be dismissed.

Most people move to country areas for the lifestyle, with animals and extra space to pursue hobbies and interests with the ability to erect shedding, outbuildings, stockyards etc, not just to have a single house on a block of land. It appears there is no guarantee, (although you may be able to build a dwelling), that any other improvements to the property will be allowed. To our knowledge we do not know of any planning permits in the farming zone being refused in the past 28 years which we have lived in Hawkesdale and can't understand the necessity for the change.

The known implications of the proposed zoning change are quite vague and we believe need to be considered in conjunction with the local laws to ascertain the real impact, (assuming the current FZ local laws will no longer apply). Until it is known what, if any, changes will be made to the local laws within the RLZ, only assertions, not informed decisions on the proposed zone changes can be made, only then, can the impact on landholders/residents, many of which may not currently be aware of, can be established.

After perusing the limited information available on the proposed changes, aside from the change to planning permits for new dwellings, we fail to see any real benefit to Hawkesdale or ourselves, to change the proposed area from FZ to RLZ. If the zoning change is to proceed, we strongly request that our property be excluded from any change from the current farming zone to rural living zone.

Thank you for considering our concerns,

[REDACTED]

[REDACTED]

[REDACTED]

3 November 2021

[REDACTED]  
Strategic Planner  
Moyne Shire Council  
Princes Street  
PORT FAIRY VIC 3284

Our Ref: REQ001238

Dear [REDACTED],

**RE: MOYNE PLANNING SCHEME AMENDMENT C70 – EXHIBITED**

Thank you for the opportunity to provide a response in relation to proposed planning scheme amendment C70 (the Amendment), referred to the Environment Protection Authority (EPA) via email on 9 September 2021.

**Ministerial Direction 19**

Ministerial Direction 19 (MD19) requires planning authorities to seek early advice from EPA when undertaking strategic planning processes and preparing planning scheme amendments that may significantly impact Victoria's environment, amenity and/or human health due to pollution and waste.

EPA notes that the planning scheme amendment is currently on exhibition. It appears that EPA's advice was not sought in accordance with MD19 prior to seeking authorisation for this Amendment and therefore this response is not considered an MD19 response.

That being said, EPA provides the following advice.

**Our Understanding of the Proposal**

EPA understands the Amendment seeks to provide an improved strategic framework and planning controls, which will guide the use and development of agricultural land, rural living development, and the growth and development of the Shire's smaller settlements, by:

- Implementing the settlement, housing and land use recommendations of the Moyne Warrnambool Rural Housing and Settlement Strategy (2010);
- Incorporating the outcomes of a strategic review of the above strategy and study, and Addendum Report (2015);
- Rezone land from the Farming Zone (FZ) to Rural Living Zone (RLZ) and Township Zone (TZ); and
- Make other consequential changes to the Pyrenees Planning Scheme.

EPA's advice was not previously sought in the preparation of the Moyne Warrnambool Rural Housing and Settlement Strategy or the Addendum Report which the Amendment seeks to implement.

[REDACTED]  
[REDACTED] [REDACTED]



Planning Scheme Amendment VC203 (gazetted on 1 July 2021) updated the Victoria Planning Provisions (VPPs) to integrate the planning system with the new environment protection framework which commenced on 1 July 2021.

These changes updated the VPPs to align with the Environment Protection Act 2017 and associated subordinate legislation to enable greater prevention and mitigation of risks to human health and the environment.

### **Potentially Contaminated Land**

The updated framework for the management of potentially contaminated land was also introduced under Amendment VC203, including the updated Environmental Audit Overlay (EAO), Planning Practice Note 30 – Potentially Contaminated Land (DELWP, 2021) (PPN30), and Ministerial Direction No. 1 (MD1).

EPA takes this opportunity to remind Council of the requirements of MD1 and PPN30 in considering land to be used for future sensitive uses. It is important that Council is aware of its obligations to satisfy itself that the environmental conditions of land proposed to be used for a sensitive use are, or will be, suitable for that use, in accordance with MD1.

The Amendment proposes to rezone land from Farming Zone (FZ) to Rural Living Zone (RLZ) and Township Zone (TZ), however specific addresses are not identified.

EPA highlight that the risk of contamination associated with agricultural land is sometimes overlooked. PPN30 now identifies that consideration should be given to the potential for specific contaminating activities occurring over time for agricultural land, including commercial use of pesticides (including herbicides, fungicides etc), biosolids application to land and farm waste disposal. Furthermore, PPN30 identifies these activities to have a 'medium' potential for contamination.

For sites which have a 'medium' potential for contamination under PPN30 and the proposed zoning of the land allows sensitive uses to be established, PPN30 now recommends a Preliminary Risk Screen Assessment (PRSA) to determine the need for audit, or the environmental audit option applies.

### **Farming Zone Interface**

The proposed rezoning of land as part of this amendment may result in a new interface with existing farming zoned land and agricultural activities.

Clause 13.07-1S *Land use compatibility* of the Planning Policy Framework aims to protect community amenity, human health and safety while facilitating appropriate commercial, industrial or other uses with potential adverse off-site impacts.

Many land uses have the potential to produce off-site impacts, such as noise, dust and odour. EPA takes this opportunity to remind Council of the need to give adequate consideration to the presence of existing agricultural activities, including the need for the establishment and maintenance of separation distances to both minimise the potential for offsite human health and amenity impacts such as odour, dust and noise, and protect the farming industry from encroachment of sensitive land uses.

## Separation Distances

As mentioned above, the purpose of separation distances is to protect sensitive land uses from adverse amenity and health impacts from air emissions such as odour, dust, and noise. They also protect industry and farming from encroachment where the impacts from activities such as industrial facilities or intensive animal industries on nearby sensitive uses can constrain the full operation and sometimes ongoing viability of those industries.

EPA's *Recommended Separation Distances for Industrial Residual Air Emissions* (Publication 1518, March 2013) includes recommended separation distances for specified industry types. These apply to off-site odour and dust emissions that have the potential to impact on human health and wellbeing. The separation distances do not consider noise, vibration, ambient and hazardous air pollutants.

The amendment documents do not refer to any specific agricultural/industrial uses that have a recommended separation distance in Publication 1518, however the document does seek to highlight the need to protect and maintain farming zoned land for agricultural purposes against smaller subdivisions and the development of sensitive uses within farming zoned land. EPA supports this objective.

EPA has identified a quarry located within the proposed rezoning in Illowa West. From aerial images of the site, it appears the quarry is not operational. However, EPA highlight to Council the need to ensure any required separation distance is implemented if the quarry is still operating. Publication 1518 indicates a specific separation distances dependant on the operations permitted at a quarry (i.e., whether blasting is taking place or not).

Additionally, EPA highlight the proposed rezoning of land from FZ to RLZ in Yarrpturk. This land abuts the Warrnambool Airport, and it appears that there has been no consideration of potential noise impacts. Council should ensure any amenity impacts which may be caused by the airport on sensitive uses, and vice versa, are understood and addressed. This may be done through planning permit requirements.

## Encroachment and Land Use Compatibility

A key principle of the Warrnambool Rural Housing and Settlement Strategy Report (the Strategy) is '*potential conflicts between agriculture and other land uses will be minimised*'. A second principle seeks to discourage approval of settlement and housing in agricultural areas.

Another key concept applied through the Strategy is 'settlement boundaries', which intend to clearly define the allowable area for residential (rural living) use and development. These intend to consolidate growth within the boundaries and identify that any rezoning beyond these boundaries is strongly discouraged and would require exceptional justification to be approved.

EPA supports these approaches, which will assist in addressing encroachment issues on existing agricultural activities and minimise land use conflicts that may arise from locating future sensitive uses within proximity to agricultural land.

## Other Matters

The Explanatory Report states that the Amendment is consistent with MD1 as:

*'The Amendment does not re-zone any land that is used, or known to have been used, for industry, mining, or the storage of chemicals, gas, wastes or liquid fuel.'*

EPA takes this opportunity to remind Council of the requirements of the updated MD1 and the updated PPN30 in considering rezoning land to allow for sensitive uses. Council should ensure the appropriate steps have been taken in accordance with PPN30 to satisfy themselves that the land is or will be suitable for its intended use.

Further, the Explanatory Report does not address Ministerial Direction 19. EPA understand that the reports and strategies which the amendment seeks to implement were completed prior to Ministerial Direction 19, however this should still be addressed.

Additionally, EPA highlights that the reports and/or strategies included in this amendment are outdated, noting that the strategic review and addendum report was completed six years ago. Council should ensure that all report and strategies are in line with the new Environment Protection Act 2017 and subordinate legislation.

## Conclusion

Whilst EPA supports the steps identified to protect existing agricultural land, we have taken this opportunity to provide comments regarding the amendment which are summarised as:

- Recognise the importance of maintaining separation distances to all agricultural/industrial activities with adverse amenity potential;
- Ensure potential contamination has been considered in the context of the new framework including the updated MD1 and PPN30;
- Note the time elapsed since the completion of the reports and strategies proposed to be implemented through the amendment, and changes which may affect these including the new Environment Protection framework; and
- Support the importance of maintaining agricultural land for agricultural purposes, and limited sensitive uses being developed in these areas.

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 [REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]

Team Leader, Strategic Planning Advisory  
Development Advisory  
Environment Protection Authority Victoria

Mobile: [REDACTED]

ABN: [REDACTED]

---

## SUBMISSION IN OBJECTION REZONING FROM RZ TO RCZ<sub>2</sub> – Rural Conservation Zone – [REDACTED]

We [REDACTED] of [REDACTED]  
[REDACTED]

Phone Number: [REDACTED] Email: [REDACTED]  
[REDACTED]

Wish to object to the current re-zoning of our land RCZ<sub>2</sub> for the following reasons:

The land in question does not qualify as described and stated in the Land Capability and Biodiversity Studies Project Final Report 30 October 2009 here is why:

- Document states - Page3 -Zone description: 'The Rural Conservation Zone is proposed for uncleared remnant woodland areas adjacent to Mt Eccles Nation Park, subject to prior consultation between the Shire and the relevant landowners who have in effect protected the conservation and biodiversity values of the land over a long period of time under current and past farming on provisions'. **Objection/Fact: Our land is cleared and we have no woodland acres and again not adjacent to Mt Eccles National Park. Also it states that the current land owners have protected the conservation and biodiversity values over a long period of time.**
- Document states - Page 4-2(a) that: 'The Farming Zone be retained across the rural land apart from vegetated land adjacent Mt Eccles Nation Park. **Objection/Fact: Our land is NOT adjacent to the national park and is not even joining the land adjacent to the national park (Map – Amendment C70-Attached)**
- Document states – Schedule 2 to Clause 35.06 Rural C2 'Conservation Values: 'The native vegetation is classified as either vulnerable or endangered and requires recognition for its value and protection'. **Objection/Fact: As we are aware there is no native vegetation on our land that has been deemed as mentioned.**



- Document states: 'KEY FINDINGS & CONCLUSIONS SECTION – page 62 – 10.1.2
  - RCZ – 'where the primary use of the land is or should be for conservation purposes'

**Objection/Fact: this limits our use of our land.**

- Document states: 'RECOMMENDATIONS: page 92 - 'Planning Unit 1: Bessiebelle/Mt Eccles
  - 'Apply RCZ to the lands immediately surrounding the Mt Eccles National Park to improve the recognition and protection of the environmental values of the native vegetation area around the Park. **Objection/Fact: Our land is not immediately surrounding Mt Eccles Nation Park and no native vegetation on our land.'**

### **IN SUMMARY**

We strongly object to this change in Zoning from FZ to RCZ because of the numerous discrepancies in the Council report, which shows that our land does not have any of the requirements for the Council to rezone to RCZ. Also if we were consulted when this report was commissioned these details would have been more accurate.

The report states 'that the current land owners have protected the conservation and biodiversity values of the land over a time' – why change the zoning when Council report is basically saying they want to protect the land adjacent to Mt Eccles but it also states that the owners are currently protecting the land. A very contradicting report.

We farm our land to the utmost consideration for the environment and biodiversity, if changes need to be accepted by landowners, Council need to produce a report with NO discrepancies and true facts. These contradicting facts make the reason for change invalid.

Look forward to further discussions.

Regards

[Redacted Signature]

[Redacted Address Line 1]

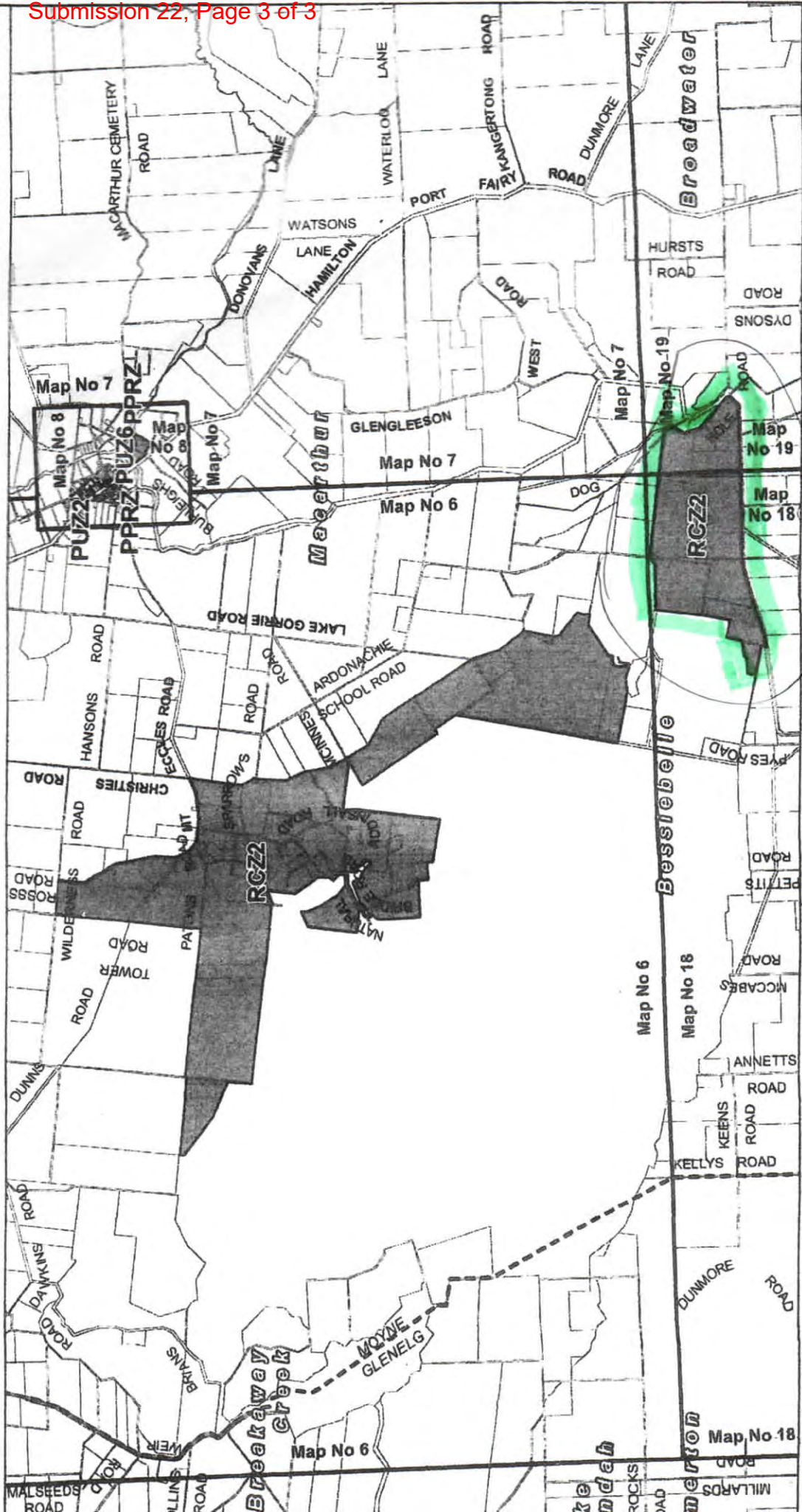
[Redacted Address Line 2]

[Redacted Address Line 3]

**\*\*Blue print is our response and objection.**

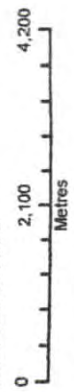
# MOYNE PLANNING SCHEME - LOCAL PROVISION AMENDMENT C70

Submission 22, Page 3 of 3



Part of Planning Scheme Maps 6, 8, 18 & 19

Planning Group  
Print Date: 29/04/2021  
Amendment Version: 3



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- PPRZ - Public Park and Recreation Zone
- PUZ2 - Public Use Zone-Education
- PUZ6 - Public Use Zone-Local Government
- RCZ - Rural Conservation Zone
- Local Government Area



**Submission to the Moyne Shire re:-**

Amendment C70moyn, which is proposing to rezone some land in Hawkesdale to the Rural Living Zone – Schedule 1.

Submitters

[REDACTED] and  
[REDACTED]

Both of [REDACTED]

[REDACTED]

Mobile Phones

[REDACTED]

[REDACTED]

We would like to submit reasons for the Re zoning of Hawkesdale to Residential to take into consideration our landholding in Hawkesdale.

[REDACTED] 3.779HA. Refer to Township Map

**History.**

We are members of families that have lived in Hawkesdale for many years.

[REDACTED] grandfather [REDACTED] owning land in Hawkesdale in the 1920's. [REDACTED] father continued to live on this land until his death. [REDACTED] brother now lives on this land.

[REDACTED] grandfather owned [REDACTED] in the late 1920's.

We have lived in our present home in Hawkesdale since 1981.

We bought our block land from [REDACTED] in 1982.

We bought it with the intention of building upon it in the future. And as an investment. Build on title 9 and if needed to sell lots 10 and 11 to finance the build.

We undertook a plan in the early nineties with a view to build but due to interest rates and limited income this was not possible.

We were not aware of the changing of the zoning in the township of Hawkesdale which moved the boundaries.

**Reasons for maintaining our Lots in the Rural Living category**

We would like to live on the property in the future and have the option of selling lots [REDACTED] to finance this if needed,

We are both in the process of retiring and the implications of the rezoning will impact greatly on our plans and our future wellbeing.

Having the land zoned for agricultural production is not viable or a consideration for us as it was never intended for that purpose.

Such a small holding would not be a consideration for mainstream agricultural purposes

The argument that there has been little demand on land for housing constitutes a reason to implement the policy as mooted is a false argument. People cannot acquire land if it is not put on the market for sale. If one invests in the future it takes time to eventuate. A long term vision not short term as outlined in the reasons for zoning.

Our thoughts after consideration of the documents vision for Hawkesdale and how it can be greatly enhanced if the whole of the township as was planned (Boundaries of Cemetery Road, De Grandis Road, Irving Street, Noremac, Warwillah Road and Ryan's Road) be reinstated

### **Hawkesdale**

Hawkesdale is an established settlement located on the Penshurst-Warrnambool Road. Facilities include education for pre to secondary school, swimming pool and some sporting facilities, community centre, family services, ambulance, general store and hotel, but it does not have reticulated sewerage. It is zoned Township comprising of 47 hectares with some lots falling outside of the Township Zone area. There are vacant lots within the Township Zone, and the town is well placed to accommodate workers commuting to Warrnambool and those from nearby energy based projects, including wind farm developments. The settlement does not have reticulated sewerage, therefore wastewater disposal has the potential to pose a constraint for development.

### **Vision**

#### **Hawkesdale will remain a village with low growth.**

We do not believe this is the case given the amount of new buildings and housing uptake in recent years.

The demand for land and housing in surrounding towns not just the larger towns of Warrnambool, Port Fairy and Koroit.

With the prices for land and housing in these locations Hawkesdale represents a viable option to acquire cheaper land for building.

You cannot grow a township if you minimize the amount of land available.

Given the observation “, and the town is well placed to accommodate workers commuting to Warrnambool and those from nearby energy based projects, including wind farm developments” there is an even stronger argument for the Zoning of all the township as residential.

#### **Growth on large lots around the edge of the Township Zone should be encouraged.**

Why not inside the boundaries of the original township

#### **Residential development should be encouraged within and adjacent to existing serviced areas within the settlement boundary to protect adjoining farmland and to ensure that the environment of the area is not compromised.**

Given the building regulations that requires compliance for the construction of housing,

For example with stringent environmental sewerage requirements this will not be a problem.

#### **Management: Code of Practice - Onsite Wastewater Management (Publication 891.4, 2016) until a waste management strategy is developed and implemented to provide sustainable wastewater treatment and disposal infrastructure.**

As mentioned above all building regulations (environmental regulations for septic infrastructure) are strictly observed before a occupancy approval is granted



*Development should enhance and support the key community and business services of Hawkesdale.*

*The development and implementation of townscape plans should be encouraged.*

This would be greatly advanced with the development of existing blocks through the release of land for housing

The continued operation of existing recreational and community facilities is supported.

**Local area implementation**

*The vision for Hawkesdale will be implemented by:*

**Defining a settlement boundary.**

This would be greatly enhanced if the vision was to return to the planning of the original town planners. See attached map.

**Finally**

At the moment little development can be undertaken on the Penshurst Warrnambool Road as there is no land zoned Residential at the moment.

To drive into a township with housing on both sides of the highway within the boundaries of Hawkesdale would give the impression to observers that this is a place to live, a town that is vibrant and of substance. A place to live to visit and utilise the secondary school, swimming pool and some sporting facilities, community centre, family services, ambulance, general store and hotel. As stated in the vision.

It is with a great deal of passion that [REDACTED] and I submit this document and hope that it will be regarded favourably.

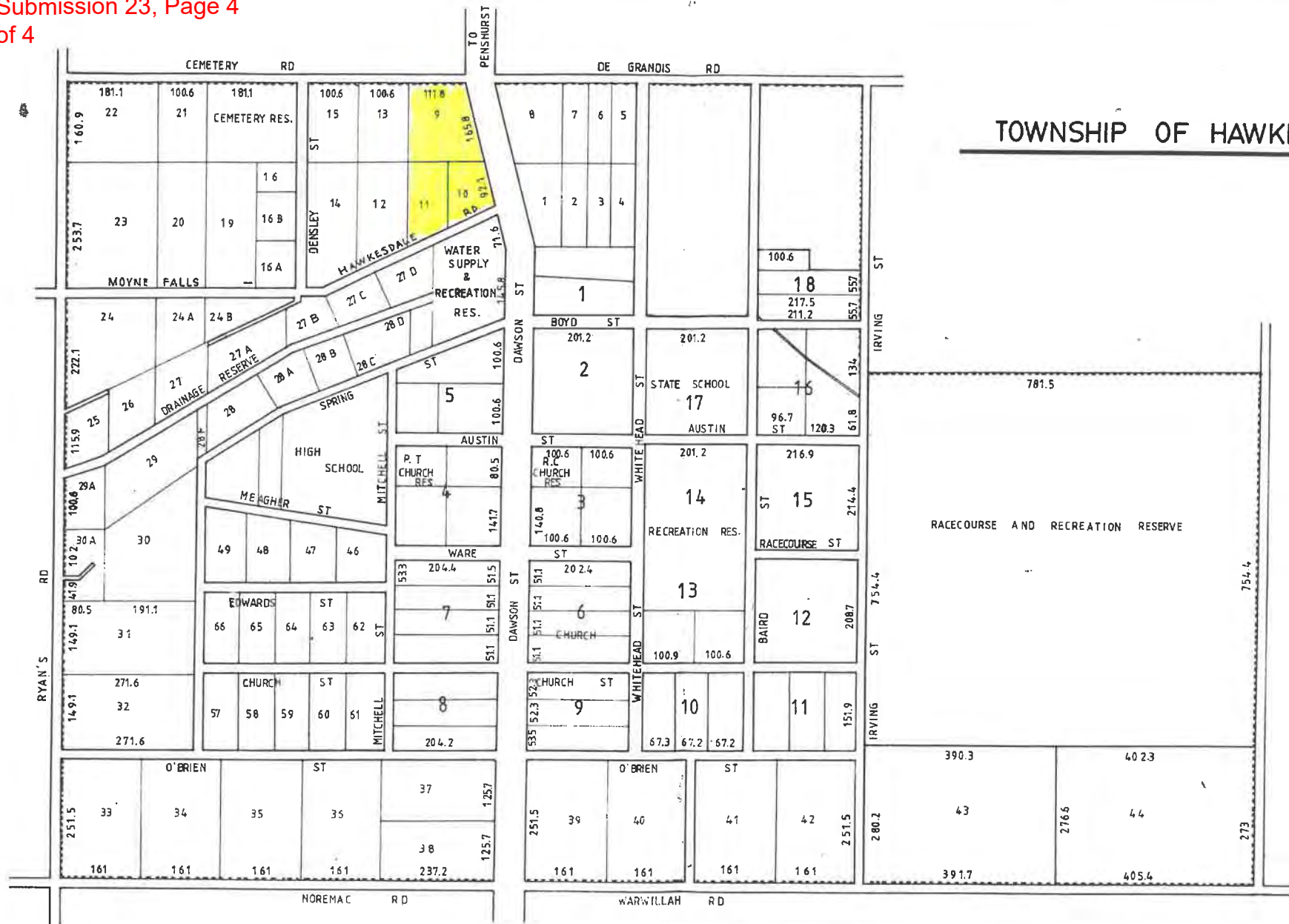
Thanking you for your consideration,

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

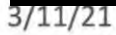
**Signed** 4<sup>th</sup> of November 2021

TO MACARTHUR AND  
KANGERTONG



FROM KORBIT  
AND WARRANBOOL

SCALE	1 / 8000	PLAN NUMBER 70	SHIRE OF MINHAMITE  TOWNSHIP OF HAWKESDALE
LEVEL BOOK	—		
SHEET NO	1	SHIRE ENGINEER	
DESIGN ENGR	DRAWN V.D NGUYEN	DATE 4 / 2 / 87	



I wish to make a submission regards the amendment C70

My understanding of the FZ was to protect high quality farm land from urban sprawl, while I understand that towns will have to grow to cater for increased population, I would have the opinion that the growth should happen adjacent to the town.

People who want to be hobby farmers do not value the land as commercial farmer does eg price per ha/acre they see it as a piece or block therefore will pay a price well in excess of what a commercial farmer would be able to pay simply to have it

As I have mentioned earlier for towns to expand around their perimeters I accept that is normal, but to alter the farming zone as proposed in C70 amendment t will kill off farming progress in reliable, sound, fertile, farming area.

This area was deemed FZ for sound reasons Leave it be

[REDACTED]



In reply please quote: D2021/057267

5 November 2021

Moyne Shire Council  
PO Box 51  
Port Fairy, Vic 3284

### **Amendment C70 Submission**

Thank you for providing Wannon Water the opportunity to comment on Moyne Shire Council's Planning Scheme Amendment C70.

Wannon Water is an active stakeholder in the growth and development of our region and as such takes a high level of interest and participation in planning for growth for our communities. It is fundamentally important to have sustainable delivery of our water and sewerage services and to keep creating value for our customers and communities. To help our region fulfil its potential we make the following comments regarding the details around the planning amendment:

Any lot division less than one hectare (10,000m<sup>2</sup>) will see greater requirements for water and sewer services. As lot density increases the cumulative impacts on the environment will need to be considered in terms of wastewater impacts as well as drinking water supply and groundwater extraction for private use. Septic tank effluent contamination to groundwater and waterways needs to be considered for towns within Moyne shire.

Wannon Water is concerned about the current management of onsite wastewater systems throughout our region and consider that increased density in unsewered areas will mean less effective management and monitoring of this domestic infrastructure. We would like to see results of proactive monitoring across the region for failing on-site domestic wastewater systems.

Wannon Water would prefer that increasing development within the Moyne shire occur where there is the infrastructure to support the appropriate level of density.

Amendment C70moyn proposes to:

Implement the settlement, housing and land use recommendations of the Moyne Warrnambool Rural Housing and Settlement Strategy (2010) and Addendum Report (2015), to provide an improved strategic framework and planning controls, which will guide the use, and development of agricultural land, rural living development, and the growth and development of the Shire's smaller settlements.





The proposed changes include:

- . Rezoning land from Farming Zone to Rural Living Zone at Grassmere, Hawkesdale, Koroit (west and south west), Crossley, Illowa, Killarney, Southern Cross, Tower Hill and Woolsthorpe.
- . Rezoning land from Rural Living Zone to Farming Zone at Caramut and Nullawarre.
- . Rezoning land to the Township Zone at Garvoc, Nullawarre and Purnim.
  - o **Wannon Water are concerned that this will increase densities of domestic wastewater systems on lots that cannot contain the load. Land Capability Assessments should be completed for all new developments at this zone that are not connected to reticulated sewerage systems. Examples of areas where this development has gone unchecked is around the Mailors Flat area, where lots that contain medium to heavy clay soils and are less than 0.4Ha are downslope of existing development. The waterlogging in that area is expected to be replicated in other areas without the appropriate planning controls.**
- . Rezoning land from Farming Zone to Rural Conservation Zone adjoining the Budj Bim National Park.
- . Reducing the minimum lot size for dwellings and subdivision in the Farming Zone in the designated 'lifestyle farming' area around Bushfield, Grassmere and Wangoom.
- . Reducing the minimum lot size for dwellings in the Farming Zone in the designated 'lifestyle farming' area around Koroit, Kirkstall, Crossley and Tower Hill.
- . Increasing the minimum lot size for dwellings and subdivision within a designated area in the Farming Zone south of the Princes Highway, between Rocks Road and to the east of Gormans Road, at Killarney and Tower Hill.

We look forward to working with Moyne Shire Council to achieve our purpose and strategic direction: beyond water for strong communities. We believe that using our inherent capabilities in partnership with other organisations to create new value is a strategic direction worth embarking on. We look forward to further discussions around future planning of these growth areas.

Yours faithfully,



**Manager Asset Planning**

**Address** PO BOX 1158 Warrnambool VIC 3280  
**Phone** 1300 926 666

**Email** info@wannonwater.com.au  
**DX** 28029

**wannonwater.com.au**

ABN 94 007 404 851



██████████,  
██████████

4<sup>th</sup> November

#### Submission for Hawkesdale (Moyne) Planning Scheme

Hawkesdale is a beautiful little town with a strong sense of community. There are native strands of Manna gums and other indigeneous natives that add to the beauty of its surroundings. There is a prep to year 12 School, a beautiful and popular swimming pool, Apex Park, a picturesque racecourse reserve, post office/general store, historic hotel, an active CFA, CERT etc. HADDAC are active in maintaining its charming and natural surrounds. As such, it would be a popular town for those looking for a tree change, or a place midway between Warrnambool and Hamilton for those partners who may work in each city. There is even stronger interest now due to the pandemic. We need more residents to support the school, local businesses, CFA and other active community groups. However, any vacant land within the township is tightly held and not offered for sale but rather grazed as small paddock holdings.

We have experienced the wonderful community of Hawkesdale and all the features that this small township offers. ██████████ and I have lived ██████████ Hawkesdale for 45 years. Our four children attended Hawkesdale P12 College, played in many of the local sporting teams and have gone on to successful careers, with fond memories of growing up in Hawkesdale.

In that time, the Hawkesdale community has not grown much as few blocks of land and houses have gone up for sale. Any allotments or houses that have been put up for sale have sold quickly in the last two years.

The new proposals for the subdivision feature rural land that is tightly held by a couple of families who we know wish to keep it that way as they wish to leave the land to their children and grandchildren. Therefore they do not want to sell the vacant blocks. There are holdings of land both south and north of Hawkesdale whose retiring owners are looking to and willing to subdivide and sell in the near future but cannot due to its current zoning.

Three of these blocks belong to my husband and I and are on the ██████████ Hawkesdale within the speed limits of the town. Originally, these three blocks were part of Hawkesdale township but the boundaries were shifted to the other side of ██████████ Street. They are classified as farming zone and a buffer zone and are on the corner of ██████████ Street and ██████████ Street, with the ██████████ ██████████ being directly opposite. They are part of the town. Each of the three blocks are on separate titles and are 1ha in size. This means they are too small to be farmed yet suited to being lifestyle blocks for families who would like to build and raise their children in Hawkesdale. We have had interest from prospective buyers to purchase the blocks with the view of building a home on them. They feature beautiful mature manna gums and good shelter belts. The blocks are already fenced and border existing roads – ██████████ Street, ██████████ Street and ██████████ Street. There is power to the blocks meaning that the infrastructure is already in place. There is an existing house neighbouring the south side of the properties. The 3 blocks of land are 1.2km away from the boundary of the property which will host wind towers with the closest planned wind tower being 2kms away.

It is hoped that you will consider including these beautiful three blocks in the zone of rural living as this is what they are ideally suited to.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
2<sup>nd</sup> November, 2021

Submission for Moyne Planning Scheme Hawkesdale

Amendment C70 HAWKESDALE

To rezone land to be included in the Rural Living Zone.

My first question is how the proposed land to be zoned Rural Living was determined? In making such an important decision for the future of a town that would allow necessary allotments to be sold for development and residential, purposes, just looking at a google map and seeing open spaces that might be suitable housing blocks will not give a true account of what land might be available for development.

Being an active member of HADDAC (Hawkesdale Development Group) since its inception, I know the town and most of its residents well. The area proposed RLZ1 as I know it, would only have 1 or 2 blocks that might become available for sale. Discussions with one of the two owners within the zone stating that it was his farm land and he had no intention of selling. The second said that they had ownership for over 70 years and would not sell them while they were still living.

The allotments between [REDACTED] streets have 2 new recent dwellings and their residents are now enjoying their rural living.

Now in this planning period is the time to look to the future for 10 to 15 years, look at the proposed zoning that was done a few years back and open up a greater area for development. (SEE MAP) This is being done in the many other small town in the Moyne Shire. The wind buffer covers most of the eastern side of Hawkesdale but this wind farm may or may not be built.

The area to the south to Normac and Warwillah roads is zoned farming but no longer used for this purpose. The criteria of 1 hectare rural living allotments would allow a number of blocks to be purchased.

As the owner of 3 allotments on [REDACTED] I hope that these allotments will be looked at and rezoned to rural living as they are fenced to 1 hectare and we do wish to sell them for our retirement to Port Fairy.

My SUBMISSION


The opportunity to help the future for Hawkesdale to develop, expand and bring in new residents is NOW while the rezoning process is happening. With the facilities Hawkesdale offers and with soaring land prices to the south it would be attractive for development and new residents. In the notes with the amendment Hawkesdale if allowed to develop for the future would expand and develop to the visions and progress to what the Moyne Shire wants for its small towns.

If possible I would like to attend the panel hearing to state my case and can provide addition information if needed.

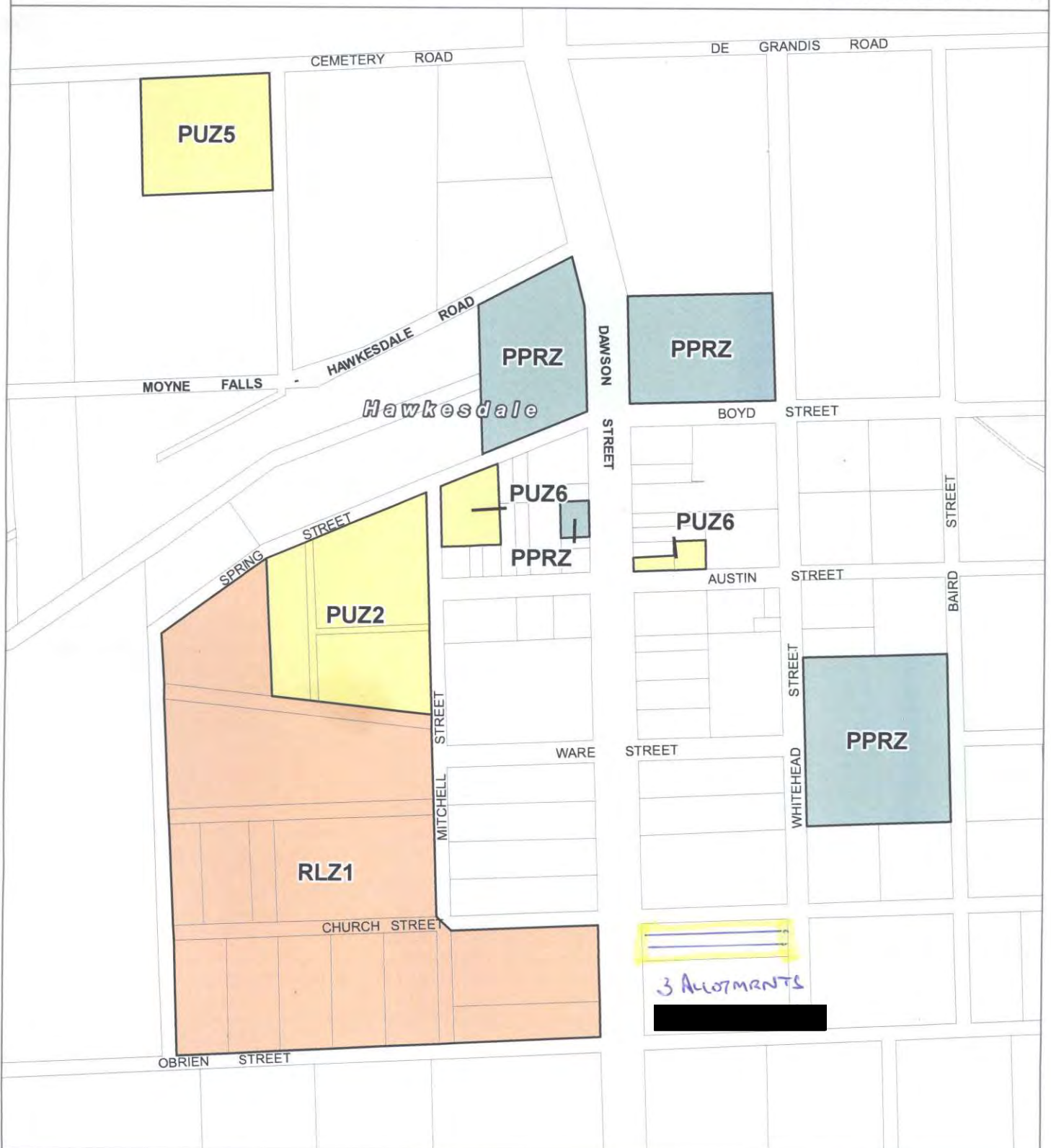
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[REDACTED]

Phone [REDACTED] email [REDACTED]

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#### LEGEND

- PPRZ - Public Park and Recreation Zone
- PUZ2 - Public Use Zone-Education
- PUZ5 - Public Use Zone-Cemetery/Crematorium
- PUZ6 - Public Use Zone-Local Government
- RLZ - Rural Living Zone
- Local Government Area

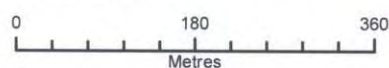
Part of Planning Scheme Map 10



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Planning Group  
Print Date: 29/04/2021  
Amendment Version: 3

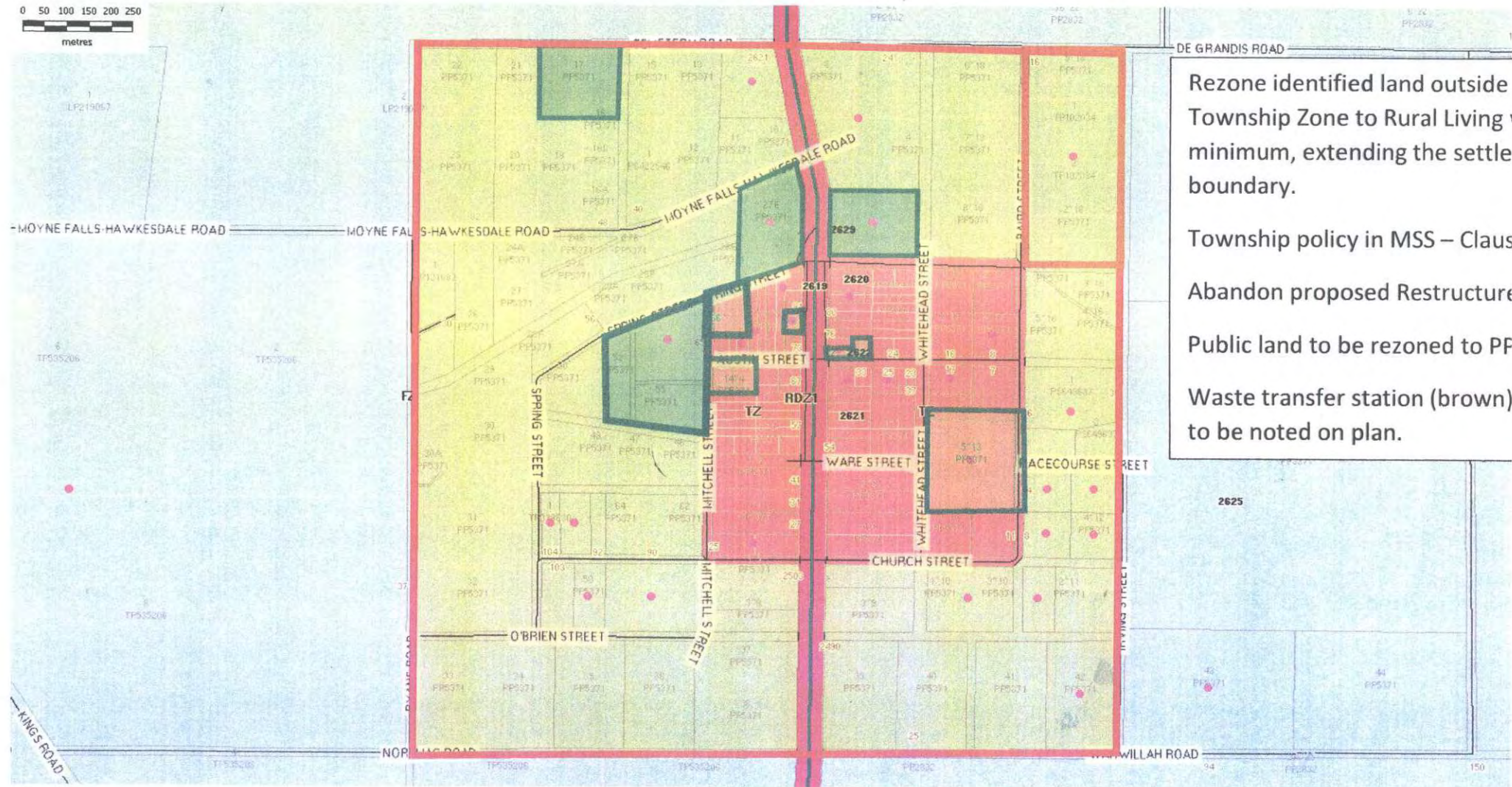


Environment,  
Land, Water  
and Planning



Original Town Boundary

## HAWKESDALE – Addendum Zoning and Settlement Boundary





## Specific Settlements – Hawkesdale

### Existing Strategy Recommendation

The Strategy recommends retaining the Township zone and zoning land to the east, west and south to Low Density Residential zone.

It is also proposed to apply the restructure overlay to land zoned Township.

A settlement boundary is proposed for all land to be contained within the Low Density Residential and Township zones.



### Issues and Data

The Low Density Residential (LDRZ) land for unsewered areas has a minimum lot size of 4000 square metres.

Since 2010 there has been low to moderate development with 5 houses being approved and some subdivisions approved as per the attached spreadsheet.

Applying the Low Density Residential zone with a 4000 square metre lot size may not be the most appropriate zone given the constraints highlighted for waste water disposal on the land zoned Township.

It may be more appropriate to zone the identified land to Rural Living with a 1 ha minimum lot size to ensure new lot creation is capable of containing sufficient land for a dwelling, associated outbuildings and waste water containment on site.

It is also considered that some further land to the west could be rezoned also to Rural Living to follow the former parish boundaries without impacting greatly on surrounding farming land or producing an oversupply of land for development.

[REDACTED]  
[REDACTED]  
2<sup>nd</sup> November, 2021

Submission for Moyne Planning Scheme Hawkesdale  
Amendment C70 HAWKESDALE



To rezone land to be included in the Rural Living Zone.

[REDACTED] purchased 3 allotments in 2007 as an investment to enable our retirement build in Port Fairy. These allotments which are on the southern approach to Hawkesdale and [REDACTED] (see attached map) They are 1 hectare in size and fenced to each allotment.

As per planning notes, the features of Hawkesdale include a pre school and a day care centre, p-12 schooling, family services, Post office with general store, swimming pool, public hall, hotel, CFA and CERT (ambulance services). Sporting clubs and activities exist such as football, netball, cricket, and tennis as well as an active HADDAC (development group), church, two parks and 20 hectare ex golf course for recreation. These features would be an enticing attraction for people wanting country lifestyle living.

The 3 allotments have established indigenous Manna gums with additional native plantings and access from the main road [REDACTED] to the rear. A natural incline to the main road exists for drainage with power available on both the [REDACTED] Street. If amended to Rural living these allotments would be readily taken up as Hawkesdale does offer opportunities for employment in local education and rural employment. Koroit, Warrnambool, Hamilton and Port Fairy are easily travelled to if need be.

However these allotments have been included in the proposed wind farm buffer zone which means no development can be undertaken. These allotments are actually outside the criteria set out for the buffer zone as they are about 2km from the nearest wind towers and about 1.3 km from the property hosting the towers. We will incur a major financial loss if they can be only sold as horse paddocks, may not even get what we paid for them 14 years ago.

#### OUR SUBMISSION

We do want to sell these 3 allotments. These allotments would easily fill the conditions and criteria set out in the proposed planning C70 document. Their position, fenced to 1 hectare lots and with what Hawkesdale can offer to additional, new residents surely must be considered to be included in the area RURAL LIVING ZONE for Hawkesdale

If possible I would like to attend the panel hearing to state my case and can provide addition information if needed.

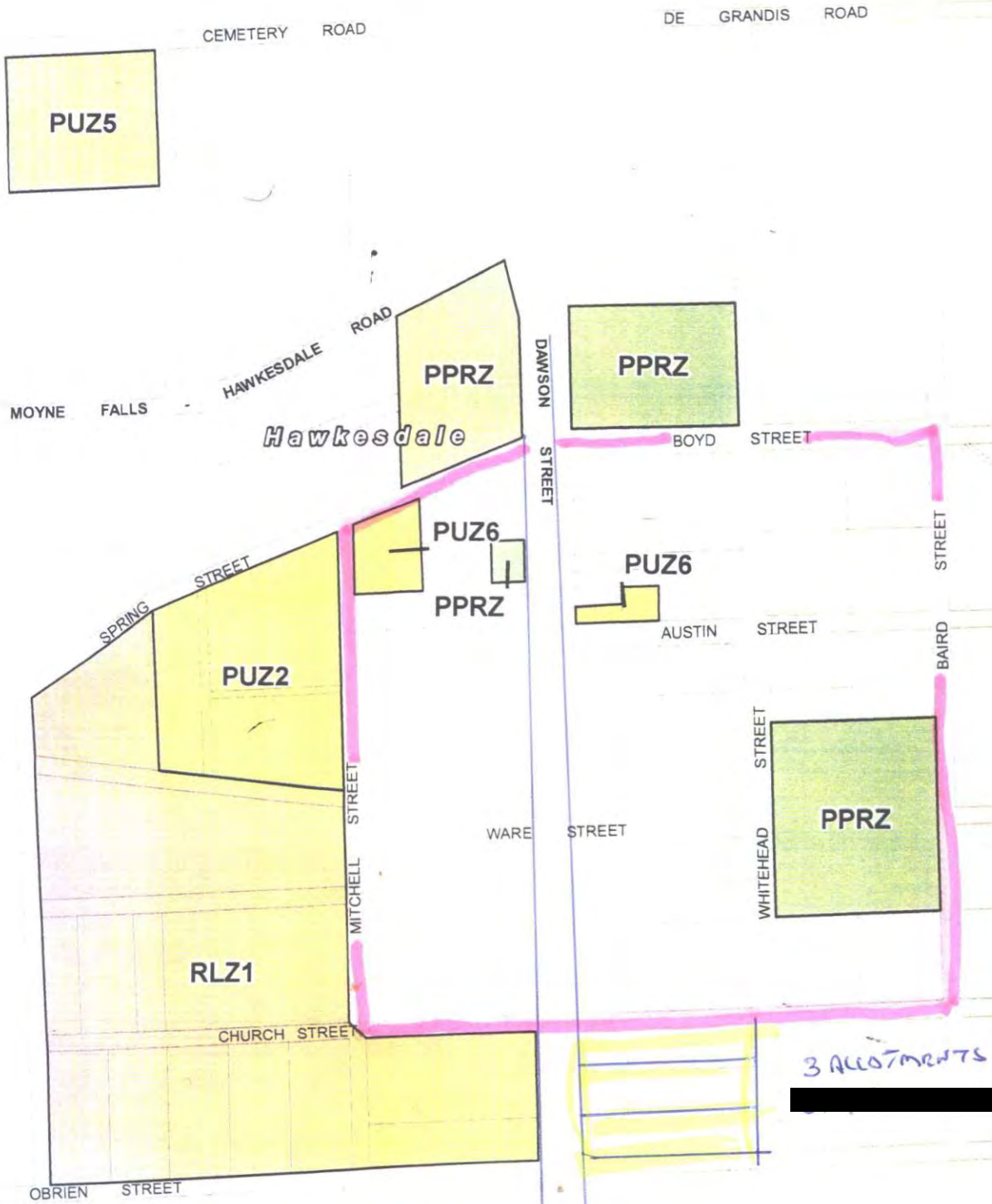
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[REDACTED]

Phone [REDACTED] email [REDACTED]





#### LEGEND

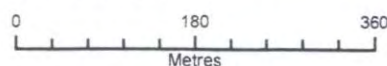
- PPRZ - Public Park and Recreation Zone
- PUZ2 - Public Use Zone-Education
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- RLZ - Rural Living Zone
- Local Government Area

Part of Planning Scheme Map 10

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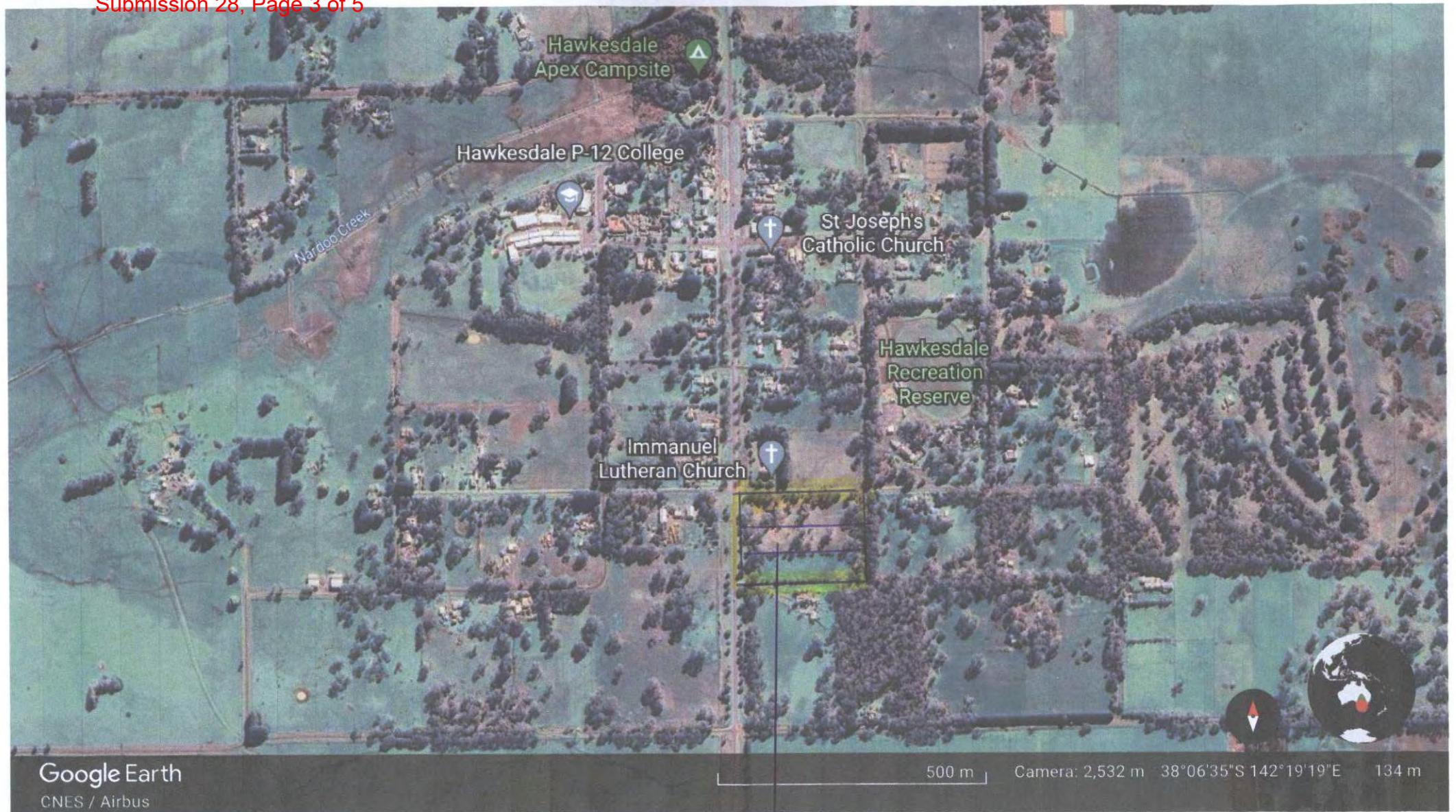
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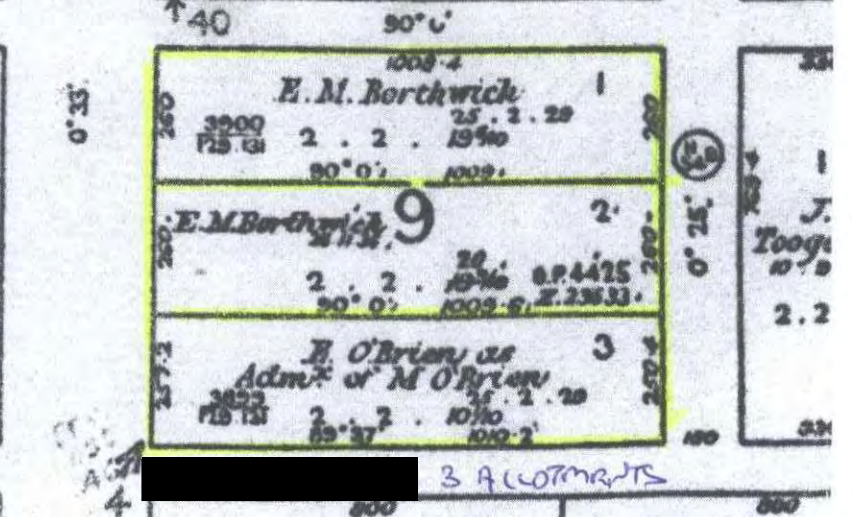
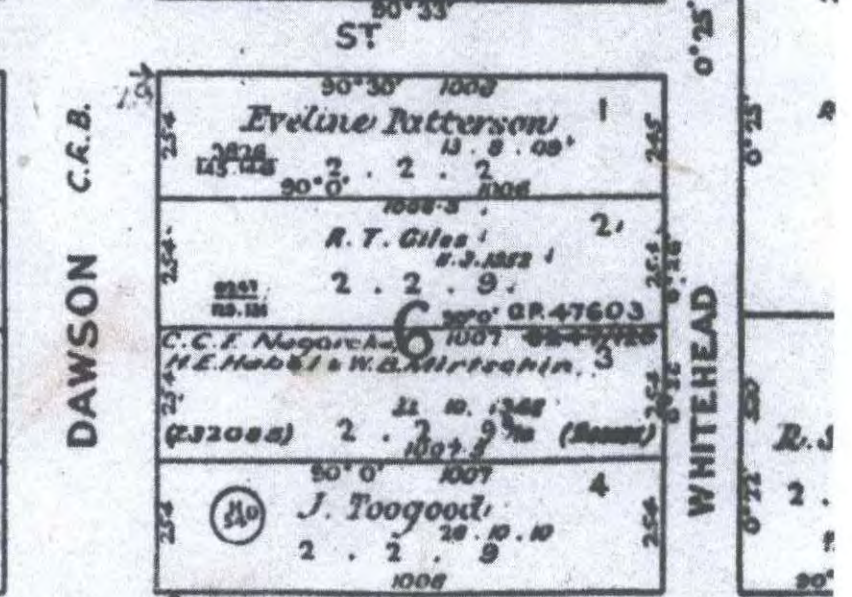
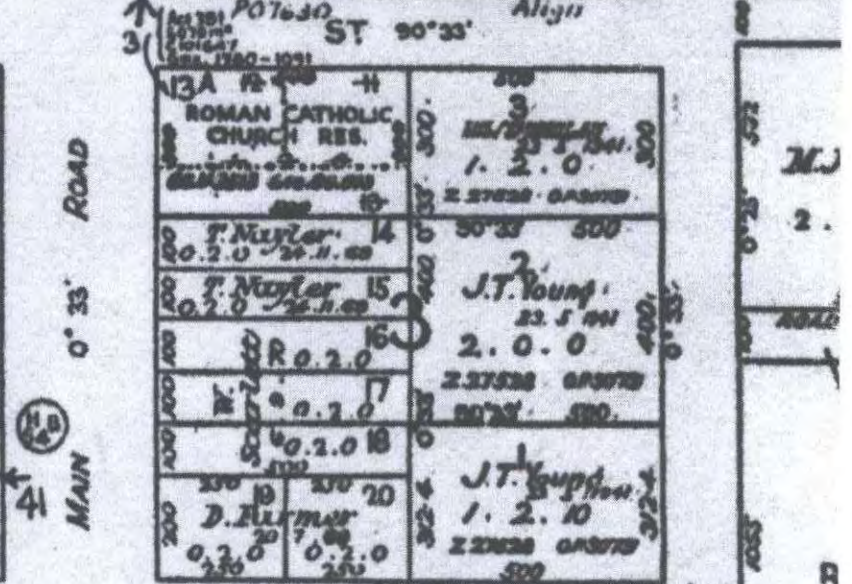
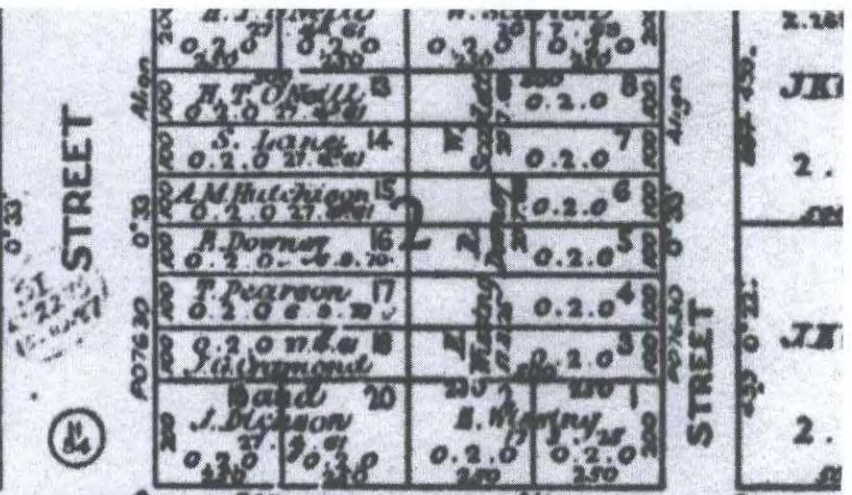
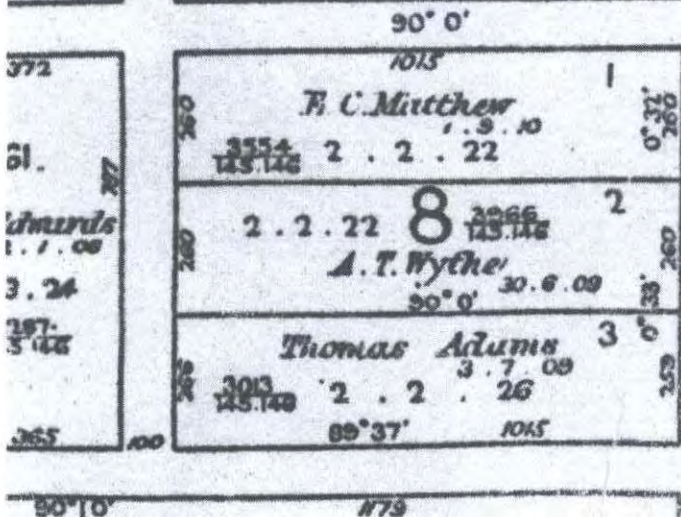
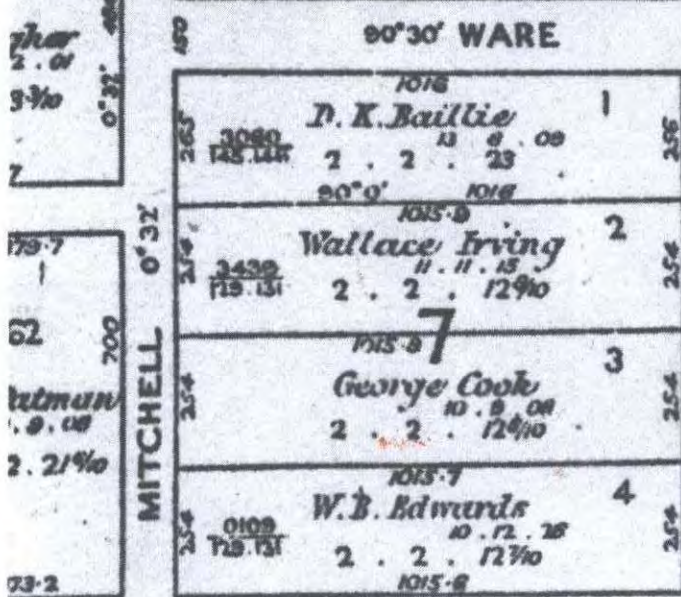
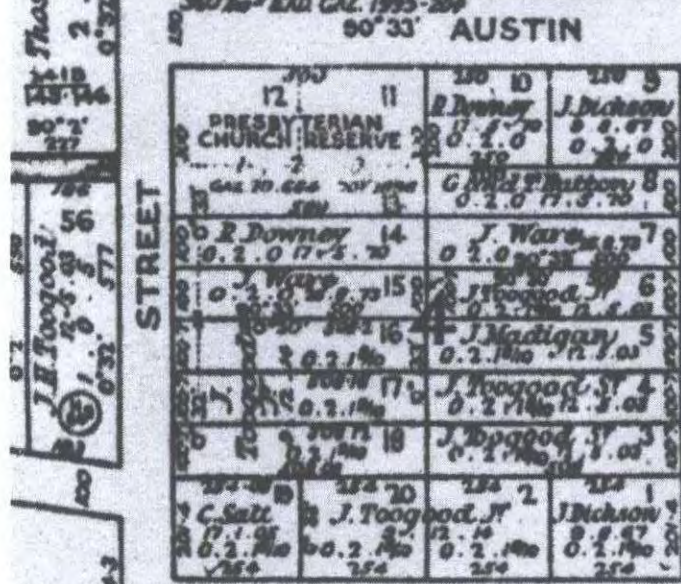
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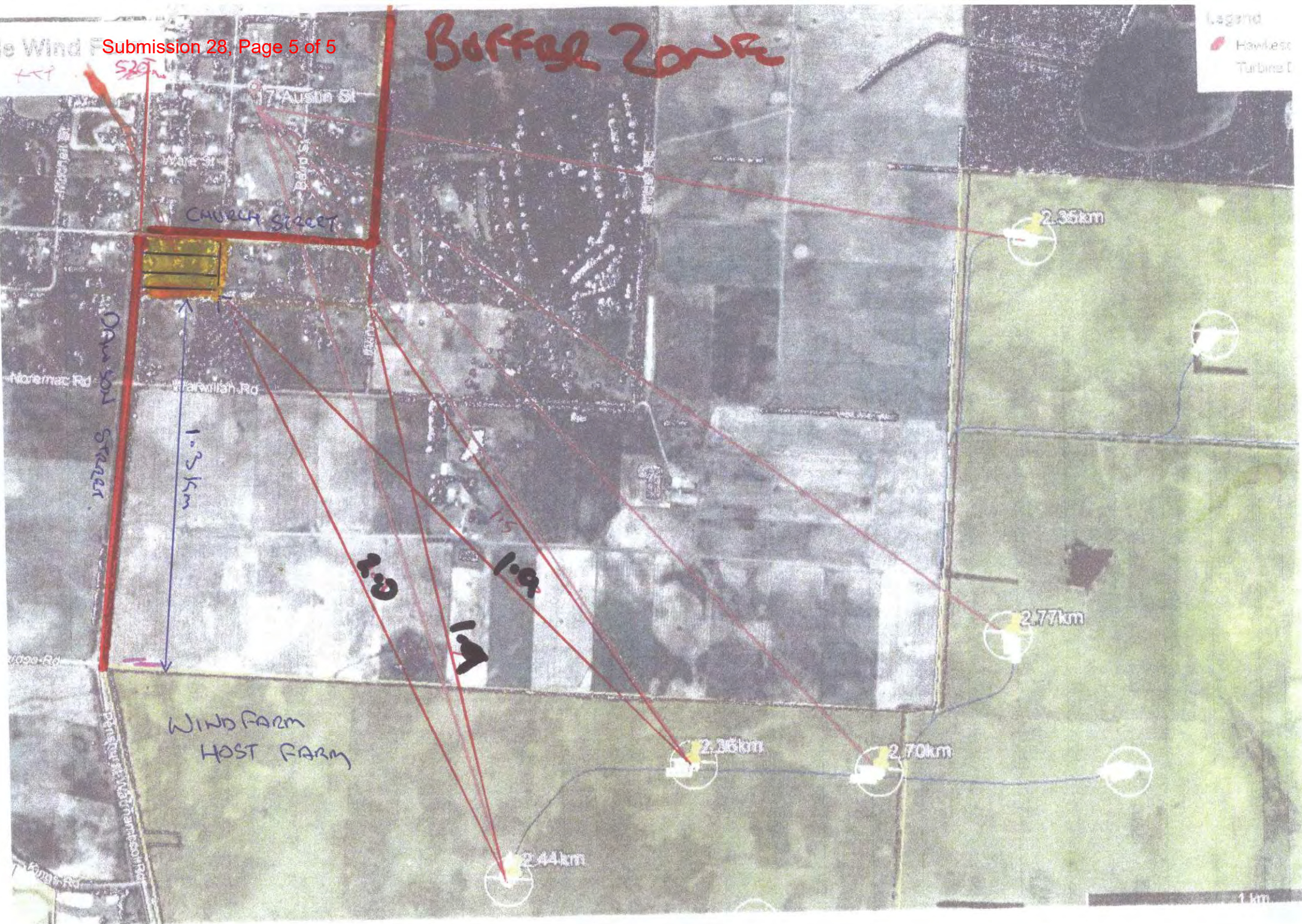
3 1 hectare allotments







Buffer Zone





Strategic Planning Team  
Moyne Shire Council  
PO Box 51  
Port Fairy VIC 3284  
**Email: [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)**

Dear Team,

**Submission C70moyn – Rural Housing and Settlement Strategy**

Your planning scheme amendment is overly complex due to a significant mismatch between the proposed changes (rezoning & policy changes) to the Moyne Planning Scheme, and the strategic documents informing the proposed changes.

For example, in many cases the proposed rezoning and schedules do not match any of the recommendations in the strategic documents.

Further, the proposed changes and strategic documents do not appear to respond to relevant matters expected to be addressed in an amendment having regard to Planning Practice Notes, Ministerial Directions, and the Moyne Planning Scheme.

The above matters have made it extremely time consuming and confusing to consider the amendment and have any confidence in the proposed changes.

As a resident of Moyne Shire, I oppose the amendment due to concerns that the proposed changes to the Moyne Planning Scheme will result in negative changes to the character and amenity of the Shire, place future residents and property in danger of fire and flood, and impact on agricultural land and the economy.

Further, the amendment is likely to compromise the future orderly planning of towns in the Moyne Shire, specifically Koroit.

I am also concerned the amendment may result in the unplanned diversion of community and infrastructure priorities in a manner that could impact on existing residents.

My concerns are outlined in more detail in the following pages.

I believe the Moyne Shire will need to tackle rural housing and settlement into the future with a multi layered approach (see Clause 71.02-3 of the Moyne Planning Scheme). Be prepared for more consultation with your communities, listen to what they need – there are many voices to be considered - we need to move beyond the single voice calling for more rural housing. It is the role of planning to balance this single call against other important priorities. Regrettably, I don't feel this amendment achieves this.

Thank you for the opportunity to make a submission.

Yours faithfully,

[Redacted Signature]

## Issue 1 - Landscape

The amendment **does not** provide sufficient information to demonstrate:

- **lifestyle farming area** (minimum lot size of 10 hectares for dwellings – the Farming Zone Schedule 3) at Koroit-Kirkstall, Crossley and Tower Hill, respects valued attributes of the rural landscape and scenic values
- rural residential development (minimum lot size of two hectares for dwellings and subdivision – the Rural Living Zone Schedule 2) to the **west and south-west of Koroit, on the western side of the Tower Hill State Game Reserve, and within the ‘Dairy Town’ subdivision at Illowa**, respects valued attributes of rural landscape and scenic value.
- rural residential development (minimum lot size of two hectares for dwellings and subdivision – the Rural Living Zone Schedule 2) in **Southern Cross**, respects valued attributes of rural landscape and scenic value
- rural residential development (minimum lot size of one hectare for dwellings and subdivision – the Rural Living Zone Schedule 1) in **Survey Lane and Towilla Way**, respects valued attributes of rural landscape and scenic value
- reducing the minimum setback from a Road Zone Category 1 from **100 metres to 50 metres in Schedules 1, 2 and 3 of the Farming Zone** is adequately addressed, particularly in relation to character and visual amenity.

### 1.1 Background and context

#### 15.01-1S Landscapes

The objective of this clause is to protect and enhance significant landscapes and open spaces that contribute to character, identity, and sustainable environments.

Strategies include:

- .....
- Ensure development does not detract from the natural qualities of significant landscape areas.
- .....
- Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas. Recognise the natural landscape for its aesthetic value and as a fully functioning system.
- Ensure important natural features are protected and enhanced.

#### 15.01-6S Design for rural areas



The object of this clause is to ensure development respects valued areas of rural character.

Strategies include:

- Ensure that the siting, scale and appearance of development protects and enhances rural character.
- Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.
- Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.

In addition to the above, Clause 21.03 identifies the following relevant factors influencing future planning and development

- The importance of landscape character to the economy of the Region and the need to relate new development to landscape character.
- The importance of containing township development within defined boundaries, and of managing development on the fringes of townships so that it enhances the character of the town's landscape setting.
- The need to retain the dominance of the landscape between townships and avoid ribbon development.
- The importance of views of the landscape from road corridors, and the need to control and manage development that is highly visible from main road corridors and principal tourist routes.
- The need to retain the dominance of the landscape from key viewing locations throughout the Region.

Planning Practice Note42 – Applying Rural Zones

The Practice Note reinforces the need to protect and enhance landscape values.

## 1.2 Discussion

The strategic documents and Explanatory Report that underpin the Amendment contain no analysis of the rural landscape and impacts of the proposed re-zoning, and reduction of minimum setback from a Road Zone Category 1 from 100 metres to 50 metres in Schedules 1, 2 and 3 of the Farming Zone.

State planning policy places a clear onus on Council to manage the rural landscape.

Council's local policy acknowledges that the rural landscapes of Moyne Shire are facing increasing pressure for development. It recognises the importance of ensuring the built environment does not dominate the landscape qualities in non-urban area.

It is submitted that houses in a rural environment can represent one of the most visible indicators of rural landscape change. Houses that are suitable for urban areas can look out of place and inappropriate in rural settings. It is also typical for rural residents to construct large sheds (machinery sheds, industrial scale sheds, barns etc), which can intrude into views and vistas.

It is noted that the amendment will allow the following physical changes:

- 'Lifestyle farming' at Koroit-Kirkstall, Crossley and Tower Hill will facilitate up to 42 dwellings without a planning permit.
- The rural residential living areas to the west and south-west of Koroit, on the western side of the Tower Hill State Game Reserve will facilitate up to 28 to 30 additional dwellings.
- The 'Dairy Town' subdivision at Illowa will allow an additional of 8 to 10 dwellings.
- The rural living area at Southern Cross will allow an additional 7 to 9 dwellings.
- The rural living area at Survey Lane and Towilla Way, Killarney will allow an additional 5 to 7 dwellings.

These are not insignificant physical changes in a rural context.

It must be noted that the exclusion of land from a Significant Landscape Overlay does not negate the need to consider impacts on the landscape.

It is disappointing that no attention has been given to the physical process of landscape change and preferences towards accommodating new housing development in the nominated rural areas. Such assessment should include analysis of the physical and visual elements of the landscape, (such as topography, land use, water form, vegetation cover and patterns of settlement), and pattern of viewing, community and other identified values, landscape change and sensitivity to change, opportunities and threats, management considerations, preferred future character, and landscape management objectives and guidelines.

It is also disappointing that Council has not demonstrated the benefits of reducing the minimum setback from a Road Zone Category 1 from 100 metres to 50 metres of Schedule 1, 2, and 3 of the Farming Zone. It is submitted that the character of highway and main road corridors are important elements of the appreciation of the Shire's rural and semi-rural areas, especially for visitors who come to the shire to experience its landscapes and vistas, and do this predominantly from moving vehicles.

The current requirement of 100 metres responds to state and local policy of the planning scheme. It provides separation between development and lot boundaries and facilitates an open space feel, defines a pattern of development, and protects the amenity of adjacent land. **How can this be simply changed without justification?**

### **1.3 Conclusion**

The proposed changes to the planning scheme are not based on an understanding of the variable landscapes in Moyne Shire.

Council needs to demonstrate to the community that the proposed changes to the planning scheme will not alter rural areas in a manner that changes valued attributes of the rural landscape and scenic views and outline preferred future character. In the absence of this information, Council should not proceed with this Amendment.



## Issue 2 - Bushfire

The amendment **does not** provide sufficient information to demonstrate:

- bushfire is adequately addressed, particularly in relation to settlement planning

### 2.1 Background and context

Clause 13.02-1S applies to all land within a designated Bushfire Prone Area (BPA), subject to a BMO or proposed to be used or developed in a way that may create a bushfire hazard.

The objective of the clause is to strengthen the resilience of communities to bushfire through risk-based planning that priorities the protection of human life.

Strategies for settlement planning include:

- Directing population growth and development to low-risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under *AS 3959 - 2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).
- Ensuring the availability of, and safe access to, areas assessed as a BAL-Low rating under *AS 3959 - 2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.
- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.
- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.
- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

Clause 13.02-1S also lists factors to be considered as part of bushfire hazard identification and assessment.

Clause 71.02-3 requires integrated decision making to address aspects of economic, environmental, and social wellbeing affected by land use and development. Within this context, the clause requires planning authorities to balance conflicting objectives in favour of net community benefit and sustainable development, however in bushfire affected areas the clause requires the protection of human life over all other policy considerations.

PPN64 notes that planning authorities need to address any relevant bushfire risk when preparing a planning scheme amendment.

## 2.2 How does the Amendment respond?

The explanatory report states:

*The proposed Amendment does not seek to re-zone land within areas of identified bushfire risk affected by the Bushfire Management Overlay or bushfire hazard areas identified in the Barwon South-West Region Regional Bushfire Planning Assessment.*

*The Amendment does not seek to remove or modify any existing provisions, which relate to the management of bushfire risk. The Building Regulations 2006, through application of the Building Code of Australia, will continue to apply bushfire protection standards for building and works within designated bushfire prone areas.*

*Accordingly, it is not expected that the changes included in the Amendment will cause any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire hazard.*

*The views of the Country Fire Authority (CFA) were sought prior to authorisation of the Amendment. It was noted by the CFA that the proposed rezoning are not affected by the BMO and are not in areas of elevated bushfire risk. Notice of the Amendment will be given to the CFA to again seek their views through the exhibition process.*

## 2.3 Discussion

The explanatory report states the Amendment does not propose to re-zone land within areas of identified risk affected by the BMO or bushfire hazard areas identified in the Barwon hazard areas identified in the Barwon South-West Regional Bushfire Management Planning Assessment 2012.

This explanatory report assessment is simplistic at best and not satisfactory to justify the Amendment.

The BMO should not be used as the sole indicator of where bushfire matters need to be considered – refer to Practice Note 64.

Further, the Barwon South-West Region Regional Bushfire Planning Assessment 2012 is out of date and does not acknowledge the change in bushfire risk overtime for Moyne, of particular note, the high wind event of 17 March 2018 (St Patricks Day bushfire). This specific event is testament to the significant impact that bushfire can produce.

While Council has consulted with the CFA, this is only one aspect of many factors that are required in the assessment of bushfire hazard and risk. No Council should act based on consultation alone, without appreciating all the matters that have been considered and whether there are any gaps in the qualifications behind the advice.

The Amendment proposes rural residential development and lifestyle farming (**an increase of around 150 dwellings, with a net population increase of 360**) within areas designated BPA. As such, Clause 13.01-1S requires Council to explore whether it is appropriate to encourage this outcome in the context of bushfire risk.

The wording of Clause 13.01-S sets a 'high bar' and in this instance the onus is on Council to demonstrate compliance.

No supporting bushfire information appears to have been completed to determine whether the exposure benchmarks referred to in Clause 13.01-1S can be met.

It is noted the strategic documents that underpin the Amendment have been prepared prior to the current policy at Clause 13.02-1S being in place. However, this does not explain why bushfire has not been considered as an important issue in the preparation of the Amendment, noting bushfire has been a significant issue for Moyne for a long time.

The Moyne Shire Municipal Fire Management Plan outlines the following bushfire risk rating for settlements affected by the Amendment:

Settlement	Bushfire Risk
Grassmere	High
Hawkesdale	High
Kirkstall	Extreme
Koroit	High
Crossley	Very High
Tower Hill	Very High
Southern Cross	No risk rating
Survey Lane & Towilla Way, Killarney	Extreme
Woolsthorpe	High

Note, Bushfield has a risk rating of **Extreme** in the Warrnambool City Council – Integrated Municipal Fire Management Plan.



## **2.4 Conclusion**

Bushfire consideration takes precedence over all other policy considerations.

Council needs to demonstrate via bushfire hazard assessment that the proposed changes to the planning scheme will not put residents or property at risk of bushfire or the amendment should fail on this issue alone.

## Issue 3 - Drainage and Flooding

The amendment **does not** provide sufficient information to demonstrate:

- drainage and flooding are adequately addressed, particularly in relation to natural hazards and climate change, and flood plain management

### 3.1 Background and context

#### 13.01-1S Natural hazards and climate change

The objective of this clause is to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

Strategies include:

- Consider the risks associated with climate change in planning and management decision making processes.
- Identify at risk areas using the best available data and climate change science.
- Integrate strategic land use planning with emergency management decision making.
- Direct population growth and development to low-risk locations.
- Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.
- Ensure planning controls allow for risk mitigation or risk adaptation strategies to be implemented.
- Site and design development to minimise risk to life, property, the natural environment, and community infrastructure from natural hazards.

#### 13.03-1S Floodplains

This clause seeks to assist the protection of life, property, and community infrastructure from flood hazard, among other objectives.

Clause 13.03-1S Floodplain Management includes strategies to:

- .....
- *Avoid intensifying the impacts of flooding through inappropriately located uses and development.*

### 3.2 Discussion

The strategic documents and Explanatory Report that underpin the Amendment contain no analysis of flooding and drainage, particularly in relation to natural hazards and climate change, and flood plain management.

It is acknowledged that the planning scheme does not contain flood and drainage information or controls in relation to the land affected by the Amendment. However, this does not mean that flooding and drainage issues do not occur.

State Planning Policy places a clear onus on Council to ensure that flooding and drainage information is taken into consideration as part of the planning process. These policy directions have been in place for some time and there is no explanation why this work has not been done.

The Moyne Shire Flood Emergency Plan, March 2021 (MSFEP) clearly states that Moyne Shire has a long history of riverine flood events that have been infrequent during the last decade. Relevant to the Amendment, the plan notes areas impacted by flooding include Koroit, Crossley, Killarney, and Kirkstall.

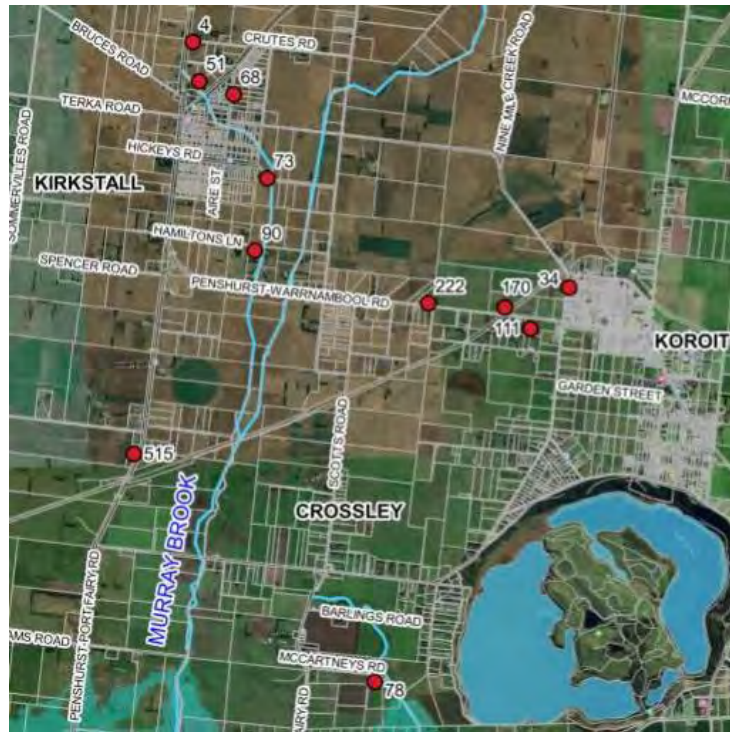
The most significant recent flood event was recorded in October 2020. This flood resulted in several dwellings being subject to flooding (below floor, above floor, or flooding threatening the house, request sandbags) in the area proposed to be rezoned Farming Zone 3 and Rural Living Zone 2 – refer to map below.

The Amendment is expected to bring about 42 dwellings in the Farming Zone Schedule 3 without the need for a planning permit, and facilitate up to 28 to 30 additional dwellings in the rural residential living areas to the west and south-west of Koroit, on the western side of the Tower Hill State Game Reserve. Concern is raised about potential flood damage in these areas. The impacts of flooding can include loss of human life, and detrimental effects on people, their health, damage to property and infrastructure. It can also place a burden on local emergency services.

Council says the Farming Zone Schedule 3 is suitable for lifestyle farming. Impacts of flooding can also cause significant interruption to farming activities, particularly for crops and livestock. **Is this a sustainable 'lifestyle farming' outcome?**

There are serious flooding and drainage issues which Council needs to consider further before rezoning land and permitting too many more people to reside there.





*Map 1 – Dwellings affected by 2020 flood event. Source: MSFEP*

In addition to the above, Moyne Shire Emergency Plan March 2020 identifies in 2010 the township of Nullawarre was affected by flooding. There appears to be no discussion on this occurrence in relation to the proposed rezoning for this settlement.

### **3.3 Conclusion**

Council needs to demonstrate that the proposed changes to the planning scheme will not put residents or property at risk of flooding and place a burden on emergency services.

Council also needs to demonstrate that 'Lifestyle Farming' activities are socially, economically, and environmentally viable in an area with flooding and drainage issues – managing wet soils. Drainage water management could prove very problematic for lifestyle farming activities.

## Issue 4 - Agriculture

The amendment **does not** provide sufficient information to demonstrate:

- the proposed lifestyle farming (Farming Zone Schedule 3) provisions, including the minimum lot size for dwellings from 40 hectares to 10 hectares, at **Koroit-Kirkstall, Crossley, and Tower Hill**, is justified and has a sound strategic basis having regard to relevant Planning Practice Notes, the purpose of the Farming Zone, and high-level State policy pertaining to agriculture, housing and the like.

### 4.1 Background and context

Planning Practice Note 42 - Applying Rural Zones (PPN42) summarises the Farming Zone as follows:

- Farming Zone – a zone that is strongly focussed on protecting and promoting farming and agriculture

PPN42 further states it is implicit that the purpose of the Farming Zone that farming will be a primary land use activity. The purpose of the Farming Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

PPN42 outlines the following main features

The Farming Zone is primarily concerned with keeping land in agricultural production and avoiding land uses that could limit future farming or constrain agricultural activities. In this zone:

- farming is the dominant land use and all other land uses are subordinate to farming
- farming uses are encouraged to establish and expand with as little restriction as possible, subject to proper safeguards for the environment
- non-farm dwellings and land uses not related to farming may be considered but should not limit the operation and expansion of agricultural uses
- farm-related tourism and retailing uses may be considered

- uses that could lead to the loss or fragmentation of productive agricultural land, or which could be adversely affected by farming activities, are prohibited
- land subdivision that could take farmland out of production or limit future farming productivity is discouraged
- the minimum lot size for subdivision may be tailored to suit the farming practices and productivity of the land.

PPN42 provides the following fact and tip for planners:

The existing size or pattern of lots in an area should not be the sole basis for deciding to apply a particular zone.... Traditionally, farms have comprised multiple lots, sometimes contiguous, sometimes different locations. The fact that an area may comprise many lots does not mean it cannot be used productively or should not be included in a zone that supports and protects farming.

The State Planning Policy for Agriculture (Clause 14.01-1S) recognises agriculture as being the dominant land use within our Farming Zone areas. The objective of this clause is to:

- To protect the state's agricultural base by preserving productive farmland

Relevant strategies include:

- .....
- Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
- .....
- Protect productive farmland that is of strategic significance in the local or regional context. Protect productive agricultural land from unplanned loss due to permanent changes in land use
- Prevent inappropriately dispersed urban activities in rural areas.
- Protect strategically important agricultural and primary production land from incompatible uses.
- Limit new housing development in rural areas by:
  - Directing housing growth into existing settlements.
  - Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
  - Encouraging consolidation of existing isolated small lots in rural zones

The Municipal Strategic Statement (Clause 21.07) identifies that agriculture is the most significant land use in the Shire, due to the mild climate, high and well distributed rainfall, suitable soils, and good access to markets.

The policy sets out the following relevant issues, objectives, and strategies:

Issues:

The key strategic issues include:



- The municipality relies heavily on agricultural activity as its economic base.
- The existing agricultural base needs to be preserved in recognition of its strong economic performance

#### Objectives

- To support and facilitate the development of local employment opportunities.

#### Strategies

- To maintain the status of agriculture as the key element of the economy.
- To encourage innovative farming practices and new products to expand the agricultural sector's role

### 4.2 How does the Amendment respond?

The Moyne Land Capability and Biodiversity Study (MLCBS) clearly outlines that the overwhelming priority for rural land use across the municipality is to promote and provide for primary production as an ongoing foundation to the Shire's economy and social infrastructure.

For the full Shire, the MLCBS provides the following key recommendations:

- **Support the preservation of the productively farmed rural landscape beyond defined urban areas for economic, environmental, and community reasons**
- **Maintain and strengthen a settlement strategy for the Shire that reinforces the concept of non-urban breaks between towns, by application of the following linked needs**
- **Strongly oppose the development of housing on small lots in the Farming Zone (FZ) remote from townships and associated physical and social services.**
- **Ensure that further rural living development occurs only through appropriately planned and substantiated provision of Rural Living zoned land**
- **Maintain a distinct separation between urban areas and farming/rural activities.**
- **Protect and maintain areas of environmental and landscape significance by strongly discouraging inappropriate development and uses.**

Under the MLCBS, the land proposed to be included in the Farming Zone Schedule 3 falls within the Koroit/Grassmere Planning Unit 9, with the following key recommendations:

- **The Farming Zone be generally retained as currently applied across the Planning Unit.**

- **The existing minimum lot size of 40ha for subdivision and dwelling construction without a permit should be retained across the Farming Zone in the Planning Unit.**

The Moyne Warrnambool Rural Housing and Settlement Strategy 2010 (RHSS) does not contradict the above recommendations. It does not propose to change the application of the Farming zone or the minimum lot size for dwellings or subdivision.

In fact, a key objective of the RHSS was to provide for rural settlement that is 'sustainable and that does not compromise the region's agriculture, natural, environmental, landscape and infrastructure resources.

However, the Rural Housing and Settlement Strategy Addendum Report 2015 (Addendum Report), which was adopted by Council on 22 September 2015, provides the following recommendation:

- Vary the schedule to Farming Zone to retain the subdivision minimum lot size at 40 hectares and reduce the minimum lot size for a dwelling to 10 hectares.

The Addendum Report calculates that the above change will allow up to 42 dwellings without the need for a planning permit.

The strategic justification is as follows:

*Incremental development of dwellings, change in agricultural uses and a reduction in broad scale farming has occurred in this area. This locality can support a higher density of dwellings associated with lifestyle farming pursuits including raising of potty calves, breeding and raising of goats, sheep, horses and cropping that is of a scale to complement the good soils, access to water, road infrastructure and changing character.*

*This area has the ability due to its lot layout, road infrastructure and proximity to both Koroit, Warrnambool, and Port Fairy to foster small scale agricultural uses complementing the surrounding broadscale dairy and grazing operations without becoming an adhoc rural residential area.*

*The aim is to foster small scale and lifestyle farming utilising existing titles, particularly on lots greater than 10 hectares in size where a dwelling will not require a planning permit but not encourage further fragmentation of farming land by retaining a 40-hectare minimum lot size.*

*This area is subject to constant development pressure and adhoc decisions made over the past decade have created a tension that can be resolved by allowing a lesser minimum lot size for a dwelling in this locality.*

#### **4.3 Discussion**

The approach taken by Council to create a lifestyle farming precinct at Koroit-Kirkstall, Crossley, and Tower Hill, is too liberal.

The veracity of the Addendum Report and its recommendation for lifestyle farming in this precinct is questioned. There are critical failures with the report in that there is no apparent methodology informing the report, insufficient background data and analysis, and it relies on anecdotal evidence that the precinct is suitable for lifestyle farming.

Another critical failure of the Addendum Report is that it does not appear to have been subject to public consultation. **How do you plan for a major land use change such as this without consultation?**

The Addendum Report appears to rely on the existing size or pattern of lots in the precinct, development pressure and adhoc planning decisions as the basis for deciding to apply relax the minimum lot area for a dwelling from 40 hectares to 10 hectares.

This is a simplistic conclusion-

It is submitted that the area between Kirkstall, Crossley and Tower Hill is high quality agricultural land.

Cadastral plans and aerial photographs of the area show lots of a range of sizes. While some areas contain small lots, there are other areas that have relatively larger lots, limited housing, continuing productive agriculture/horticultural use either on larger holdings either by lease or sale, and a prevailing rural character.

The agricultural productivity of the precinct has not been compromised to the extent that automatically justifies the provisions sought by Farming Zone – Schedule 3.

The relaxation of the minimum lot area for a dwelling to 10 hectares in this precinct will facilitate an additional 42 dwellings without a planning permit. This is not an inconsequential change to the precinct. The Addendum Report fails to provide, amongst other matters:

- Consideration of high-level State policy and other policy objectives relating to the protection of agricultural land, discouragement of dwellings, as the starting point for assessing the future direction of the precinct.
- Comprehensive analysis of the extent of rural residential development and established commercial agricultural enterprises in the precinct and Shire, including rural land demand and supply analysis.  
**Is Council seriously suggesting that there is simply no local or regional demand for land to farm productively?**  
**Is Council fulfilling its primary responsibility to keep farming viable?**
- Agribusiness evidence to support the recommendation for lifestyle farming for the precinct, highlighting consideration of adoption of practices/ideas that are underpinned by sound evidence and consequence of the non-adoption of practices/ideas. This type of assessment needs to have clear synergies with the proposed Farming Zone – Schedule 3.
- Consideration of land management, noting a 10-hectare lot provides a greater degree of land management than new landowners residing on these lots will usually be able to provide. It is a lot of work to manage land over 10 hectares.



Poor land management, particularly in relation to weed, pest and fire safety compliance, places pressure on the agricultural sector. Poor land management may be due to factors such as new landholders with little experience in farm management, absentee landholders or landholders that are no longer interested in farming and are essentially speculating in the land market.

- Consideration of impact on increased land values and land use conflict between residents and farming operations, both of which can impact negatively on agricultural production.
- Consideration of climate change on the Shires finite agricultural base. Any changes to the climate could have a significant impact on the sustainability of farming in the area and the proposed outcome sought - Lifestyle Farming. Potential impacts of future climate change may be uncertain, however future scenarios may include reduced groundwater recharge and as a result less irrigation water available and increased reliance on supplementary feeding over pasture as rainfall reduces (Moyne Land Capability and Biodiversity Study).
- Consideration of matters outlined in issues 1 (landscape), 2 (bushfire), 3 (flooding and drainage) and 7 (infrastructure) of this submission.

Should an independent Panel be appointed to review submissions to the amendment, the author of this submission would like to draw the Panel's attention to decisions of the Victoria Civil and Administrative Tribunal (VAT) that have not supported the grant of a permit for the use and development of dwellings on small lots in this precinct since they were regarded as inconsistent with state policy and the Farming Zone controls.

In a recent 2015 VCAT case, the Member made the following observations in relation an application for use and development of a dwelling on land on a small lot (just over 10 hectares) in the precinct:

"Although it seems harsh to refuse a dwelling on this site, it is unfortunately true that every individual new dwelling cumulatively undermines the agricultural use of land. It may even seem unfair given the dwellings that already exist on lots less than the zone minimum. While some of these predate the current planning controls and policies, in other cases it is also because **Moyne Shire has taken a lenient approach to dwellings on small rural lots. It is only when objectors appeal such decisions that there is an opportunity to reassess these Council decisions. In most of the cases I am aware of in Moyne Shire, the Tribunal has rarely supported the Council's decision to grant dwelling permits on small rural lots and has refused them on the basis of the quite clear controls and policies discouraging dwellings on such lots.**"

Having regard to the above VCAT case and observation by the member, it would not be unreasonable to ask whether Council's 'lenient approach to dwellings on small rural lots' was the starting point for decisions for this precinct rather than robust strategic analysis.

It is requested that the above VCAT observation be considered by any Panel in its assessment of the veracity of the Addendum Report, which was prepared by Council in-house and without public consultation.

#### 4.4 Conclusion

The relaxation of the minimum lot area for a dwelling from 40 hectares to 10 hectares in this precinct would detract from the purpose of the Farming Zone, does not reinforce the

existing state policy objectives for agricultural land, and does not strengthen agriculture as one of the primary land uses.

Elements of the Addendum Report are difficult to comprehend and that the rationale for various assumptions and findings are not clear.

This submission concludes that Farming Zone Schedule 3 should not proceed as part of Amendment C70moyn.

Should the Amendment proceed to a Panel, it is suggested that the hearing process would be assisted if the author of the Addendum Report was available to discuss the report.

## Issue 5 – Potential Land Contamination

The amendment **does not** provide sufficient information to demonstrate:

- lifestyle farming area (minimum lot size of 10 hectares for dwellings – the Farming Zone Schedule 3) **at Koroit-Kirkstall, Crossley and Tower Hill**, has been appropriately assessed in terms of potential contamination.
- rural residential development (minimum lot size of two hectares for dwellings and subdivision – the Rural Living Zone Schedule 2) **to the west and south-west of Koroit, on the western side of the Tower Hill State Game Reserve** has been appropriately assessed in terms of potential contamination.

### 5.1 Background and context

The following relevant Ministers Directions and Planning Practice Notes need to be applied and used to guide the Amendment:

#### Ministerial Direction 1

The Ministerial Direction Number 1, Potentially Contaminated Land (the Ministerial Direction) requires planning authorities when preparing planning scheme amendments, to satisfy themselves that the environmental conditions of land proposed to be used for a sensitive use, agriculture or public open space are, or will be, suitable for that use and purpose.

In this Direction:

potentially contaminated land means land:

- a) used or known to have been used for industry or mining;
- b) used or known to have been used for the storage of chemicals, gas, waste or liquid fuel (other than minor above-ground storage that is ancillary to another use of the land);
- or
- c) where a known past or present activity or event (occurring on or off the land) may have caused contamination on the land.

Where land is determined to be potentially contaminated and the amendment would allow the land to be used for a sensitive use, agriculture, or public open space (whether or not subject to the grant of a permit) the Ministerial Direction specifies that an environmental audit must be undertaken, and any recommendations of the audit are complied with before notice of the amendment is given.

#### Planning Practice Note 30 - Potentially Contaminated Land

This practice note discusses how to identify potentially contaminated land and the actions required to be undertaken if land is assessed as being potentially contaminated.



The practice note directs the reader to Ministerial Direction No. 1 – Potentially Contaminated Land, for a definition of potentially contaminated land.

The practice note identifies the following steps for the identification of potential for contamination:

- Inspect the site. Observations should be made regarding evidence of contamination or historical activities that may give rise to contamination (for example, fuel tanks).
- Review any Site Analysis presented in accordance with Clauses 54.01-1 (single dwellings) and 55.01-1 (two or more dwellings) of planning schemes (these clauses require issues of site contamination to be identified).
- Consider any available information about the site:
  - The current and previous zoning, ownership or activities carried out on the site (for example council, rail, other utility or defence). Council rate records are a useful record of this information.
  - Any previous investigations or site assessments conducted.
  - Any potential contamination from surrounding land uses (for example, an adjacent service station known to be causing off-site contamination).
- Review lists of Certificates and Statements of Environmental Audit held by council and EPA. Environmental auditors are required to provide a copy of any Certificate or Statement issued to both the relevant council and the EPA.
- Review the EPA Priority Sites Register for information about sites with a current EPA Notice.

Certain land uses are also specified as previous land uses that may indicate contamination of land.

## 5.2 How does the Amendment respond?

The explanatory report states:

*It is consistent with Ministerial Direction No. 1 (Potentially Contaminated Land), as the Amendment does not re-zone any land that is used, or known to have been used, for industry, mining, or the storage of chemicals, gas, wastes or liquid fuel*

## 5.3 Discussion

It is clear from the explanatory report that Council has not given appropriate consideration of potential contaminated land. The scope of Council's consideration is limited to industry and mining, and the storage of chemicals, gas, wastes or liquid fuel. It fails to consider potential contaminated land also include past or present activity or event that may cause contamination (occurring on or off the land).

The Koroit Structure Plan, adopted by Council in 2020, identified that land surrounding Koroit has a history of potato growing and, in some cases, this may have included the use of dieldrin and DDT. These are persistent chemicals that stay in the environment and may have serious adverse impact on human health and livestock.

Having regard to the above matter, Council is aware of potential contamination of land affected by the amendment. In accordance with clause 5(b) of Ministerial Direction 1, Council appears to have erred in declaring in the Explanatory Report that the land subject to the Amendment is not potentially contaminated.

The explanatory report also fails to consider if there are any dip or spray race (working or not) or a dip/spray race site on any property which was built or operated before 1990. Organochlorine chemicals were used to control external parasites on cattle and sheep until the early 1960s and arsenic used in sheep dips until the late 1980s. It is essential that these areas are identified and be managed before rezoning.

The explanatory report states that the amendment does not include land used to store chemicals. However, the land proposed to be rezoned Farming Zone Schedule 3 and Rural Living Zone Schedule 2 has a history of cropping. It is therefore a very real possibility that there would be current or former storage chemical storage, mixing or washdown areas, or fertilizer storage. It is essential that these areas are identified and managed before rezoning.

In addition to the above, Council has failed to take steps to ensure that the proposed lifestyle farming will not impact on existing land uses requiring a buffer already located within the Farming Zone. In particular:

- The Fertilizer storage business located on land at the south-east corner of Penshurst-Warrnambool Road and Penshurst-Port Fairy Road, and
- The truck repairs business located on land at the northwest corner of Penshurst-Warrnambool Road and Scotts Road.
- Any existing dairies.

## 5.4 Conclusion

The amendment does not appear to have been assessed in accordance with Ministerial Direction No. 1 – Potentially Contaminated Land and Ministerial Direction No. 19 – The Preparation And Content Of Amendments That May Significantly Impact The Environment, Amenity And Human Health.

Further work is required to determine the extent of existing contamination and the impact of possible contamination.

## Issue 6 Rural Living Zone 2

The issues are:

- whether the proposed rural residential development (Rural Living Zone Schedule 2) to the **west and south-west of Koroit, on the western side of the Tower Hill State Game Reserve** is piecemeal and adhoc and will prejudice future decisions for the township of Koroit.
- whether the minimum lot size of two hectares for dwellings and subdivision – the Rural Living Zone Schedule 2 to the **west and south-west of Koroit, on the western side of the Tower Hill State Game, and within the ‘Dairy Subdivision’** at Illowa and at the settlement of Southern Cross has been appropriately justified.

### 6.1 Background and context

#### Planning Practice Note 37 – Rural Residential Development (PPN37)

PPN 37 explains that rural residential development refers to land in a rural setting, used and developed for dwellings that are not primarily associated with agriculture. Some agriculture may take place on the land however it will be ancillary to the use for a dwelling. It is likely to be carried on for ‘lifestyle’ reasons and is unlikely to provide a significant source of household income. Rural residential land is typically also used for non-agricultural home occupations or for large gardens.

PPN 37 goes on to explain that the Planning Scheme should ensure that reasonable opportunities are found for rural residential development, as part of providing for housing diversity and choice.

Drawing from the practice note, relevant commentary and directions include:

- Land proposed for rural residential development should be included in the Low Density Residential Zone or the Rural Living Zone
- The planning scheme should ensure that reasonable opportunities are found for rural residential development, as part of providing for housing diversity and choice.
- Land use conflicts between agricultural activities and the amenity expectations of rural residential dwellers should be minimised
- Significant impacts to primary production or to the environmental or cultural values of a rural area should be avoided.
- Demand for costly or inefficient community services or infrastructure should not be generated.
- The practice note outlines the following broad questions should be answered in sequence:
  - Strategy: Does rural residential development align with the overall strategic planning of the municipality?



- Housing need: How much rural residential development is required to provide appropriate housing diversity and choice to meet housing needs
- Location: Where should new rural residential development take place?
- Subdivision and design: Is the new rural residential development subdivided and designed in an attractive setting offering high amenity and efficient infrastructure?

### **Planning Practice note 42 – Applying the Rural Zones (PPN42)**

PPN42 provides guidance to planning authorities about the strategic work required to apply the Farming Zone, Rural Activity Zone, Rural Conservation Zone, Green Wedge Zone, Green Wedge A Zone and Rural Living Zone.

PPN42 explains that planning for rural areas is essential to ensuring that land use and development achieves the planning authority's vision, objectives and desired outcomes for an area.

Relevant to the identification of locations identified to support future Rural Living opportunity in Moyne, PPN42 describes the Rural Living Zone as a zone that provides for residential use in a rural environment. It is designed to cater for lots in a rural setting that are large enough to accommodate a dwelling and a farming use. The farming use is likely to be carried on for reasons other than the need to provide a significant source of household income.

The purpose of the Rural Living Zone is identified as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses. To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

PPN42 outlines that although the Rural Living Zone is catering primarily for residential use, the allotment size and subdivision layout should provide the opportunity for farming activities to occur, without adversely affecting the natural environment or the amenity of surrounding land uses. This means that the minimum lot size could be quite large.

PPN42 qualifies that if the planning authority's objective is to encourage rural residential development at densities that are defacto large residential lots or which would preclude farming activities, then it should consider applying the Low-Density Residential Zone.

Because of the zone's primarily residential function, PPN42 expects that a planning authority must be able to show that using the Rural Living Zone is part of its strategy to

provide appropriate housing diversity and choice to meet housing needs. The Rural Living Zone is designed to be applied to areas where:

- The rural land has a mainly residential function.
- Farming may take place on the land, but this is subordinate to the residential use.
- Residents require certainty about the residential amenity of the area and are protected from potentially incompatible land uses.
- Farming is of a nature or scale that will not conflict with housing.
- Residents will have access to most of the normal services and infrastructure provided in urban areas

Possible Rural Living Zone areas include:

- rural areas that have been substantially subdivided and developed for dwellings in proximity to an urban area or township with a range of urban services and infrastructure.

Only suitably serviced rural land that can transition to a rural living land use without negatively impacting on the surrounding productive agricultural land should be considered.

Land that is not of a quality to safeguard for intensive primary production purposes, with no environmental qualities that require protection, should then be further assessed for rural living rezoning.

PPN42 provides the following key fact and tip for planners:

*The existing size or pattern of lots in an area should not be the sole basis for deciding to apply a Rural Living Zone. For example, it is not appropriate to decide that the Rural Living Zone should be applied to an area simply because it comprises small lots. Traditionally, farms have comprised multiple lots, sometimes contiguous, sometimes in different locations. The fact that an area may comprise many lots does not mean that it cannot be used productively or should not be included in a zone that supports and protects farming. Many factors will determine the suitability of an area for rural living.*

## Planning Scheme

Relevant to this issue, amendments need to be prepared in accordance with the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme, which states:

*Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.*

*Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations*

## 6.2 Discussion

### Implications on the township of Koroit:

The Moyne Warrnambool Rural Housing Strategy 2010 (RHSS) seeks to provide for rural settlement that is 'sustainable and that does not compromise the region's agriculture, natural, environmental, landscape and infrastructure resources.

The RHSS assessed each township, by using a growth scenario model and did a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis of each settlement. The Strategy produced an overall table of each settlement that analysed land supply according to zoning and highlighted where the town fell within a growth scenario table based on land supply, infrastructure provision or constraints and an assessment of some social factors.

Public consultation was a key part of the RHSS.

The RHSS identified Koroit as a 'District Town' and found that it had 'moderate growth capacity' based on a residential demand/supply analysis. Amongst other matters, the strategy recommended rezoning established areas of rural living development at the western side of Tower Hill Game Reserve, Stautons Lane and at Lowery Road / Barlings Road, which were supported by the Panel under Amendment C6.

The RHSS also recommends rezoning additional areas for rural living development not considered by the Panel under Amendment C6, including:

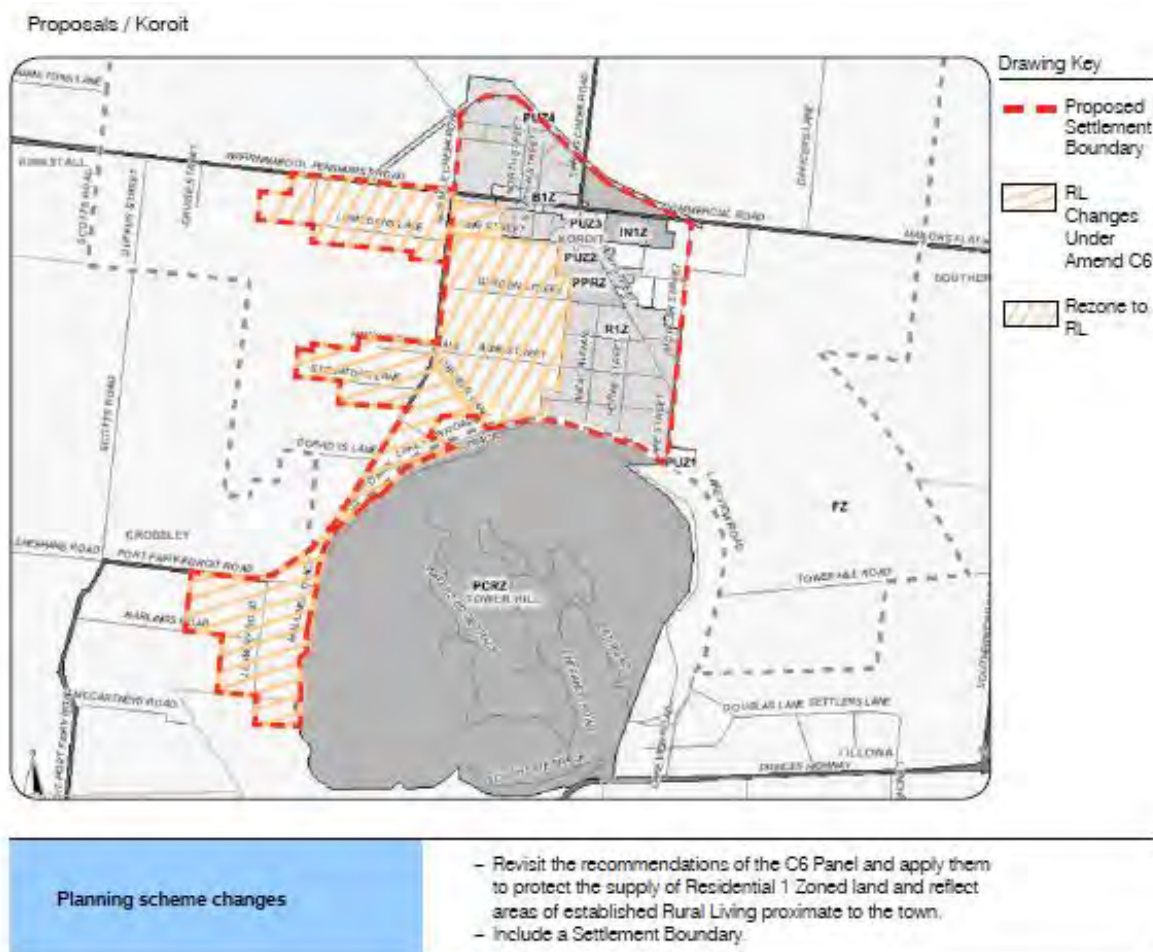
- land bounded by King Street, Anne Street, the Koroit-Port Fairy Road, and, on the eastern side, Victoria Park.
- land at Penshurst-Warrnambool Road and at Lumsden lane

Note, the RHSS recommendations are shown in the map 2 below. This map shows the distinction between matters considered by the Panel under Amendment C6 and the new recommendations of the RHSS.

The RHSS qualifies that the recommendations for rural residential development make sense as it focuses a diversity of housing opportunities around a district town.



Having regard to the above, the RHSS effectively established the eastern urban edge of Koroit to be the existing zoned areas of conventional residential development and eastern side of Victoria Park.



Map 2 - The Moyne Warrnambool Rural Housing Strategy 2010

The Rural Housing and Settlement Strategy – Addendum Report 2015 (Addendum Report) revisited the RHHS recommendation. The Addendum report departed from the RHHS recommendation as follows:

- land bounded by King Street, Anne Street, the Koroit-Port Fairy Road, and, on the eastern side, Victoria Park was considered inappropriate for Rural Living Zone due to it being more suited in the long term to be developed residentially and follow the regular grid pattern of residential development, therefore retention in the Farming zone is considered a more suitable outcome.
- the extent of the rural living zone on the west side of Koroit-Port Fairy Road to be extended further west on the south side of the Penshurst-Warrnambool Road so that it ceases on the eastern side of Scotts Road, an area characterised by existing small landholdings.

The Addendum Report outlines the following strategic justification:

*This Strategy also recognises and builds on the RHSS recommendations by rezoning to Rural Living areas within the locality where the land use characteristics have changed from agricultural to rural residential by virtue in this case of approval of clusters of dwellings over the last decade.*

*The Rural Living zone provided adjacent to Koroit provides greater than a 15-year land supply and on the basis that encouraging the use of surrounding land for lifestyle farming pursuits, the lot yield should be minimised in the Rural Living zone by having a 2-hectare subdivision minimum. However as there are many small lots already existing, a minimum lot size for a dwelling in the Rural Living zone is to be set at 2 hectares which should minimise the administrative burden on the community and Council. A 2-hectare minimum lot size will provide an adequate lot size to effectively treat and contain wastewater in the soils of this area.*

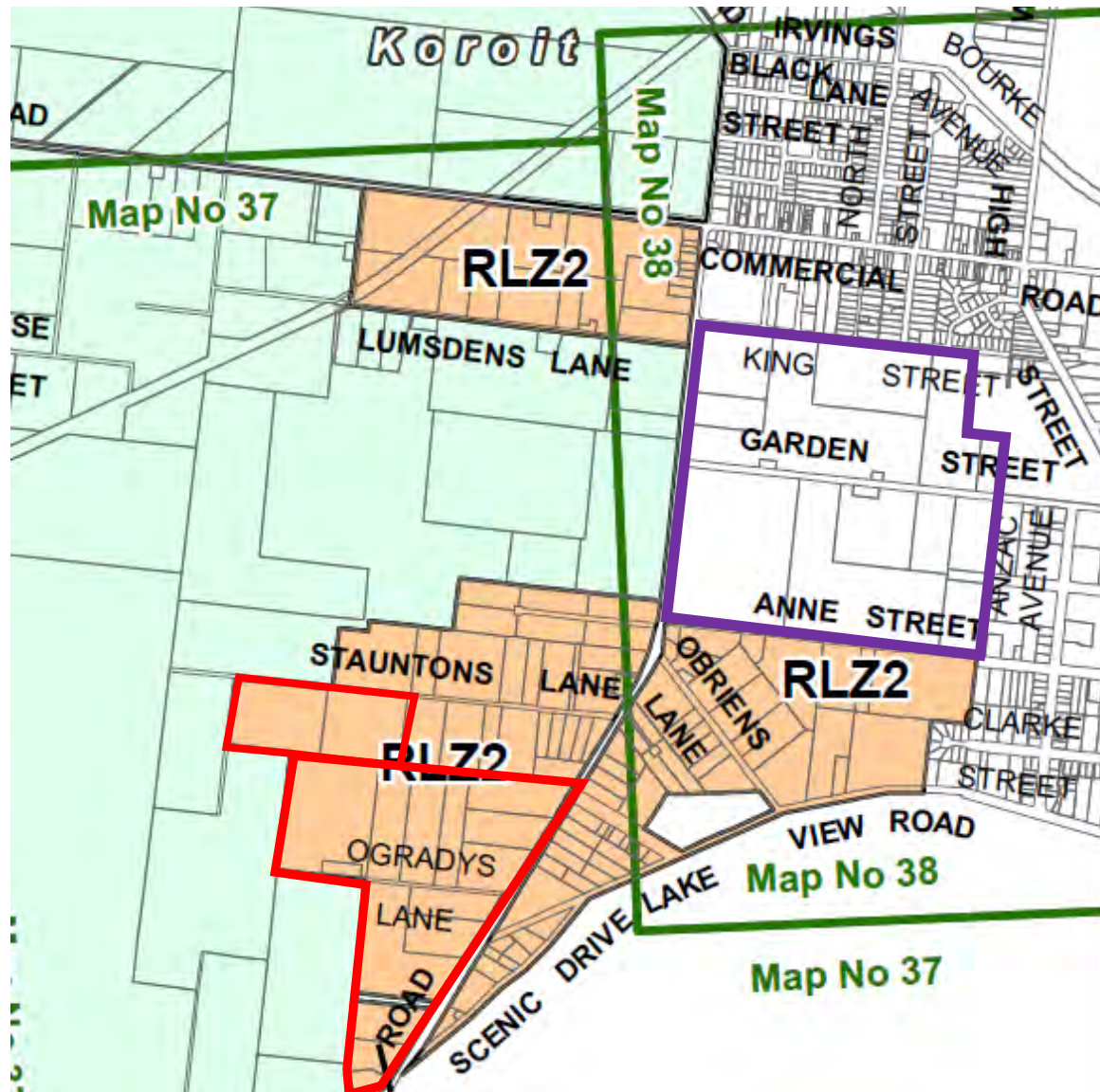
It must be noted that the Addendum Report was not informed by public consultation.



Map 3 - The Rural Housing and Settlement Strategy – Addendum Report 2015 [rural living zone shown in yellow]

The exhibited zoning map appears to have encapsulated the above recommendations, except for the extent of the Rural Living Zone, which appears to have been substantially

reduced in area (identified in red in map 4) and made more consistent with the RHSS. However, where the Rural Living Zone has been reduced, it has been replaced with Farming Zone Schedule 3. There is no explanation in the amendment documentation why the extent of the Rural Living Zone was reduced.



Map 4 – Exhibited zoning map extract [comparison between RHHS and Addendum Report Recommendations]

The rezoning creates significant confusion around the existing and future use of farming land bounded by King Street, Anne Street, the Koroit-Port Fairy Road, and, on the eastern side, Victoria Park (**the Land**), outlined in purple in Map 4, and whether the eastern urban edge of Koroit has now been extended to Koroit-Port Fairy Road.



The **Land** is high quality productive agricultural land, currently used for cropping and livestock.

It is noted that Council has prepared and adopted the Koroit Structure Plan, which seeks to implement the Addendum Report recommendation to set a settlement boundary based on zoning patterns and rezone the **Land** to Neighbourhood Residential Zone. Concern is raised that Amendment C70moyn, including the rezoning of surrounding rural living will prejudice any future consideration and testing of the veracity of the land being designated as a residential growth area.

Key observations/concerns in relation to the Koroit Structure Plan:

- The **Land** provides for a residential land supply and demand in Koroit well above the 15-year benchmark outlined in cl11.02 of the PPF
- Based on current projections in population and dwelling demand in Koroit there is already sufficient existing 'residential' zoned land that has capacity by itself to accommodate growth for all of the 2041 planning horizon.
- Projections in population and dwelling demand for Koroit do not identify any significant development pressures for more land to be rezoned in the short, medium or long term life of the structure plan.

The concern that the Amendment C70moyn will prejudice future planning of Koroit and decisions on the **Land** is sustained by the proposed local planning policy framework. At cl21.09.16 – Koroit, the vision for the town is the expansion of land zoned for residential purposes and Rural Living to recognise areas developed for rural living purposes, and to allow for growth in urban and rural living opportunities within a defined settlement boundary. Further, at cl21.05 – Settlement and Housing, it states settlement boundaries define the allowable area for residential and rural living use and development and facilitate population and housing growth to occur. In this instance, while a settlement boundary has not been defined for the township of Koroit as part of Amendment C70moyn, the rezoning will in effect inform any future settlement boundary and prejudice considerations for the **Land**.

The inclusion of the Addendum Report as a background document in the Moyne planning scheme will further cause confusion. The report is not based on fact or planning merit, noting its recommendations around the Rural Living Zone in and around the Koroit area have been substantially reduced. Was there a realisation that the report went too far? It is submitted that including this report in the planning scheme gives it a level of credibility and general acceptance to its recommendations.

The Addendum Report was developed and adopted by Council without a clear mythology and without community consultation, despite making some of the most fundamental changes to Koroit's existing residential framework. These changes have been blindly pursued in the Koroit Structure Plan. The author wonders how it is possible for areas and sites for residential growth to be identified in the absence of such public consultation and consider this to be a significant flaw with the addendum report



In addition to the above, while Council appears to have significantly reduced the extent of the Rural Living Zone proposed by the Addendum Report recommendations, concern is raised that the land Council has sought to keep (identified in red in map 4), does not have a sound strategic basis for rezoning. This area has larger lot sizes, generally undeveloped, and there is an interface to productive agricultural land that the other rural residential areas identified by the RHSS do not have.

It is requested that should a Panel have an opportunity to assess the veracity of the Addendum Report, it considers the VCAT observation outlined in Issue 5 of this submission. There seems to be a degree of leniency in allowing residential growth and development onto farmland that has percolated to strategic planning documents.

### **Minimum lot size for dwelling and subdivision:**

Neither the RHSS and Addendum Report provide strategic justification for a 2-hectare minimum lot size for a dwelling and subdivision.

The minimum lot size needs to be determined based on several factors and it is highly likely that a different minimum might be suitable for different areas. This is particularly so because of the diversity of existing lot sizes, the different land uses and character with various areas, the extent of agriculture in various areas and the variations in environmental constraints including landscape, bushfire, flooding and drainage, potential contamination, and proximity to urban services and infrastructure.

Larger lots might be better suited for some agriculture use and, if appropriately managed, can also provide positive environmental, landscape and character outcomes.

This lack of strategic analysis makes it difficult to determine that there is clear support for universally applying 2-hectare minimum subdivision area, perhaps reflecting that the exhibited minimum area was simply carried over from Amendment C6.

## **6.3 Conclusion**

The proposed rural residential development (the Rural Living Zone Schedule 2) to the west and south-west of Koroit, on the western side of the Tower Hill State Game Reserve is premature and should not proceed as part of Amendment C70moyn. It should be pursued through structure planning for Koroit.

The Rural Housing and Settlement Strategy – Addendum Report 2015 is not based on fact and does not inform the application of the Rural Living Zone in and around Koroit.

It is also concluded that the proposed use of the 2-hectare minimum subdivision area for the Rural Living Zone – Schedule 2 has not been adequately considered or justified.

## Issue 7      Infrastructure

The Amendment proposes rural residential development and lifestyle farming (**an increase of around 150 dwellings, with a net population increase of 360**) within a dispersed settlement pattern.

The amendment **does not** provide sufficient information to demonstrate:

- traffic growth and road safety has been adequately considered

Agriculture in Moyne Shire is operating in an increasingly contested landscape. For example, large machinery and trucks are sharing country roads with commuters, cycling groups and touring visitors.

Evidence of this contested landscape is highly visible in the proposed lifestyle farming area at Koroit-Kirkstall, Crossley and Tower Hill, with large safety signs erected along single lane rural roads to give 1 metre distance to cyclists.

Council has a responsibility to consider the rise of vehicle numbers and consequential impacts on existing local road network, including increase travel between small towns and larger settlements.

Where is this information?

- feasibility and costs of accommodating dispersed housing growth (particularly in the lifestyle farming area at Koroit, Kirkstall, and Tower Hill and other proposed rural living zone areas) has been adequately considered

There are substantial public costs in providing for a scattered settlement pattern than a concentrated one.

Council has a responsibility to balance the community demand and desire to offer lifestyle farming and rural residential living opportunities with the cost arising from such development. The costs of such development include less efficient use of land, less efficient use of infrastructure, and requirement to provide essential services (aged care and disability services, early childhood, libraries etc etc).

Where is this information?

- settlements have enough community and social infrastructure to support existing and proposed residents

Consideration of community and social infrastructure is an integral part of the land use planning process. The amendment documentation does not appear to consider the extent and quality of community and social infrastructure and its capacity to help meet the needs of existing and future residents.

I would like to know if towns like Koroit can meet the need of existing and future residents, but this information is absent.

Where is this information?



## Issue 8 Policy Issues

The amendment **does not** provide sufficient information to demonstrate:

- the proposed Local Planning Policy Framework in support of the Farming Zone – Schedule 3 supports the purpose of the Farming Zone and strategic directions contained in high level State policy.

Note, the Farming Zone should be used where the planning outcomes sought for the land are primarily farming activities.

Policy Basis: Lifestyle Farming

At clause 22.04-4, new policy states that the application of the Farming Zone Schedule 3 and introduction of the term ‘Lifestyle Farming’ is to facilitate people seeking to live within the rural area for a range of social, environmental, economic and lifestyle reasons. It further states, the Shire has experienced a notable increase in the number of people seeking a rural lifestyle and/or establish small scale farming enterprises within the Farming Zone.

Discussion: The issue of ‘Lifestyle Farming’ in Farming Zone would seem to be a matter for the zone controls and high-level strategic State policy and not an outcome that can be delivered through a local policy.

It appears from the new land use term (lifestyle farming) and policy being pursued by Council that farming is intended to be subordinate to other land uses or the social, environmental, economic and lifestyle values of the land. The drive to implement this new land use term and policy outcome is challenging the current scope of rural planning and its relationship to the Farming Zone and high-level State policies.

The local planning policy needs to be redrafted to be consistent with the current scope of rural planning or the Farming Zone Schedule 3 deleted from the Amendment. If Council wishes to facilitate the concept of ‘Lifestyle Farming’ in the Farming Zone, it needs to advocate to the State Government, to ensure there is consistency across the State.

- the proposed Local Planning Policy Framework is necessary.

For example, at CI21.05 – Settlement and Housing it states:

“Rural residential development and rural living on small lots is provided for under both the Low-Density Residential Zone and the Rural Living Zone. There are areas zoned for these purposes mainly associated with existing settlements on or around their fringes. **However, there are areas zoned for this form of development that have an excess supply or have not been taken up for development whereas other areas of land zoned for farming purposes are**

**under pressure for small lot development unrelated to agriculture. There is a need to rationalise the locations for rural residential and rural living through zoning and subdivision lot size to better reflect and manage the demand and supply of land for this form of land use.”**

Question: what is the purpose of Amendment C70moyn? Will there still be excess rural living land that needs to be rationalised after Amendment C70moyn?

- the proposed Local Planning Policy Framework can be adequately progressed through the Moyne Planning Policy Framework translation amendment and can resolve any potential amendment impacts.

Council needs to exhibit a draft version of proposed new local planning policy in a format consistent with the **PPF translation** as an attachment to the Explanatory Report. The PPF version is required to demonstrate to the community that the intent of the Amendment will not be compromised, and no unintentional consequences will transpire from translation.

Where is this information?

## Issue 9 Other Issues

The amendment **does not** provide sufficient information to demonstrate:

- projected population growth is within the municipal wide 15-year benchmark in accordance with high level state policy.

The state policy requires planning for land supply to accommodate demand for population growth to be conducted on a municipal-wide basis, rather than by individual settlement or town.

It is submitted that this is an important State policy direction. It recognises that for some towns population growth desires may need to be curtailed for environmental, servicing, character, or rural land resource reasons.

The assessment provided by Council in the strategic documents is rudimentary and fails to adequately support this proposition (i.e., appears to be based on an individual settlement or town).

- the currency of the Moyne Warrnambool Residential Settlement Strategy 2010 and Rural Housing and Settlement - Addendum Report 2015, noting:
  - The documents are respectively 11 and 6 years old,
  - The documents are based on customised Data ABS Census of Population and Housing, 2006, and forecast population change between 2006-2026.
  - There are essential differences in the circumstances of the current decade compared to the previous two decades when the documents were prepared and these have not been appreciated and incorporated into the current Amendment, including:
    - Rural landscape effects of tracts of development
    - Bushfire
    - Flooding and drainage
    - Potential Contamination
    - Infrastructure
    - Cost subsidy from the community
    - Urban consolidation and resource consideration
    - Agricultural economy
  - Council has either modified or not sought to implement the application of zones as recommended by the documents and this has been done without explanation. For example, the resultant modifications to the extent of the application of the Rural Living Zone 2 effectively weaken the strategic integrity of the Rural Housing and Settlement - Addendum Report 2015.
  - Failure to undertake a comprehensive community engagement process in identifying land use change and issues in the Rural Housing and Settlement - Addendum Report 2015. How do you plan for growth without this?

- A summary of any landowner and Councillor (if any) involvement is not included in the Rural Housing and Settlement - Addendum Report 2015. The Addendum Report states that it is based on submissions from landowners – what submissions? And Councillor workshops – what workshops? These are not summarised.
- A summary of relevant agency comments and any other comments from peak groups and known affected persons is not included in the Rural Housing and Settlement - Addendum Report 2015.

Concern is raised the documents that have been made available appear to indicate a desire by Council to make a philosophical and political statement about rural land. It is not an evidence-based Amendment, so much as it appears to be a protest against the prevailing paradigm for rural planning.



[REDACTED]

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**From:** [REDACTED]  
**Sent:** Sunday, 7 November 2021 10:16 PM  
**To:** Moyne  
**Cc:** [REDACTED]  
**Subject:** Amendment C70 submission

Dear Sir/Madam,

My name is [REDACTED] and I live at [REDACTED]. I am responding to the Amendment C70 Submission. I also own land [REDACTED] [REDACTED] which has perimeter street frontages of [REDACTED]

I am opposing the current proposed rezoning for Hawkesdale as it does not address current issues of land availability or appear to be of any benefit for the future development of Hawkesdale.

For all small townships like Hawkesdale to survive and prosper, forward planning is essential. To encourage people to settle here, to build houses or create new business requires land to be available to purchase.

When land is available it gives investors choices and potential for future growth.

The current C70 Amendment for Hawkesdale does not in any way address these issues.

The majority of land around the current amendment will never be available to purchase. [REDACTED] [REDACTED] and I have already spoken directly to these landowners who have no intention of making their land available for potential growth. As with any other blocks in the Hawkesdale living zone, these also have been landlocked for years as lifestyle blocks, and again never come up for sale.

My proposal of rezoning is that the current zoning submission for Hawkesdale from Church and O'Brien streets be extended southwards along Dawson St to meet up with Normac Road and Warwillah Road. This rezoning would either be zoned Light Commercial/ Business to allow businesses to start up with less hassles of zoning issues.

Alternatively this same land be zoned Rural living to allow additional blocks for future housing. With more houses being able to be built due to land availability for sale, it will promote new families to settle, increase the population and develop the township of Hawkesdale. The likely flow on effect from this will be increased numbers of children and adults attending the Hawkesdale and District Family Service Centre, with Preschool and Daycare supported, the Hawkesdale P-12 school with increased students and the many community organisations within the town having more members.

In conclusion, there are many passionate people in Hawkesdale who have a vision and care that Hawkesdale grows and develops further. It is important that our town doesn't become stagnant or decline in population but becomes vibrant and progressive.

With your help of smart planning, our local towns of the Moyne Shire can prosper for the next generations to enjoy.

Regards  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**Sent:** Sunday, 7 November 2021 10:21 PM  
**To:** Moyne  
**Subject:** Amendment C70 Submission

To whom it may concern,

I am a Moyne Shire resident, primary producer and owner of land in [REDACTED] which falls within the planned C70moyn Amendment.

Some of the land within the planning scheme is regarded by many as being the most productive soil in a reliable climate that you would find anywhere in the country. Our family business produces potatoes, lamb, wool, beef and hay. Prime land is required for the production of potatoes and much of this land has already been lost to housing. We must protect what we have left and focus Rural Living within the established towns and small localities, not land in between.

Issues which could arise from farming operations close to Rural Living zone land owners could be: noise from operating farm equipment; noise from operating farm equipment early in the morning or late at night; dust; smell; spray drift; livestock; increased heavy vehicle traffic to name a few.

By taking into consideration the points made below, it will help to reduce the likelihood of such issues arising between neighbouring landowners, in particular owners of Farming Zone land and Rural Living Zone land:

- No dwelling should be constructed on Rural Living Zoned land within 50m of any boundary with Farming Zoned land. 50m is the recommended safe distance for spraying near a dwelling and this distance would help to reduce the probability of other above mentioned issues.
- Rural Living zone proposed for Southern Cross should not be extended any further than indicated in the proposed amendment as to preserve very productive farming land.
- Land in Koroit, Kirkstall, Crossley and Tower Hill shown as being proposed Farming Zone 3, should remain Farming Zone 1. This is very productive land and much of this has already been lost, further housing development should be focused on Kirkstall and Koroit townships.

Submission 31, Page 2 of 2

- Land at the end of [REDACTED] owned by myself to remain Farming Zone 1.
- Land south of the Princes Highway from Mahoneys Road, Killarney through to the Warrnambool City boundary, should remain Farming Zone 1.

I would appreciate it if council takes into consideration the above points made. I can be contacted anytime if you have any queries.

Regards

[REDACTED]



**Planning and Environment Act 1987**  
**OBJECTION TO GRANT OF PLANNING PERMIT**

**WHO IS OBJECTING?**

I/We \_\_\_\_\_ and \_\_\_\_\_

Of (Address) \_\_\_\_\_

Postcode: \_\_\_\_\_

Phone Number: (H) \_\_\_\_\_ (W) \_\_\_\_\_ (M) \_\_\_\_\_

Email: \_\_\_\_\_

**WHAT APPLICATION DO YOU OBJECT TO?**

PERMIT APPLICATION NO.: Planning Scheme Amendment C70moyn (RCZ2 C70)

PROPOSAL: Planning Scheme Amendment C70moyn (RCZ2 C70)

THE LAND PROPOSED TO BE USED OR DEVELOPED: \_\_\_\_\_

APPLICANT FOR THE PERMIT: Moyne Shire planning proposal.

**WHAT ARE THE REASONS FOR YOUR OBJECTION?**

We are concerned that the proposed overlay will drastically alter ongoing use of the land (32 acres) at \_\_\_\_\_ including continuation of its current farming usage.

We anticipate that the proposed RCZ C70 (RCZ2 C70) Moyne conservation overlay will include 'creep' and that the end result will be that agricultural use will be significantly diminished/not permitted in its entirety on this land.

We are also concerned that the proposed application of the RCZ C70 overlay to this cleared (unwooded) land at \_\_\_\_\_ is inappropriate and does not adhere to the guidelines of the RCZ C70. This concern is primarily based on the information outlining that the RCZ C70 overlay is a tool for use for wooded/uncleared land. This is not applicable to \_\_\_\_\_ which has been cleared and used for agricultural purposes for well over 50 y

*Moyne Land Capability and Biodiversity Studies Project*

- It identifies an area that it wishes to promote for a use or uses consistent with the purpose of the RAZ
- If specific proposals are presented that will not cause land use conflict with surrounding existing land uses, and that can demonstrate environmental, economic and social benefits for an area being proposed for rezoning to RAZ.

Both require Council to adopt a set of criteria against which proposals can be assessed. A set of criteria are proposed in the conclusion 3 at the end of this Section.

**Rural Conservation Zone (RCZ)**

Consistent with the objectives of the zone, the RCZ should be applied only where there is strong reason to protect important ecological or landscape values, and where the primary use of the land is or should be for conservation purposes.

The only area considered for this application has been uncleared woodland around the margins of the Mt Eccles National Park that contains important biodiversity values (refer to Figure 9). In this area the RCZ could assist to provide more long term surety over the ecological values of that land and to sustain an ecological buffer to the Park.

Further discussion and a specific conclusion on this matter are contained in Section 9.2.1. A changed outcome for this area should be discussed by Council with respective landholders, prior to Council reaching a final position on this matter.

**If you require more room, please attach additional pages.**

## HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

**We will be negatively impacted in terms of our income if the permit disallows/diminishes our ability to continue agricultural use of this land.**

**Please also note that to maintain fire safety of this land, that agricultural use is an important component. We are concerned that if we are not able to continue agricultural use of this land that fire risk will be elevated due to growth of standard (i.e. non-protected, non-indigenous) grasses.**

Signature:



Date: 7-11-2021

### IMPORTANT NOTES ABOUT OBJECTIONS TO PERMIT APPLICATIONS:

1. This form is to help you make an objection to an applicant in a way which complies with the Planning and Environment Act 1987 and which can be readily understood by the Responsible Authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the Responsible Authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the Responsible Authority as shown on the Public Notice – Application for Planning Permit.
4. An objection must:
  - State the reasons for your objection; and
  - State how you would be affected if a permit is granted.
5. All objections received are placed in the relevant planning file by the planning officers and are therefore available for perusal by any member of the public during office hours.
6. The Responsible Authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
7. If your objection relates to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the Responsible Authority considers your objection, make sure that the Authority receives it by the date shown in the notice you were sent or which you read in the newspaper or on the site.
9. It is Council policy that copies of all objections are forwarded to the applicants. Applicants are entitled to be kept informed of the progress of their applications AND are encouraged to respond appropriately to concerns raised in objections.
10. The information you provide to Council will only be used for the purpose for which it is submitted in accordance with the *Planning and Environment Act 1987*. The information, including personal information, may be disclosed to other parties or members of the public as part of the planning process.
11. If you lodge an objection before the Responsible Authority makes a decision, the Authority will tell you its decision.
12. If despite your objection the Responsible Authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtained from the Victorian Civil & Administrative Appeals Tribunal) and accompanied by the prescribed fee. A copy must be given to the Responsible Authority. The closing date for all appeals is 21 days of the Responsible Authority giving notice of its decision.
13. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Permit Application which will be issued at that time.

'Amendment C70 Submission'

I write to express my opposition to the application of a Rural Conservation Zone 2 (RCZ2) on existing, long held farming land around Budj Bim National Park, as indicated on the Planning Scheme Map 6, in the Amendment C70. The specific amendment is for Budj Bim NP Environs which states...

*Rezoning private land to the north and east of the Budj Bim National Park from Farming Zone to Rural Conservation Zone Schedule 2, to protect biodiversity values and/or provide a buffer to the National Park. The 40-hectare minimum lot size for this land will be retained.*

I recognize that sound strategic planning of rural areas is required to ensure amongst other things, that existing environmental qualities of rural areas are protected. However, the blanket application of this RCZ is both confusing and inappropriate.

According to Planning Practice Note 42: Applying the Rural Zones June 2015,...

*'the Rural Conservation Zone is primarily concerned with protecting and conserving rural land for its environmental features or attributes.*

*The Rural Conservation Zone is designed to be applied to rural areas where:*

- the protection of the environmental features of the land is of primary strategic importance including, for example, native vegetation, flora and fauna, significant habitats, or they could relate to the visual qualities of the land*
- the environmental features of the land are scarce and strict controls are required to prevent the further loss or decline of those features*
- land use and development could directly or indirectly threaten the environmental values of the land and strict controls are required to manage this.*

*If the environmental or landscape features cover a large rural area, the Rural Conservation Zone is likely to be suitable. However, if the features are widely dispersed or fragmented and the surrounding land has been substantially altered (for example, broadacre farming areas with wildlife corridors), the other rural zones may be more appropriate supplemented with overlays.'*

The application of a RCZ implies that the subject land has significant ecological value that warrants conservation. Much of the land around Budj Bim NP is cleared farm paddocks with little vegetation even along the fence lines. The environmental values of this land and a structured case to support rezoning have not been substantiated to date, providing little evidence that the RCZ is a better application tool than the current FZ to cover this example.

In the Moyne Shire Land Capability and Biodiversity Study 2009 pg 3, it is recommended for the Bessibelle/Mt Eccles Planning Unit that...

a *The Farming Zone be retained across the rural land apart from vegetated land adjacent Mt Eccles National Park (now Budj Bim).*

c *The Rural Conservation Zone be applied with an ESO5 (Environmental Significance Overlay Schedule) for habitat protection, to designated uncleared woodland abutting the Mt Eccles National Park (Budj Bim) that is currently in the Farming Zone.*

It seems that these recommendations have been totally ignored in the current Amendment

Both the Victorian Planning Provisions (Par 35.07 31/07/18 VC148) and the Moyne Planning Scheme recognise that...' *preservation of agricultural land for agriculture is essential to conserve and sustain the economic strength of the Shire, including the health of processing and service industries that support agriculture.*' Farmers need to have long term security in the knowledge that rezoning will not alter the ongoing 'prior right' use of the land for farming. There is no indication in the current amendment that this will be the case, now or in the future.

I believe the **RCZ should be applied only where there is strong reason to protect important ecological or landscape values, and where the primary use of the land is or should be for conservation** purposes. The uncleared woodland around the margins of Budj Bim N P is significantly biodiverse. It is in this area that the RCZ could help to provide more long term surety over the ecological values of that land in order to sustain an ecological buffer to the Park. It is recognized that biodiversity is fundamental to the future sustainability of our world, so Council has an obligation – both moral and specified under law – to protect and enhance ecosystems under their management. However, it also has a responsibility to its people. The blanket application of a RCZ to the farming areas bordering BudjBim NP does not demonstrate this, and is contradictory to the stated importance of agriculture to the economic sustainability of the Shire.. **The Council can create local policy in the Planning Scheme that recognises the needs of the Shire’s farmers for long term sustainability of agriculture** on which the Shire is so economically dependent. I feel it would be much **more appropriate for the Shire to encourage farmers** affected by the Amendment, **to enhance the biodiversity of their farmland through the development of wildlife corridors and shelter plantations using indigenous vegetation species.**

[REDACTED]

[REDACTED]

[REDACTED]

Mob Ph: [REDACTED]



[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Monday, 8 November 2021 9:09 AM  
**To:** Moyne  
**Subject:** submission amendment Koroit C70

Dear sir/madam

I write you regarding to the amendment C70 in Koroit.

I am the owner of the land, [REDACTED].

I like to see this to stay Farming zone as this land is fully operational agricultural land. We are a young family and we like to farm this land for many years to come.

I do support the amendment for a building permit going from 40ha to 10 ha in our farming zone. We might have intentions down the track to live on our farm property.

Another suggestion I like to add to the amendment in [REDACTED] [REDACTED] (rural living zone) that people that live there still receive their "section 32" and need to sign when they buy a property. As a farming business I am dependent on the weather and need to plant/irrigate/spray/harvest my crops when it is required.

Kind regards,

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Phone: [REDACTED]  
Email: [REDACTED]

October 3<sup>rd</sup>, 2021

Submission for Planning Scheme Amendment C70moyn Rural Housing and Settlement Strategy

The Amendment for the township of Hawkesdale I believe has been done with very little consultation to the property owners of the land in question as well as little consideration for the possible commercial and/or residential potential of our town.

I have lived in this area for most of my life, attending the schools, being involved on many community groups and later becoming the owner of [REDACTED]  
[REDACTED]. Over the 28 years I have seen businesses close and the premises turned into homes, leaving now only 4 shop front business operating. [REDACTED]  
[REDACTED]  
[REDACTED]

The proposed Amendment does not cater for anyone who may wish to operate a business or build a residence near the main road (Dawson Street). This area is particularly important for businesses as they rely on exposure and the passing traffic. Dawson Street at the moment does not offer any land for development. The 2 blocks attached to homes and the other one which has been purchased for future development, remain off the market as the owners want space around them and no one should assume that they will be sold off in the near future.

The proposed Amendment offers land to the west side of the town which can become very wet and drainage and septic issues can become a challenge. At the moment the roads are unused so the development of these would fall onto whom? Our property which is developed and on the corner of [REDACTED] required a track to the side entrance which we were told we could do at our cost. The area is also prone to noise from the Macarthur Windfarm which is quite audible at certain times which could also be an issue for potential buyers. The most obvious problem with this area is that it is farm land and the two owners have no intention of selling in the near future. This land has been in their families for decades.

Small towns, not just Hawkesdale need to be given the opportunity to expand and offer their communities the best chance of future development. Residents live in small towns generally for the lifestyle and they appreciate the services that are provided to them locally. Hawkesdale needs more opportunity for businesses and by opening the area suggested in the Amendment doesn't provide the opportunities that Dawson Street would give to potential buyers. I would hope that the southern and northern ends of Dawson Street be considered instead of the area suggested in the Amendment.

At the end of the day I am just a small business owner who understands the difficulties of providing a service to the local people in a country town. Providing expansion to a small town is essential for growth. This Amendment doesn't offer the chance for growth as the land in question is mainly owned by 2 people who have no intention of selling and the distance from the main road would discourage any business potential.

I ask that my concerns be considered when implementing this Amendment.

[REDACTED]  
[REDACTED]  
[REDACTED]















27<sup>th</sup> October 2021

Moyne Shire Council  
PO Box 51  
Port Fairy 3284

Email: moyne@moyne.vic.gov.au

**RE: MOYNE PLANNING SCHEME AMENDMENT C70moyn  
RURAL HOUSING AND SETTLEMENT STRATEGY**

Dear Moyne Shire Council,

I write this submission to the proposed planning scheme changes proposed by amendment C70moyn as both a resident of Moyne and a consultant who assists a significant client base within the Moyne Shire, primarily in the subdivision of land.

Following review of the amendments proposed by C70, I have prepared the following general submissions:

**1. Age of strategic planning strategies**

It is apparent that the underlying strategic planning documents which this amendment has been based upon are now all of significant age. These are:

- The Moyne Warrnambool Rural Housing and Settlement Strategy 2010;
- Rural Housing and Settlement Strategy Addendum Report - August 2015;
- The Moyne Warrnambool Rural Housing and Settlement Strategy Context Report 2010;
- Land Capability and Biodiversity Studies Project 2009

In addition to the date of preparation of these documents, being between 6 – 12 years old, the underlying data which was referenced in these reports and forms the basis for their recommendations is even older. For example, the Land Capability and Biodiversity Studies Project 2009 makes population projections to 2021 and utilises ABS data from 1996.

To utilise such outdated strategic documents when planning for the next 15-20 years of land-use appears to be poor planning practice as it will not be reflective of the significant growth in this region over the last decade, changes to agriculture, expansion of renewable energy facilities, etc. It also appears that changing land-use preferences, technologies for waste-water treatment, improved communications technologies and networks and urban revitalisation programs have led to a generational change in the shire, especially in the southern area of Port Fairy, Kirkstall, Koroit, Mailors Flat, Winslow, Cudgee, Purnim and Panmure.

It is submitted that before this amendment is progressed, the underlying strategic planning documents be reviewed, updated and opened to further public consultation before this amendment is revisited.

**2. Clause 21.05**

The general thread of the proposed alterations to Clause 21.05 is supported, with the proposed addition of the settlement hierarchy a positive benefit to the utility of the scheme. However the

[REDACTED]

discussion surrounding rural housing and rural residential development misses the following key points:

- Value of agricultural land is often determined by the ability for a dwelling to be constructed on this land. Development of new dwellings in the farming zone is often driven by a new agricultural business being developed by a new generation of farming families. The support of land values is considered to be a significant driver in the wealth of shire and region. The blanket characterisation of rural settlement being adversarial to agriculture is considered to miss the subtleties of rural populations and community building.
- The historic settlement patterns have led to a diverse range of settlements across the shire, including creation of small clusters of dwellings within a wider agricultural setting (E.g. in Illowa and Tower Hill) and older settlements, (e.g. Grassmere Junction, Wangoom, Toolong). These settlements and developments add to the special character of this region and while there is potential for land-use conflict, these settlements provide links, physical, economic and cultural to the agricultural base of the shire, maintain links to the historic settlements and support the continuation of the community services and infrastructure within this region. This pattern of settlement should be supported and maintained to ensure the strong sense of community and allowing for appropriate re-structuring of historically created small lots within the farming zone. Potential development of new dwellings and/or subdivision within such settlements should not be discouraged where it is in the context of these settlements.
- The strategy to encourage population growth within all areas of the Shire should be retained.

### **3. Clause 21.07**

The recognition the much small-lot subdivision can be undertaken to assist farm consolation and agricultural viability is supported, however as noted above, the development of clusters of small lots resulting from a farm re-structuring can be beneficial to the community and provide a positive outcome for both agricultural properties and the rural population. There are already significant hurdles which impede development of dwellings in the farming zone and the proposed local policies appear to make it harder for new agricultural enterprises to be established.

The inclusion of a 2ha maximum area for small lot subdivision is opposed. This is overly restrictive and inhibits the inclusion of appropriate infrastructure as needed. In particular house-lot excisions are proposed to support the on-going use of land for agriculture by removing an unneeded asset from the farming land, either reducing the value for a purchaser or allowing an owner to inject the equity back into the farming operation.

It is requested that further consultation be undertaken to refine these strategies to appropriately support the agricultural base of the shire.

If you have any queries or wish to further discuss this submission, please don't hesitate to contact me.

Yours sincerely,

[REDACTED]

27<sup>th</sup> October 2021

Moyne Shire Council  
PO Box 51  
Port Fairy 3284

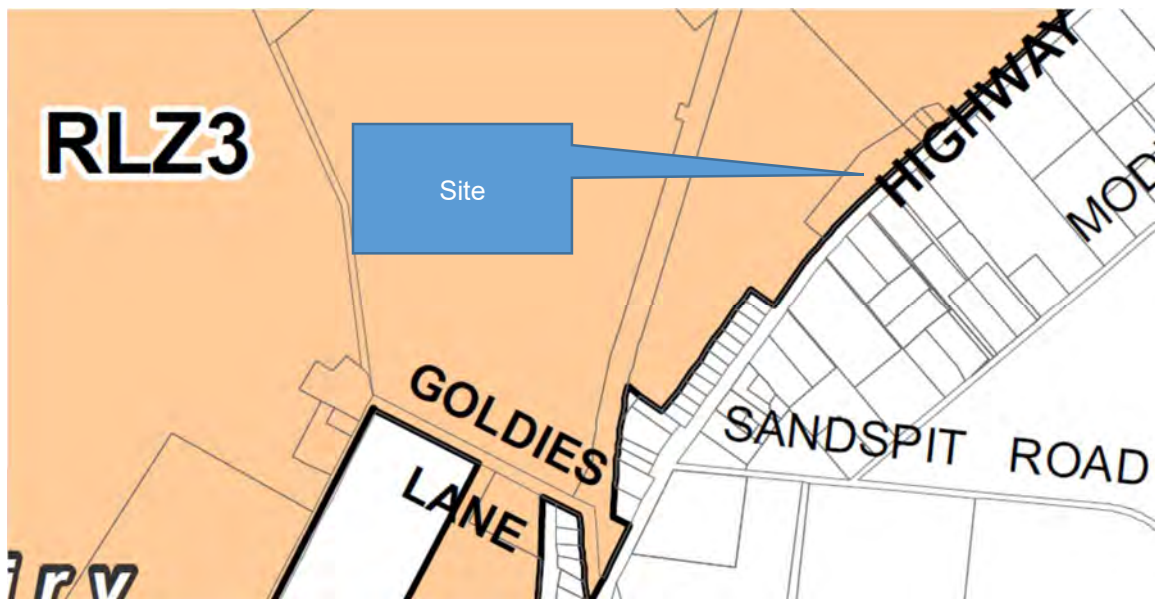
Email: moyne@moyne.vic.gov.au

**RE: MOYNE PLANNING SCHEME AMENDMENT C70moyn  
RURAL HOUSING AND SETTLEMENT STRATEGY**

Dear Moyne Shire Council,

I write this submission to the proposed planning scheme changes proposed by amendment C70moyn and am acting for the landowners [REDACTED] in this matter.

This submission is in relation to a property located on the eastern edge of the township of Port Fairy, described as [REDACTED]. This site is currently within the Rural Living Zone of the planning scheme and amendment C70 proposes to change the zoning of this land to Rural Living Zone Schedule 3 (RLZ3). The site is in map 34 of the exhibited amendment, of which an extract is shown below:



This property is located on a narrow ridgeline on the northern side of the [REDACTED], with 3 small lots containing existing dwellings located to the east of this property. This ridgeline falls steeply away from these properties to the north and west into an area of floodplain covered by the floodway overlay, the context of these properties is shown on the attached aerial photograph.



This property and the 3 lots to the east appear to have been created through historic planning decisions and have general characteristics of the urban fabric of Port Fairy. This appearance of being essentially urban sized lots on the outskirts of Port Fairy gives rise to the view that these 4 properties were intended to form part of the township and not the rural living zone.

Given the small areas of these 4 properties, the constrained location of these 4 properties with a steep slope separating them from the lower lying flood prone land and the appearance of being urban lots, the following submission is made:

- The rezoning of this land to RLZ3 is opposed.
- It is requested that the zoning of the properties addressed as 240, 270, 272 and 274 Princes Highway, Port Fairy be amended to the General Residential Zone 1, with the associated Design and Development Overlay (Schedule 21) be applied to this land to accord with the zoning of similar lots on periphery of Port Fairy.

Including these properties within the General Residential Zone will ensure that the existing land-uses and development patterns is appropriately recognised in the planning scheme. It will also facilitate the potential extension of the reticulated sewerage network along the Princes Highway to improve the treatment of waste-water from these small lots, improving the health of the adjacent floodplain and health of the residents of these properties. Such a sewer extension, approximately 350m in length from No. 238, would be expected to be constructed as part of a development of No. 240, which would be undertaken if this land was rezoned to the General Residential Zone 1.



[REDACTED]

Although it is understood that this amendment is not explicitly considering the rezoning of land to General Residential Zone, and it may be generally more considered as part of amendment C69 (Port Fairy Structure Plan), it is a relatively simple consideration to the appropriate application of the Rural Living Zone and hence the making of this submission. Given the housing pressures in Port Fairy, this request would facilitate a relatively straightforward development of potentially 8-10 lots to add to the housing opportunities in Port Fairy.

If you have any queries or wish to further discuss this submission, please don't hesitate to contact me.

Yours sincerely,

[REDACTED]

[REDACTED]

27<sup>th</sup> October 2021

Moyne Shire Council  
PO Box 51  
Port Fairy 3284

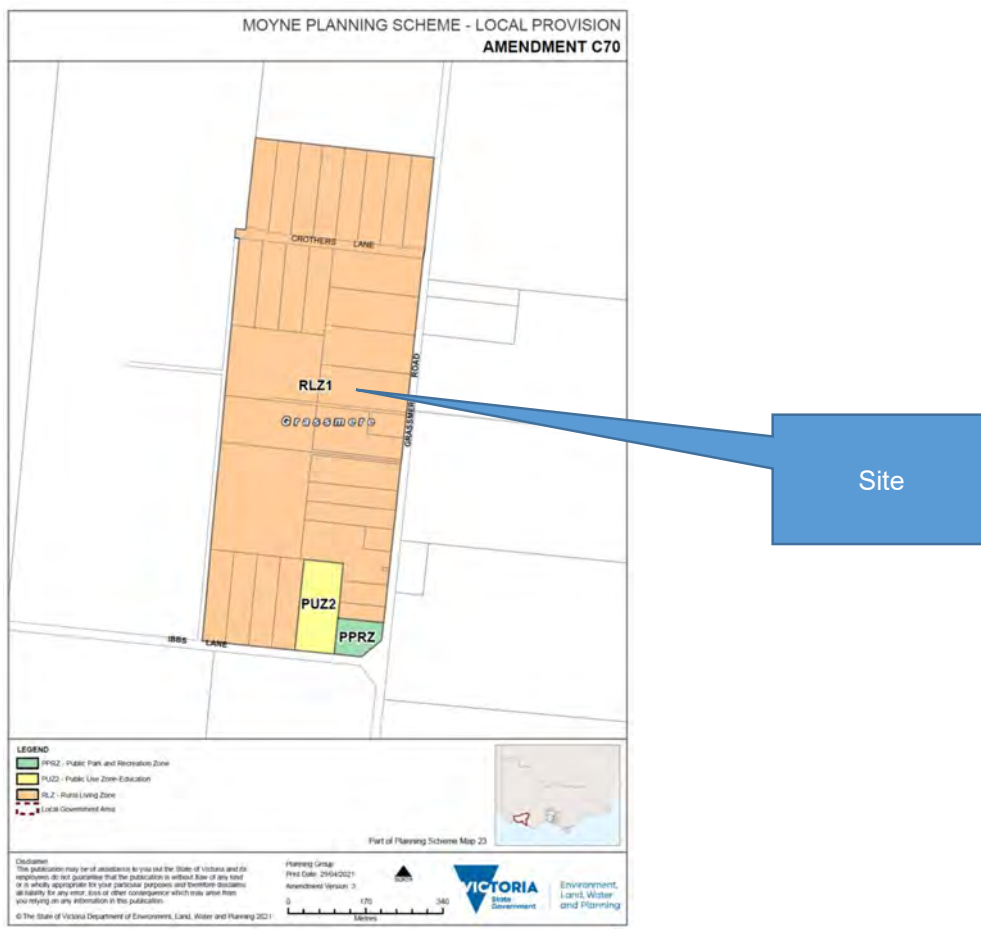
Email: moyne@moyne.vic.gov.au

**RE: MOYNE PLANNING SCHEME AMENDMENT C70moyn  
RURAL HOUSING AND SETTLEMENT STRATEGY**

Dear Moyne Shire Council,

I write this submission to the proposed planning scheme changes proposed by amendment C70moyn and am acting for the landowners [REDACTED] in this matter.

This submission is in relation to a property located within the settlement of Grassmere, described as [REDACTED]. This site is currently within the Farming Zone and C70 proposes to change the zoning of this land to Rural Living Zone Schedule 1 (RLZ1). The site is in map 23 of the exhibited amendment, of which an extract is shown below:



The smaller settlements of within the Moyne Shire, such as Yambuk, Killarney, Crossley, Winslow, Mailors Flat, Grassmere, Cudgee, Purnim, Garvoc and Panmure provide a distinctive character to the south-west region, supporting a strong rural community which link to the rural landscapes and agricultural industries underpinning the economy of the area and support a substantial part of the population of the shire. Population growth within these settlements is considered to be imperative to support these communities, with schools, service organisations (e.g. CFA) and sporting clubs all requiring growth to maintain their membership base as the population ages and families reduce in size.

The settlements closer to Warrnambool have all exhibited significant growth in the period since the Rural Housing Settlement Strategy and the addendum report were authored in 2010 and 2015 respectively. In the case of Grassmere, review of aerial photography indicates that there are now only 3 vacant lots within the settlement boundary available for development of dwellings. Further analysis identifies 3 lots which could possibly be further subdivided under the proposed RLZ1, however these lots may have access constraints which reduce development capacity and may only be able to supply an additional 4-6 lots to the settlement. Following the growth trend in Grassmere, it is not unreasonable to predict that the available land supply in Grassmere will be rapidly exhausted and the settlement will be unable to provide appropriate opportunities for further population growth and residential land supply.

Review of the patterns of land-use in Grassmere, exhibits a clear predominance of residential uses, with the majority of lots containing a single dwelling surrounded by large garden areas. This land-use appears to more closely resemble a low density residential pattern rather than rural living which also encourages small scale agricultural uses within the settlement.

The proposed application of the RLZ1 to Grassmere and the proposed strategy in Clause 21.09-11 to not support further intensification of lot density will effectively limit further development within Grassmere and will not encourage growth and development within the settlement boundary. Such limitation on growth opportunities will not support the community services of Grassmere, nor protect adjoining farmland. There is clear opportunity within the settlement for additional lots to be created with appropriate regard to the character of this settlement.

Given the growth trends, lack of development potential and the prevailing patterns of land-use in Grassmere, this submission:

- Opposes the re-zoning of the land to the Rural Living Zone Schedule 1
- Requests that the Low Density Residential Zone (LDRZ) be applied to the settlement to assist appropriate growth of the settlement and to support the continuation of community services provided within this settlement to the wider area. From review of the location of dwellings constructed throughout Grassmere, there are number of opportunities for appropriate infill development which could be further developed to make use of existing infrastructure while maintaining the character of the area.
- Requests that council commission updated strategic planning strategies to guide this amendment. As the RHSS and Land Capability Study are already between 6-12 years old, with the underlying data, even older (for example ABS data utilised from 1996-97 and 2000-2001 in the Moyne Land Capability and Biodiversity Study). To base this significant amendment, on such outdated studies, is argued to be poor planning practice and not

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

supporting an orderly planning process for a significant proportion of the council region. Given the expected timeframe before any future review of the changes implemented by this amendment (generally accepted to be 15 - 20 years from date of amendment) is undertaken, for planning of development to 2040 using underlying data which is already quite old, indeed would be 50 years old by 2040, is extremely poor planning and is an abrogation of the duty of council to *'provide sound, strategic and co-ordinated planning of the use and development of land in its area'* as required by section 12 of the Planning and Environment Act 1987.

If you have any queries or wish to further discuss this submission, please don't hesitate to contact me.

Yours sincerely,

[REDACTED]


[REDACTED]



## Rural conservation Zone Submission



03-11-2021

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	Location:	

## Rural conservation Zone Submission

03-11-2021

Saplings on private land





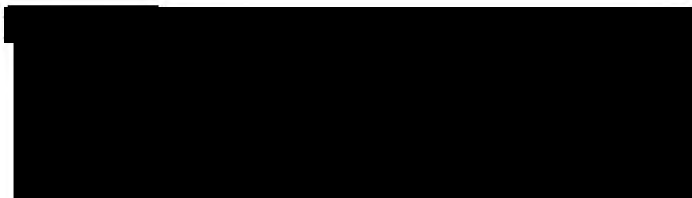


I would like to object to the proposed RCZ on grounds that a large portion of the family property will be affected. These allotments are all used for primary production. Some are wooded but most are cleared, all are sustainably managed.

Your implied buffer zone together with protect and enhance natural environment and natural processes, enhance the cultural significance, protect and enhance natural resources and biodiversity will end in me having to obtain permits which you will not issue because of the allotment locations.

With the 16 year rule you pick up three paddocks that are currently not farmed. Maybe this started with saving trees but now looks more like a land grab. Other reasons to object would be mental health, a myriad of rules, overlays, permits, etc.

Please consider throwing this proposal out and coming back to the community to work out an amicable plan to plant more native gum trees in the greater farming zone of this district

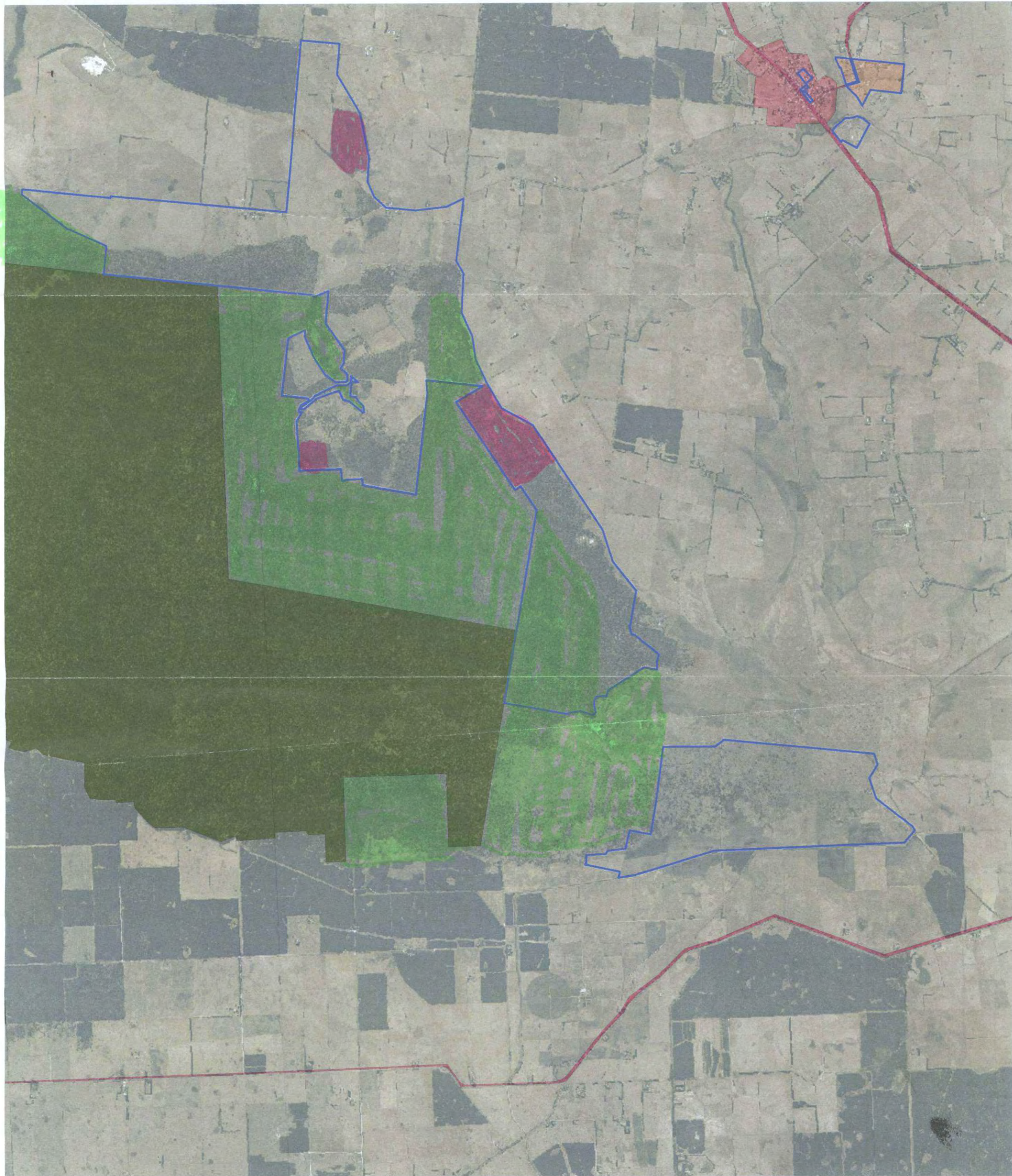




UP dated map

three pink blocks possibly only non stocked





**Exhibited Map Amendments**

Exhibited Zones  
All Zones

**Planning Scheme Zones**

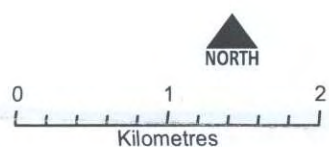
**Residential Zones**

TZ - Township Zone  
Rural Zones  
RLZ - Rural Living Zone

**FZ - Farming Zone**

**Public Land Zones**  
PCRZ - Public Conservation and Resource Zone

**RDZ1 - Road Zone-Category 1**



Map Projection: GDA 1994 VICGRID94  
Print Date: 10/7/2021



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## MOYNE SHIRE COUNCIL

MOYNE  
SHIRE

Title :



Map Zoom: 10970 m

ADDRESS Roads Watercourse Property Parcel Parcel (Proposed) Public Land

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Moynes Shire Princes Street (PO Box 51) PORT FAIRY 3284 Ph: (03) 5568 0555 Fax: (03) 5568 2515 Email: [moynes@moynes.vic.gov.au](mailto:moynes@moynes.vic.gov.au) Web: [www.moynes.vic.gov.au](http://www.moynes.vic.gov.au)

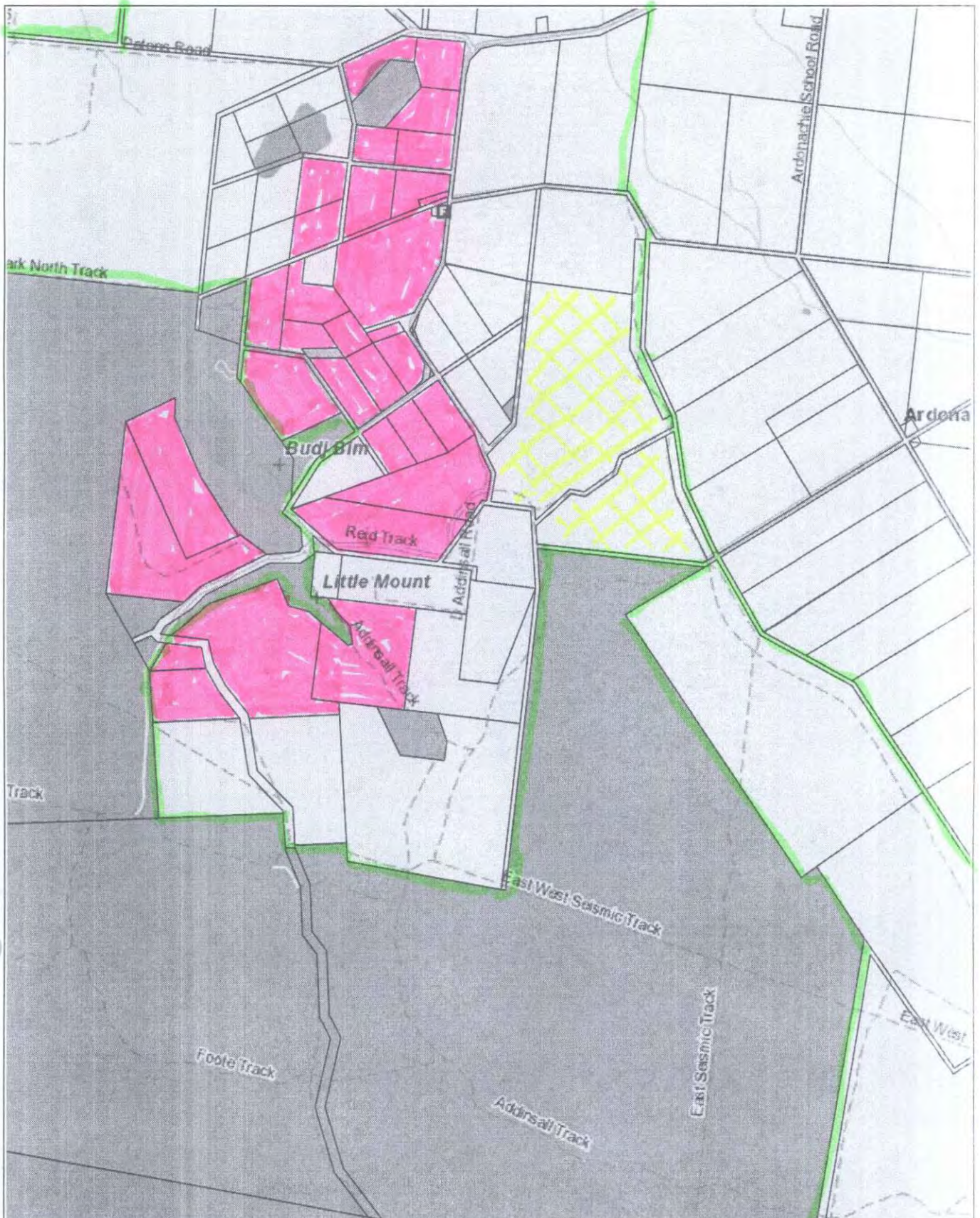


**Property Affected in this proposed Rural Conservation Zone**

**Pink are allotments that would be infected in the proposed Zone  
These allotments are all used for primary production ( Moyne Farm  
zone FZ )**

**Yellow new park property  
Green proposed zone boundary**





Data Source: Vicmap Property

0 200 400 600 800 1000 1200 1400 1600 1800 2000m  
Scale of Metres (1:25,000)

MGA Zone 54  
Vicroads- 88 G3 (ed.8)  
Created 06:11 PM on Nov 3, 2021

Co-ordinates of Plot Corners

NW 580036,5788980  
SW 579800,5783377  
MGA Zone 54

**WARNING:**

No warranty is given as to the accuracy or completeness of this map.  
Dimensions are approximate.  
For property dimensions, undertake a Title search.

Co-ordinates of Plot Corners

NE 584511,5788790  
SE 584274,5783188  
MGA Zone 54



## **Fire**

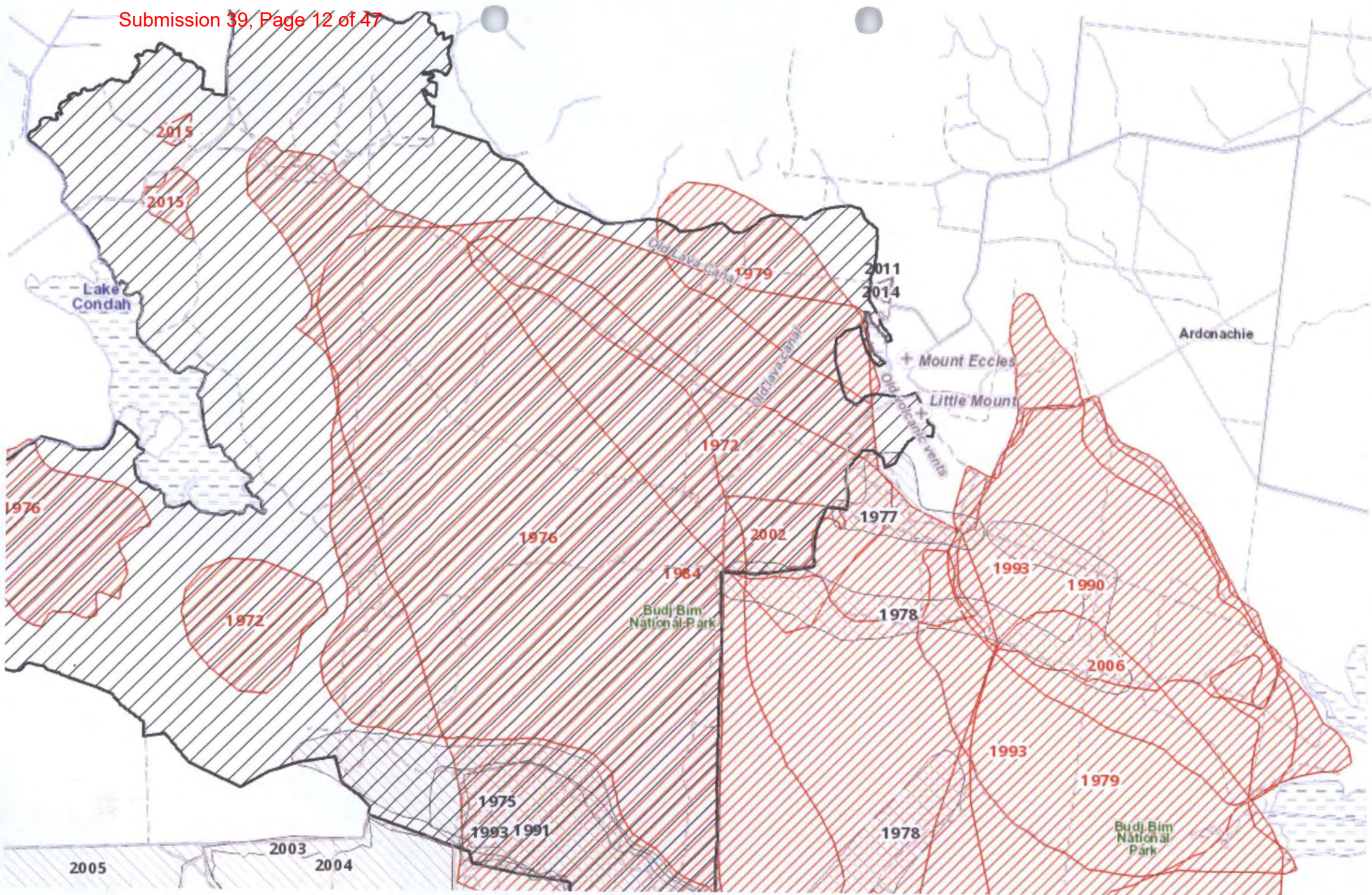
**Pic of prevention works on private land.**

**Fires at Ardonachie. note farm zone**

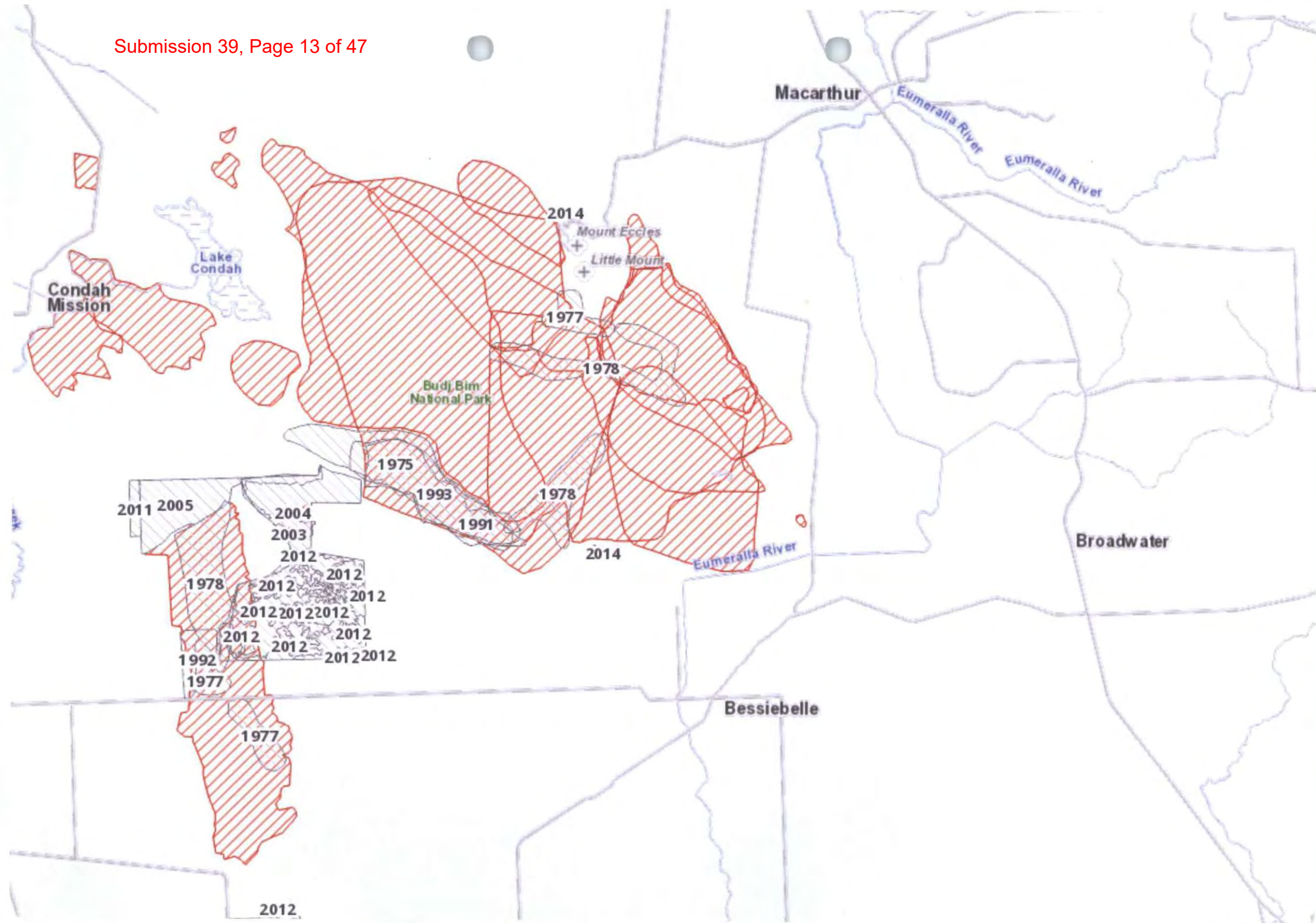












## **Biodiversity**

Strategic Biodiversity of a 120 year old pine tree running at 90+



pine tree



## Legend

☒ Burnt Area

### Strategic Biodiversity Values

- >90 – 100
- >80 – 90
- >65 – 80
- >50 – 65
- >40 – 50
- >25 – 40
- >15 – 25
- 1 – 15



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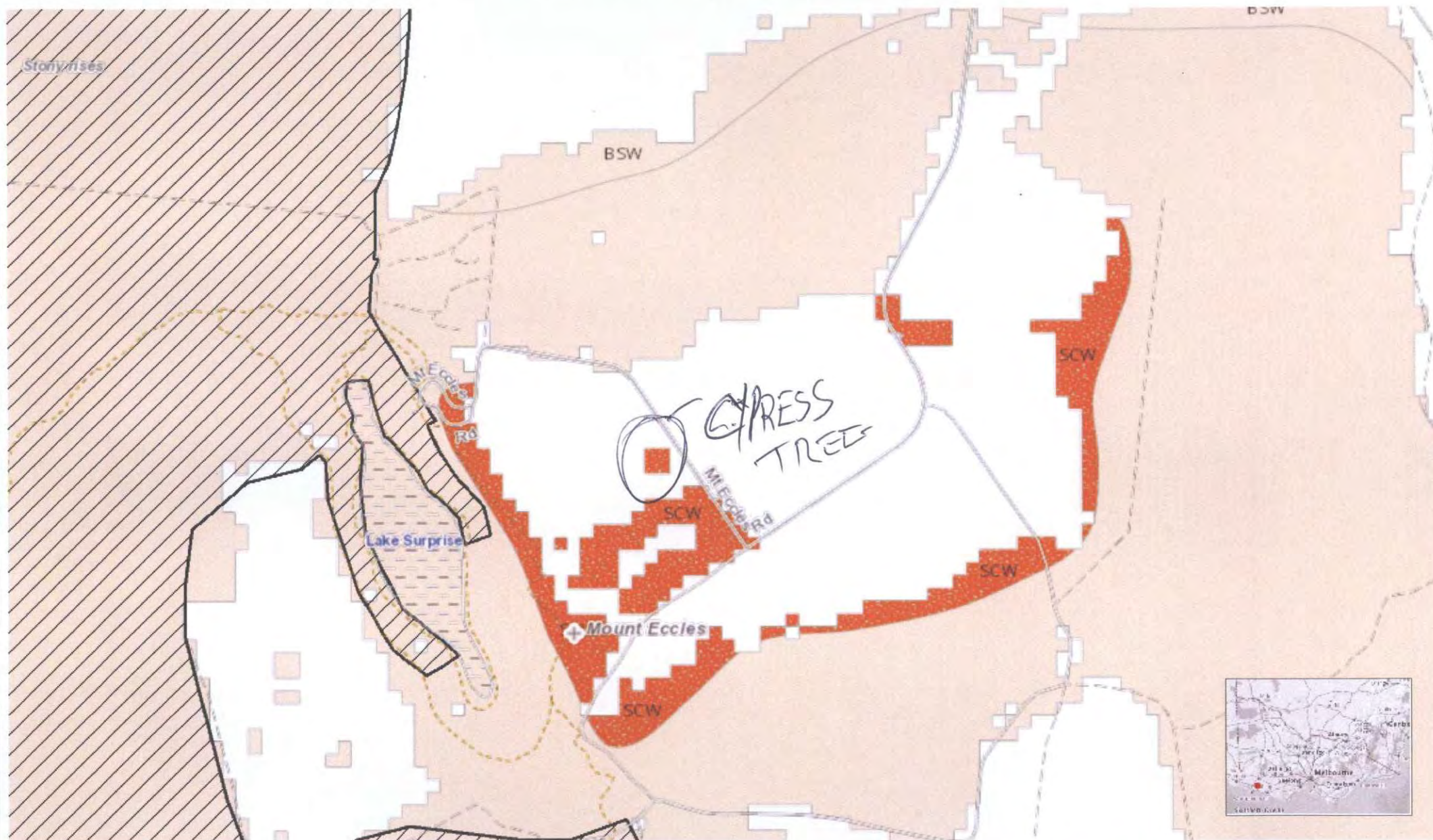












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## Legend for biodiversity.vic.gov.au

### ☒ Burnt Area

### ☐ 2005 EVCs Outlines

#### 2005 EVCs by Subgroup

- ☐ Lowland Forests
- ☐ Dry Forests (exposed/lower altitude)
- ☐ Dry Forests (sheltered/higher altitude)
- ☐ Damp Forests
- ☐ Wet Forests
- ☐ Montane Woodlands
- ☐ Montane Shrub/Grasslands
- ☐ Sub-alpine Woodlands
- ☐ Sub-alpine Shrub/Grasslands
- ☐ Herb-rich Woodlands (damp sands)
- ☐ Herb-rich Woodlands(alluvial terraces/creeklines)
- ☐ Mallee (siliceous sands)
- ☐ Mallee (calcareous dunefields)
- ☐ Mallee (clay plains)
- ☐ Mallee (sandstone ridges and rises)
- ☐ Riparian Scrubs or Swampy Scrubs and Woodlands
- ☐ Riparian Forests or Woodlands
- ☐ Coastal Scrubs, Gras and Woodlands
- ☐ Riverine Grassy Woodlands/Forests (creekline, swampy)
- ☐ Riverine Grassy Woodlands/Forests (broader plain)
- ☐ Wetlands (fresh water)
- ☐ Wetlands (brackish/estuarine)
- ☐ Box Ironbark Forests or Dry/Lower Fertility Woodlands
- ☐ Lower Slopes/Hills Woodlands (seasonally inundated, shrubby)

- ☐ Lower Slopes/Hills Woodlands (grassy)
- ☐ Heathy Woodlands (dry/better drained)
- ☐ Heathy Woodlands (damp/less well-drained)
- ☐ Heathlands (sandy/well-drained)
- ☐ Heathlands (not well-drained)
- ☐ Heathlands (sub-alpine)
- ☐ Plains Woodlands/Forests (freely-draining)
- ☐ Plains Woodlands/Forests (lunettes, ridges)
- ☐ Plains Woodlands/Forests (poorly-draining)
- ☐ Plains Woodlands/Forests (semi-arid non-Eucalypt)
- ☐ Plains Grasslands and Chenopod Shrublands (clay soils)
- ☐ Salt-tolerant/Succulent Shrublands
- ☐ Rocky Outcrop or Escarpment Scrubs
- ☐ Rainforests

## Park Timbered forest







## Farm Zone Timber managed woodland

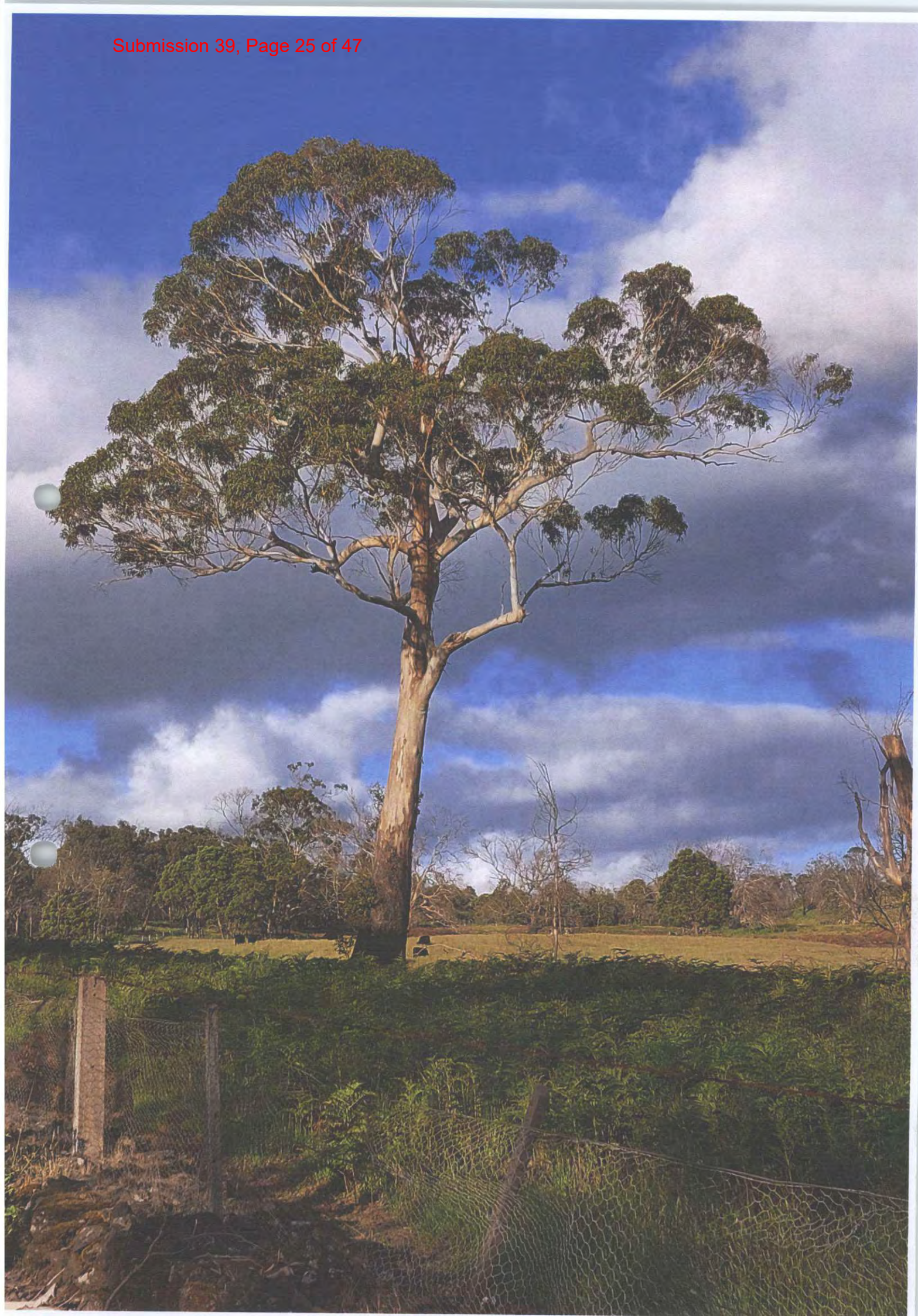


















## Community

I think of resentment, anxiety, depression .No pic for this section its all about the trees and biodiversity

# Petition · Stop Moyne Shire Rezoning Farming Land · Change.org

[www.change.org](http://www.change.org)

Moyne Shire are trying to rezone improved farming land from a Farming Zone to Rural Conservation Zone.

It means that anyone who owns land under this proposed zoning change will require a permit to do almost anything on their own land. It will decrease production, profitability and the value of the land.

Not only does the proposed new zoning include improved farming land that has been owned by locals for over 100 years, it also covers houses, sheds and infrastructure (not of historic or archaeological interest) used to operate a farming business.

If the proposed zoning goes ahead, local farmers will be severely disadvantaged in how they can operate their businesses.

This is happening at local council level, but is being pushed by State Government through the Department of Environment, Land, Water and Planning, it could happen in your backyard too, it is already happening in the Macedon Ranges as well as Moyne Shire.

We need your support to show Council that we do not want this new rezoning and they need to come up with another solution and not inhibit our livelihoods.

## **Utopia**



# Utopia

A **utopia** (/juːˈtoʊpiə/ *yoo-TOH-pee-ə*) is an imaginary community or society that possesses highly desirable or nearly perfect qualities for its citizens.<sup>[1]</sup> The term was coined by Sir Thomas More for his 1516 book *Utopia*, describing a fictional island society in the New World. However, the term can also denote actual experiments in what participants regard as a vastly superior manner of living, generally in what are termed *intentional communities*. In common parlance, the word or its adjectival form may be used synonymously with "impossible", "far-fetched" or "deluded".

Hypothetical utopias focus on—amongst other things—equality, in such categories as economics, government and justice, with the method and structure of proposed implementation varying based on ideology.<sup>[2]</sup> Lyman Tower Sargent argues that the nature of a utopia is inherently contradictory because societies are not homogeneous and have desires which conflict and therefore cannot simultaneously be satisfied. To quote:

There are socialist, capitalist, monarchical, democratic, anarchist, ecological, feminist, patriarchal, egalitarian, hierarchical, racist, left-wing, right-wing, reformist, free love, nuclear family, extended family, gay, lesbian and many more utopias [ Naturism, Nude Christians, ...] Utopianism, some argue, is essential for the improvement of the human condition. But if used wrongly, it becomes dangerous. Utopia has an inherent contradictory nature here.

— Sargent, *Utopianism: A very short introduction* (2010)<sup>[3]</sup>



Nowa Huta in Kraków, Poland, serves as an unfinished example of a utopian ideal city. This industrial district boomed in the 1950s, 60s, and 70s. The city is renowned for its architecture.

## Contents

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### Varieties

**Mythical and religious utopias**Golden AgeScheriaArcadiaThe Biblical Garden of EdenThe Land of CockaigneThe Peach Blossom SpringDatongKetumatiSchlaraffenland**Modern utopias**EconomicsScience and technologyFeminismEcological**Utopian architecture****See also****Notes****References****External links**

## Etymology and history

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The word *utopia* was coined in 1516 from Ancient Greek by the Englishman Sir Thomas More for his Latin text *Utopia*. It literally translates as “no place”, coming from the Greek: οὐ (“not”) and τόπος (“place”), and meant any non-existent society, when ‘described in considerable detail’. However, in standard usage, the word's meaning has shifted and now usually describes a non-existent society that is intended to be viewed as *considerably better* than contemporary society.<sup>[4]</sup>

In his original work, More carefully pointed out the similarity of the word to *eutopia*, meaning “good place”, from Greek: εὖ (“good” or “well”) and τόπος (“place”), which ostensibly would be the more appropriate term for the concept in modern English. The pronunciations of *eutopia* and *utopia* in English are identical, which may have given rise to the change in meaning.<sup>[4][5]</sup> *Dystopia*, a term meaning “bad place” coined in 1868,



draws on this latter meaning. The opposite of a utopia, dystopia is a concept which surpassed utopia in popularity in the fictional literature from the 1950s onwards, chiefly because of the impact of George Orwell's Nineteen Eighty-Four.

In 1876, writer Charles Renouvier published a novel called Uchronia (French Uchronie).<sup>[6]</sup> The neologism, using chronos instead of topos, has since been used to refer to non-existent idealized times in fiction, such as Philip Roth's The Plot Against America (2004),<sup>[7]</sup> and Philip K. Dick's The Man in the High Castle (1962).<sup>[8]</sup>

According to the Philosophical Dictionary, proto-utopian ideas begin as early as the period of ancient Greece and Rome, medieval heretics, peasant revolts and establish themselves in the period of the early capitalism, reformation and Renaissance (Hus, Müntzer, More, Campanella), democratic revolutions (Meslier, Morelly, Mably, Winstanley, later Babeufists, Blanquists,) and in a period of turbulent development of capitalism that highlighted antagonisms of capitalist society (Saint-Simon, Fourier, Owen, Cabet, Lamennais, Proudhon and their followers).<sup>[9]</sup>

## Definitions and interpretations

---

Famous writers about utopia:

- "There is nothing like a dream to create the future. Utopia to-day, flesh and blood tomorrow." —Victor Hugo
- "A map of the world that does not include Utopia is not worth even glancing at, for it leaves out the one country at which Humanity is always landing. And when Humanity lands there, it looks out, and, seeing a better country, sets sail. Progress is the realisation of Utopias." —Oscar Wilde
- "Utopias are often only premature truths." —Alphonse De Lamartine
- "None of the abstract concepts comes closer to fulfilled utopia than that of eternal peace." —Theodor W. Adorno
- "I think that there is always a part of utopia in any romantic relationship." —Pedro Almodovar
- "In ourselves alone the absolute light keeps shining, a sigillum falsi et sui, mortis et vitae aeternae [false signal and signal of eternal life and death itself], and the fantastic move to it begins: to the external interpretation of the daydream, the cosmic manipulation of a concept that is utopian in principle." —Ernst Bloch
- "When I die, I want to die in a Utopia that I have helped to build." —Henry Kuttner
- "A man must be far gone in Utopian speculations who can seriously doubt that if these [United] States should either be wholly disunited, or only united in partial confederacies, the subdivisions into which they might be thrown would have frequent and violent contests with each other." —Alexander Hamilton, *Federalist* No. 6.
- "Most dictionaries associate utopia with ideal commonwealths, which they characterize as an empirical realization of an ideal life in an ideal society. Utopias, especially social utopias, are associated with the idea of social justice." — Lukáš Perný <sup>[10]</sup>

Utopian socialist Etienne Cabet in his utopian book The Voyage to Icaria cited the definition from the contemporary *Dictionary of ethical and political sciences*:



Utopias and other models of government, based on the public good, may be inconceivable because of the disordered human passions which, under the wrong governments, seek to highlight the poorly conceived or selfish interest of the community. But even though we find it impossible, they are ridiculous to sinful people whose sense of self-destruction prevents them from believing.

Marx and Engels used the word "utopia" to denote unscientific social theories.<sup>[11]</sup>

Philosopher Slavoj Žižek told about utopia:

Which means that we should reinvent utopia but in what sense. There are two false meanings of utopia one is this old notion of imagining this ideal society we know will never be realized, the other is the capitalist utopia in the sense of new perverse desire that you are not only allowed but even solicited to realize. The true utopia is when the situation is so without issue, without the way to resolve it within the coordinates of the possible that out of the pure urge of survival you have to invent a new space. Utopia is not kind of a free imagination utopia is a matter of inner most urgency, you are forced to imagine it, it is the only way out, and this is what we need today."<sup>[12]</sup>

Philosopher Milan Šimečka said:

... utopism was a common type of thinking at the dawn of human civilization. We find utopian beliefs in the oldest religious imaginations, appear regularly in the neighborhood of ancient, yet pre-philosophical views on the causes and meaning of natural events, the purpose of creation, the path of good and evil, happiness and misfortune, fairy tales and legends later inspired by poetry and philosophy ... the underlying motives on which utopian literature is built are as old as the entire historical epoch of human history."<sup>[13]</sup>

Philosopher Richard Stahel said:

... every social organization relies on something that is not realized or feasible, but has the ideal that is somewhere beyond the horizon, a lighthouse to which it may seek to approach if it considers that ideal socially valid and generally accepted."<sup>[14]</sup>

## Varieties

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Chronologically, the first recorded Utopian proposal is Plato's Republic.<sup>[15]</sup> Part conversation, part fictional depiction and part policy proposal, *Republic* would categorize citizens into a rigid class structure of "golden," "silver," "bronze" and "iron" socioeconomic classes. The golden citizens are trained in a rigorous 50-year-long educational program to be benign oligarchs, the "philosopher-kings." Plato stressed this structure many times in statements, and in his published works, such as the *Republic*. The wisdom of these rulers will supposedly eliminate poverty and deprivation through fairly distributed resources, though the details on how to do this are unclear. The educational program for the rulers is the central notion of the proposal. It has few laws, no lawyers and rarely sends its citizens to war but hires mercenaries from among its war-prone neighbors. These mercenaries were deliberately sent into dangerous situations in the hope that the more warlike populations of all surrounding countries will be weeded out, leaving peaceful peoples.

During the 16th century, Thomas More's book *Utopia* proposed an ideal society of the same name.<sup>[16]</sup> Readers, including Utopian socialists, have chosen to accept this imaginary society as the realistic blueprint for a working nation, while others have postulated that Thomas More intended nothing of the sort.<sup>[17]</sup> It is believed that More's *Utopia* functions only on the level of a satire, a work intended to reveal more about the England of his time than about an idealistic society.<sup>[18]</sup> This interpretation is bolstered by the title of the book and nation and its apparent confusion between the Greek for "no place" and "good place": "utopia" is a compound of the syllable ou-, meaning "no" and topos, meaning place. But the homophonic prefix eu-, meaning "good," also resonates in the word, with the implication that the perfectly "good place" is really "no place."

## Mythical and religious utopias

---

In many cultures, societies, and religions, there is some myth or memory of a distant past when humankind lived in a primitive and simple state but at the same time one of perfect happiness and fulfillment. In those days, the various myths tell us, there was an instinctive harmony between humanity and nature. People's needs were few and their desires limited. Both were easily satisfied by the abundance provided by nature. Accordingly, there were no motives whatsoever for war or oppression. Nor was there any need for hard and painful work. Humans were simple and pious and felt themselves close to their God or gods. According to one anthropological theory, hunter-gatherers were the original affluent society.

These mythical or religious archetypes are inscribed in many cultures and resurge with special vitality when people are in difficult and critical times. However, in utopias, the projection of the myth does not take place towards the remote past but either towards the future or towards distant and fictional places, imagining that at some time in the future, at some point in space, or beyond death, there must exist the possibility of living happily.

In the United States and Europe, during the Second Great Awakening (ca. 1790–1840) and thereafter, many radical religious groups formed utopian societies in which faith could govern all aspects of members' lives. These utopian societies included the Shakers, who originated in England in the 18th century and arrived in America in 1774. A number of religious utopian societies from Europe came to the United States in the 18th and 19th centuries, including the Society of the Woman in the Wilderness (led by Johannes Kelpius (1667–1708)), the Ephrata Cloister (established in 1732) and the Harmony Society, among others. The Harmony Society was a Christian theosophy and pietist group founded in Iptingen, Germany, in 1785. Due to religious persecution by the Lutheran Church and the government in Württemberg,<sup>[19]</sup> the society moved to



the United States on October 7, 1803, settling in Pennsylvania. On February 15, 1805, about 400 followers formally organized the Harmony Society, placing all their goods in common. The group lasted until 1905, making it one of the longest-running financially successful communes in American history.

The Oneida Community, founded by John Humphrey Noyes in Oneida, New York, was a utopian religious commune that lasted from 1848 to 1881. Although this utopian experiment has become better known today for its manufacture of Oneida silverware, it was one of the longest-running communes in American history. The Amana Colonies were communal settlements in Iowa, started by radical German pietists, which lasted from 1855 to 1932. The Amana Corporation, manufacturer of refrigerators and household appliances, was originally started by the group. Other examples are Fountain Grove (founded in 1875), Riker's Holy City and other Californian utopian colonies between 1855 and 1955 (Hine), as well as Sointula<sup>[20]</sup> in British Columbia, Canada. The Amish and Hutterites can also be considered an attempt towards religious utopia. A wide variety of intentional communities with some type of faith-based ideas have also started across the world.

Anthropologist Richard Sosis examined 200 communes in the 19th-century United States, both religious and secular (mostly utopian socialist). 39 percent of the religious communes were still functioning 20 years after their founding while only 6 percent of the secular communes were.<sup>[21]</sup> The number of costly sacrifices that a religious commune demanded from its members had a linear effect on its longevity, while in secular communes demands for costly sacrifices did not correlate with longevity and the majority of the secular communes failed within 8 years. Sosis cites anthropologist Roy Rappaport in arguing that rituals and laws are more effective when sacralized.<sup>[22]</sup> Social psychologist Jonathan Haidt cites Sosis's research in his 2012 book *The Righteous Mind* as the best evidence that religion is an adaptive solution to the free-rider problem by enabling cooperation without kinship.<sup>[23]</sup> Evolutionary medicine researcher Randolph M. Nesse and theoretical biologist Mary Jane West-Eberhard have argued instead that because humans with altruistic tendencies are preferred as social partners they receive fitness advantages by social selection,<sup>[list 1]</sup> with Nesse arguing further that social selection enabled humans as a species to become extraordinarily cooperative and capable of creating culture.<sup>[28]</sup>

The Book of Revelation in the Christian Bible depicts an eschatological time with the defeat of Satan, of Evil and of Sin. The main difference compared to the Old Testament promises is that such a defeat also has an ontological value (Rev 21:1;4: "Then I saw 'a new heaven and a new earth,' for the first heaven and the first earth had passed away, and there was no longer any sea...'He will wipe every tear from their eyes. There will be no more death' or mourning or crying or pain, for the old order of things has passed away") and no longer just gnosiological (Isaiah 65:17: "See, I will create/new heavens and a new earth./The former things will not be remembered,/nor will they come to mind").<sup>[29][30]</sup> Narrow interpretation of the text depicts Heaven on Earth or a Heaven brought to Earth without sin. Daily and mundane details of this new Earth, where God and Jesus rule, remain unclear, although it is implied to be similar to the biblical Garden of Eden. Some theological philosophers believe that heaven will not be a physical realm but instead an incorporeal place for souls.<sup>[31]</sup>



*The Earthly Paradise – Garden of Eden, the left panel from Hieronymus Bosch's The Garden of Earthly Delights*



## Golden Age

The Greek poet Hesiod, around the 8th century BC, in his compilation of the mythological tradition (the poem *Works and Days*), explained that, prior to the present era, there were four other progressively more perfect ones, the oldest of which was the Golden Age.

## Scheria

Perhaps the oldest Utopia of which we know, as pointed out many years ago by Moses Finley,<sup>[32]</sup> is Homer's Scheria, island of the Phaeacians.<sup>[33]</sup> A mythical place, often equated with classical Corcyra, (modern Corfu/Kerkyra), where Odysseus was washed ashore after 10 years of storm-tossed wandering and escorted to the King's palace by his daughter Nausicaa. With stout walls, a stone temple and good harbours, it is perhaps the 'ideal' Greek colony, a model for those founded from the middle of the 8th C onward. A land of plenty, home to expert mariners (how could they fail to be with the self-navigating ships Homer describes), and skilled craftswomen who live in peace under their King's rule and fear no strangers.

Plutarch, the Greek historian and biographer of the 1st century, dealt with the blissful and mythic past of the humanity.

## Arcadia

From Sir Philip Sidney's prose romance *The Old Arcadia* (1580), originally a region in the Peloponnesus, Arcadia became a synonym for any rural area that serves as a pastoral setting, a *locus amoenus* ("delightful place").

## The Biblical Garden of Eden

The Biblical Garden of Eden as depicted in the Old Testament Bible's Book of Genesis 2 (Authorized Version of 1611):

And the Lord God planted a garden eastward in Eden; and there he put the man whom he had formed. Out of the ground made the Lord God to grow every tree that is pleasant to the sight and good for food; the tree of life also in the midst of the garden and the tree of knowledge of good and evil. [...]

And the Lord God took the man and put him into the garden of Eden to dress it and to keep it. And the Lord God commanded the man, saying, Of every tree of the garden thou mayest freely eat: but of the tree of the knowledge of good and evil, thou shalt not eat of it: for in the day that



*The Golden Age* by Lucas Cranach the Elder



thou eatest thereof thou shalt surely die. [...]

And the Lord God said, It is not good that the man should be alone; [...] And the Lord God caused a deep sleep to fall upon Adam and he slept: and he took one of his ribs and closed up the flesh instead thereof and the rib, which the Lord God had taken from man, made he a woman and brought her unto the man.

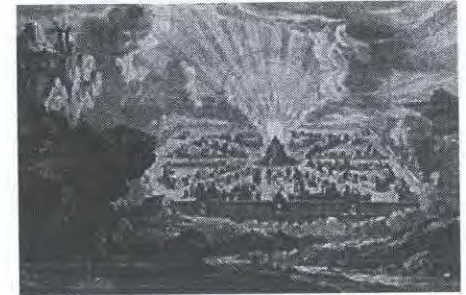
According to the exegesis that the biblical theologian Herbert Haag proposes in the book *Is original sin in Scripture?*,<sup>[34]</sup> published soon after the Second Vatican Council, Genesis 2:25 would indicate that Adam and Eve were created from the beginning naked of the divine grace, an originary grace that, then, they would never have had and even less would have lost due to the subsequent events narrated. On the other hand, while supporting a continuity in the Bible about the absence of preternatural gifts (Latin: dona praeternaturalia)<sup>[35]</sup> with regard to the ophitic event, Haag never makes any reference to the discontinuity of the loss of access to the tree of life.

## The Land of Cockaigne

The Land of Cockaigne (also Cockayne, Cokaygne), was an imaginary land of idleness and luxury, famous in medieval stories and the subject of several poems, one of which, an early translation of a 13th-century French work, is given in George Ellis' Specimens of Early English Poets. In this, "the houses were made of barley sugar and cakes, the streets were paved with pastry and the shops supplied goods for nothing." London has been so called (see Cockney) but Boileau applies the same to Paris.<sup>[36]</sup>

## The Peach Blossom Spring

The *Peach Blossom Spring* (桃花源), a prose piece written by the Chinese poet Tao Yuanming, describes a utopian place.<sup>[37][38]</sup> The narrative goes that a fisherman from Wuling sailed upstream a river and came across a beautiful blossoming peach grove and lush green fields covered with blossom petals.<sup>[39]</sup> Entranced by the beauty, he continued upstream and stumbled onto a small grotto when he reached the end of the river.<sup>[39]</sup> Though narrow at first, he was able to squeeze through the passage and discovered an ethereal utopia, where the people led an ideal existence in harmony with nature.<sup>[40]</sup> He saw a vast expanse of fertile lands, clear ponds, mulberry trees, bamboo groves and the like with a community of people of all ages and houses in neat rows.<sup>[40]</sup> The people explained that their ancestors escaped to this place during the civil unrest of the Qin dynasty and they themselves had not left since or had contact with anyone from the outside.<sup>[41]</sup> They had not even heard of the later dynasties of bygone times or the then-current Jin dynasty.<sup>[41]</sup> In the story, the community was secluded and unaffected by the troubles of the outside world.<sup>[41]</sup>



A new heaven and new earth<sup>[Rev 21:1]</sup>, Mortier's Bible, Phillip Medhurst Collection



The sense of timelessness was predominant in the story as a perfect utopian community remains unchanged, that is, it had no decline nor the need to improve.<sup>[41]</sup> Eventually, the Chinese term *Peach Blossom Spring* came to be synonymous for the concept of utopia.<sup>[42]</sup>

## Datong

Datong is a traditional Chinese Utopia. The main description of it is found in the Chinese Classic of Rites, in the chapter called "Li Yun" (禮運). Later, Datong and its ideal of 'The World Belongs to Everyone/The World is Held in Common' 'Tianxia weigong/天下为公' influenced modern Chinese reformers and revolutionaries, such as Kang Youwei.

## Ketumati

It is said, once Maitreya is reborn into the future kingdom of Ketumati, a utopian age will commence.<sup>[43]</sup> The city is described in Buddhism as a domain filled with palaces made of gems and surrounded by Kalpavriksha trees producing goods. During its years, none of Jambudvipa will need to take part in cultivation and hunger will no longer exist.<sup>[44]</sup>

## Schlaraffenland

Schlaraffenland is an analogous German tradition.

All these myths also express some hope that the idyllic state of affairs they describe is not irretrievably and irrevocably lost to mankind, that it can be regained in some way or other.

One way might be a quest for an "earthly paradise" – a place like Shangri-La, hidden in the Tibetan mountains and described by James Hilton in his utopian novel *Lost Horizon* (1933). Christopher Columbus followed directly in this tradition in his belief that he had found the Garden of Eden when, towards the end of the 15th century, he first encountered the New World and its indigenous inhabitants.

## Modern utopias

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In the 21st century, discussions around utopia for some authors include post-scarcity economics, late capitalism, and universal basic income; for example, the "human capitalism" utopia envisioned in *Utopia for Realists* (2016) includes a universal basic income and a 15-hour workweek, along with open borders.<sup>[45]</sup>

Scandinavian nations, which as of 2019 ranked at the top of the World Happiness Report, are sometimes cited as modern utopias, although British author Michael Booth has called that a myth and wrote a 2014 book about the Nordic countries.<sup>[46]</sup>



## Economics

Particularly in the early 19th century, several utopian ideas arose, often in response to the belief that social disruption was created and caused by the development of commercialism and capitalism. These ideas are often grouped in a greater "utopian socialist" movement, due to their shared characteristics. A once common characteristic is an egalitarian distribution of goods, frequently with the total abolition of money. Citizens only do work which they enjoy and which is for the common good, leaving them with ample time for the cultivation of the arts and sciences. One classic example of such a utopia appears in Edward Bellamy's 1888 novel Looking Backward. William Morris depicts another socialist utopia in his 1890 novel News from Nowhere, written partially in response to the top-down (bureaucratic) nature of Bellamy's utopia, which Morris criticized. However, as the socialist movement developed, it moved away from utopianism; Marx in particular became a harsh critic of earlier socialism which he described as "utopian". (For more information, see the History of Socialism article.) In a materialist utopian society, the economy is perfect; there is no inflation and only perfect social and financial equality exists.

Edward Gibbon Wakefield's utopian theorizing on systematic colonial settlement policy in the early-19th century also centred on economic considerations, but with a view to preserving class distinctions;<sup>[47]</sup> Wakefield influenced several colonies founded in New Zealand and Australia in the 1830s, 1840s and 1850s.

In 1905, H.G. Wells published A Modern Utopia, which was widely read and admired and provoked much discussion. Also consider Eric Frank Russell's book The Great Explosion (1963), the last section of which details an economic and social utopia. This forms the first mention of the idea of Local Exchange Trading Systems (LETS).

During the "Khrushchev Thaw" period,<sup>[48]</sup> the Soviet writer Ivan Efremov produced the science-fiction utopia Andromeda (1957) in which a major cultural thaw took place: humanity communicates with a galaxy-wide Great Circle and develops its technology and culture within a social framework characterized by vigorous competition between alternative philosophies.

The English political philosopher James Harrington (1611-1677), author of the utopian work The Commonwealth of Oceana, published in 1656, inspired English country-party republicanism (1680s to 1740s) and became influential in the design of three American colonies. His theories ultimately contributed to the idealistic principles of the American Founders. The colonies of Carolina (founded in 1670), Pennsylvania (founded in 1681), and Georgia (founded in 1733) were the only three English colonies in America that were planned as utopian societies with an integrated physical, economic and social design. At the heart of the plan for Georgia was a concept of "agrarian equality" in which land was allocated equally and additional land acquisition through purchase or inheritance was prohibited; the plan was an early step toward the yeoman republic later envisioned by Thomas Jefferson.<sup>[49][50][51]</sup>



New Harmony, Indiana, a Utopian attempt, depicted as proposed by Robert Owen



Sointula, a Finnish utopian settlement in British Columbia, Canada



The communes of the 1960s in the United States often represented an attempt to greatly improve the way humans live together in communities. The back-to-the-land movements and hippies inspired many to try to live in peace and harmony on farms or in remote areas and to set up new types of governance.<sup>[52]</sup> Communes like Kaliflower, which existed between 1967 and 1973, attempted to live outside of society's norms and to create their own ideal communalist society.<sup>[53][54]</sup>

People all over the world organized and built intentional communities with the hope of developing a better way of living together. While many of these new small communities failed, some continue to grow, such as the religion-based Twelve Tribes, which started in the United States in 1972. Since its inception, it has grown into many groups around the world.

## Science and technology

Though Francis Bacon's *New Atlantis* is imbued with a scientific spirit, scientific and technological utopias tend to be based in the future, when it is believed that advanced science and technology will allow utopian living standards; for example, the absence of death and suffering; changes in human nature and the human condition. Technology has affected the way humans have lived to such an extent that normal functions, like sleep, eating or even reproduction, have been replaced by artificial means. Other examples include a society where humans have struck a balance with technology and it is merely used to enhance the human living condition (e.g. *Star Trek*). In place of the static perfection of a utopia, libertarian transhumanists envision an "extropia", an open, evolving society allowing individuals and voluntary groupings to form the institutions and social forms they prefer.

Mariah Utsawa presented a theoretical basis for technological utopianism and set out to develop a variety of technologies ranging from maps to designs for cars and houses which might lead to the development of such a utopia.

One notable example of a technological and libertarian socialist utopia is Scottish author Iain Banks' Culture.

Opposing this optimism is the prediction that advanced science and technology will, through deliberate misuse or accident, cause environmental damage or even humanity's extinction. Critics, such as Jacques Ellul and Timothy Mitchell advocate precautions against the premature embrace of new technologies. Both raise questions about changing responsibility and freedom brought by division of labour. Authors such as John Zerzan and Derrick Jensen consider that modern technology is progressively depriving humans of their autonomy and advocate the collapse of the industrial civilization, in favor of small-scale organization, as a necessary path to avoid the threat of technology on human freedom and sustainability.

There are many examples of techno-dystopias portrayed in mainstream culture, such as the classics *Brave New World* and *Nineteen Eighty-Four*, often published as "1984", which have explored some of these topics.



Utopian flying machines,  
France, 1890–1900  
(chromolithograph trading  
card)



## Feminism

Utopias have been used to explore the ramifications of genders being either a societal construct or a biologically "hard-wired" imperative or some mix of the two.<sup>[55]</sup> Socialist and economic utopias have tended to take the "woman question" seriously and often to offer some form of equality between the sexes as part and parcel of their vision, whether this be by addressing misogyny, reorganizing society along separatist lines, creating a certain kind of androgynous equality that ignores gender or in some other manner. For example, Edward Bellamy's *Looking Backward* (1887) responded, progressively for his day, to the contemporary women's suffrage and women's rights movements. Bellamy supported these movements by incorporating the equality of women and men into his utopian world's structure, albeit by consigning women to a separate sphere of light industrial activity (due to women's lesser physical strength) and making various exceptions for them in order to make room for (and to praise) motherhood. One of the earlier feminist utopias that imagines complete separatism is Charlotte Perkins Gilman's *Herland* (1915).

In science fiction and technological speculation, gender can be challenged on the biological as well as the social level. Marge Piercy's *Woman on the Edge of Time* portrays equality between the genders and complete equality in sexuality (regardless of the gender of the lovers). Birth-giving, often felt as the divider that cannot be avoided in discussions of women's rights and roles, has been shifted onto elaborate biological machinery that functions to offer an enriched embryonic experience. When a child is born, it spends most of its time in the children's ward with peers. Three "mothers" per child are the norm and they are chosen in a gender neutral way (men as well as women may become "mothers") on the basis of their experience and ability. Technological advances also make possible the freeing of women from childbearing in Shulamith Firestone's *The Dialectic of Sex*. The fictional aliens in Mary Gentle's *Golden Witchbreed* start out as gender-neutral children and do not develop into men and women until puberty and gender has no bearing on social roles. In contrast, Doris Lessing's *The Marriages Between Zones Three, Four and Five* (1980) suggests that men's and women's values are inherent to the sexes and cannot be changed, making a compromise between them essential. In *My Own Utopia* (1961) by Elizabeth Mann Borghese, gender exists but is dependent upon age rather than sex – genderless children mature into women, some of whom eventually become men.<sup>[55]</sup> "William Marston's Wonder Woman comics of the 1940s featured Paradise Island, also known as Themyscira, a matriarchal all-female community of peace, loving submission, bondage and giant space kangaroos."<sup>[56]</sup>

Utopian single-gender worlds or single-sex societies have long been one of the primary ways to explore implications of gender and gender-differences.<sup>[57]</sup> In speculative fiction, female-only worlds have been imagined to come about by the action of disease that wipes out men, along with the development of technological or mystical method that allow female parthenogenic reproduction. Charlotte Perkins Gilman's 1915 novel approaches this type of separate society. Many feminist utopias pondering separatism were written in the 1970s, as a response to the Lesbian separatist movement;<sup>[57][58][59]</sup> examples include Joanna Russ's *The Female Man* and Suzy McKee Charnas's *Walk to the End of the World* and *Motherlines*.<sup>[59]</sup> Utopias imagined by male authors have often included equality between sexes, rather than separation, although as noted Bellamy's strategy includes a certain amount of "separate but equal".<sup>[60]</sup> The use of female-only worlds allows the exploration of female independence and freedom from patriarchy. The societies may be lesbian, such as *Daughters of a Coral Dawn* by Katherine V. Forrest or not, and may not be sexual at all – a famous early sexless example being *Herland* (1915) by Charlotte Perkins Gilman.<sup>[58]</sup> Charlene Ball writes in *Women's Studies Encyclopedia* that use of speculative fiction to explore gender roles in future societies has been more common in the United States compared to Europe and elsewhere,<sup>[55]</sup> although such efforts as Gerd Brantenberg's *Egalia's Daughters* and Christa Wolf's portrayal of the land of Colchis in her *Medea: Voices* are certainly as influential and famous as any of the American feminist utopias.



## Ecological

Ecological utopian society describes new ways in which society should relate to nature. These works perceive a widening gap between the modern Western way of living that destroys nature<sup>[61]</sup> and a more traditional way of living before industrialization.<sup>[62]</sup> Ecological utopias may advocate a society that is more sustainable. According to the Dutch philosopher Marius de Geus, ecological utopias could be inspirational sources for movements involving green politics.<sup>[63]</sup>

## Utopian architecture

**Utopian architecture** is architecture inspired by utopianism.<sup>[64]</sup> Examples for such an architecture are Phalanstère, Arcology and Garden Cities.

## See also

- Category:Utopian communities
- List of utopian literature
- Utopia (disambiguation)
- Utopia for Realists
- Utopian and dystopian fiction
  - Category:Utopian fiction

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08/11/2021

Moyne Shire Council  
PO Box 51  
Port Fairy VIC 3284

**SUBMISSION TO PLANNING SCHEME AMENDMENT C70  
TO THE MOYNE PLANNING SCHEME  
Multiple land holdings detailed below**

Dear Sir/Madam,

We act on behalf of [REDACTED] that are the landowners and also additionally lease parts of the land identified in this submission.

The land in ownership is held in varying entities by the commercial farming enterprise, which is more commonly known as [REDACTED].

The following will provide an explanation of the land ownership, leasing arrangements and the commercial farming enterprise that is undertaken on the land that forms the basis of this submission.

**THE LAND**

- The subject land is made up of multiple titles of land held in varying ownership entities, but all are principally held in ownership by [REDACTED], both of whom manage the farming enterprise known as [REDACTED].
- There is also a portion of their farm that is leased land from other landowners.
- The leased area of land is located in the middle of the two larger halves of the dairy farm and is located immediately north of the [REDACTED] (north of [REDACTED] Road) and extends across the entire width of the farm area.
- The main body of the farming enterprise is undertaken on land located between/around [REDACTED] Road (south), [REDACTED] (west) and the [REDACTED] (north).
- There are also two parts of the farming enterprise that are located nearby at:
  - [REDACTED] (500m north of the intersection with [REDACTED]); and
  - [REDACTED] (approximately 800m-1km from the township of [REDACTED]).
- The total farm size (inclusive of all land) is approximately 400 hectares.
- Figure 1 below provides a diagram to show all land that is used in the farming enterprise.

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

## THE AGRICULTURAL BUSINESS & PRODUCTION

The farming enterprise is currently progressing through a generational transition with [REDACTED] continuing and ultimately transitioning the farming enterprise to the next generation of their family business.

The primary agricultural production undertaken by the farming enterprise is summarised as follows:

- 400-420 head dairy farm, with the dairy being located [REDACTED]
- Calf rearing of an average 200-250 head per annum. Part of the herd being returned to the dairy herd and the remainder of the calves being sold at market.
- Sheep grazing of an average 200-300 head per annum.
- [REDACTED] supplies their milk production directly to the Bega milk processing factory at Koroit.

The agricultural enterprise is currently supported by existing and continually evolving agricultural infrastructure on the land that includes but not limited to:

- A large scale pivot irrigator in the northern portion of the site (south of [REDACTED]);
- Calf rearing complex consisting of a collection of yards and shedding along [REDACTED] Road;
- The dairy shed complex along [REDACTED] Road;
- Multiple machinery sheds at varying locations for equipment storage across the farm; and
- Three dwellings also support the farming enterprise; with two being used directly by the two families that are the principal operators of the farm and the other being used for accommodation for on-farm workers that are employed by the business. All of these dwellings have access to [REDACTED] Road.

## SUBMISSION TO AMENDMENT C70

On their behalf, the following concerns are raised regarding the proposed C70 Planning Scheme Amendment to their property at the land described in this submission.

The parcels of land that are located at [REDACTED] Road and on the western side of the [REDACTED] Road remain unaffected by Amendment C70 but have been included to show the whole farming enterprise for the purposes of this submission.

### FARMING ZONE 3

The main part of the farming enterprise (that are currently contiguous parcels of land) generally bounded by [REDACTED] Road are proposed by C70 to be located in the Farming Zone Schedule 3 (FZ3).

The main change proposed by C70 and the FZ3 that is of concern is that a dwelling will be able to be constructed on a lot of 10ha in size without the need for a permit.

The expansive use of the Farming Zone 3 west and south of Koroit, allowing a dwelling without a planning permit on land of 10ha or more will compromise the local agricultural economy and substantially and in a cumulative way, convert agricultural land for hobby farms that is being currently

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

farmed by not only the [REDACTED] but by at least four (4) other larger commercial farming enterprises.

The extent of the other commercial farming enterprises in the area and [REDACTED] are shown at Figure 2 to demonstrate the wide expanse of land that is actively used for commercial farming enterprises.

The effect of the of the FZ3 proposed change by C70 to the [REDACTED] farm will severely compromise the ongoing viability of the farm by the leased portion of the farm potentially being sold and not re-leased back to their farming enterprise. This is likely to occur as the appeal of selling land for lifestyle properties are currently attracting very high prices in the current real estate market.

If the leased land were sold, this could mean that without a planning permit on any 10 hectare parcel of land in that area could be constructed with a dwelling that will effectively cut the farm into two pieces and the contiguous nature of the farm will be lost.

#### LEASED LAND IMPACT TO [REDACTED]

The leased land is made up of 15 individual parcels of which:

- The total land area is 50.3ha in size;
- All lots are currently under 10 hectares in size;
- 9 lots currently have direct access to a road frontage; and
- 6 lots are land locked.

If the current lease was not renewed to [REDACTED] and sold, as already detailed it is highly likely that these lots would be sold for lifestyle lots at residential market prices, removing viability for farm expansion.

With this said, the consolidation of lots can occur without planning permission being required, and there is an opportunity that lots over 10ha could easily be created within this leased land area.

If the consolidation of lots was undertaken, a total of 5 dwellings could be constructed without a planning permit within the leased area. This will create a substantial impact on the [REDACTED] farming enterprise and other surrounding farms also through land fragmentation and land use conflicts.

The other potential scenario impact to [REDACTED] farm is that if each lot that has a road frontage within the leased area were to be sold individually, it is possible (subject to a planning permit being issued) that a total of 9 dwellings could be constructed within the leased area.

Either of the above scenarios for the leased land area will severely impact on [REDACTED] farm by cutting the farm into two fragmented parts, severely impacting its economic viability and would also mean that further investment in agricultural infrastructure would be necessary to mitigate this land fragmentation. This potential impact would have long lasting impacts on the agricultural business that may not be able to be mitigated in the future were it to occur.

#### OTHER IMPACTS

Notwithstanding any impact that will likely occur from the leased part of the farm being converted for lifestyle lots, the cumulative effect of additional dwellings spreading into the area west and south of Koroit will lead to additional land use conflicts between those large commercial farming enterprises and smaller lifestyle lots.

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



The ability for additional land resources for the expansion of commercial farming enterprises will be severely compromised as the land resource will be taken up in smaller hobby farm uses and not able to be returned to larger farming enterprises principally because of economic viability.

The introduction of smaller hobby farm uses with the introduction of a 10ha lot size for a dwelling without the need for a planning permit will also artificially increase the median land price for agricultural land, which will make farm expansion in some circumstances unviable. The effect of this economic shift will compromise the growth and viability of dairy farms to compete with larger farms in agricultural markets.

The potential land use change that will be caused by the introduction of the FZ3 may and likely will cause a downturn in milk supply to the local Bega milk processing plant. This would be caused through agricultural operators leaving the land and selling/altering the land for small hobby farms across the proposed FZ3 area west and south of Koroit.

It is understood that the confidence in Koroit suffered setbacks in its prosperity where previous downturns in factory production have occurred in the past, principally on the basis that the milk processing industry is a major employer to Koroit and the sub-region.

The use of the Farming Zone 3 should not be used west and south of Koroit. The Farming Zone controls should remain unaltered to effectively protect those existing agricultural businesses.

#### RURAL LIVING ZONE 2

It has been well understood for a considerable amount of time by commercial farming enterprises that rural living uses would be consolidated around the western edge of Koroit and would not extend past the Crossley Intersection and Scotts North Road. This demarcation between land uses is shown in Figure 2, shown as a red line oriented north south generally along the Crossley intersection/Scotts North Road alignment.

Any perceived need in the market for lifestyle properties should be catered for within the Rural Living Zone 2 area proposed by C70, and where necessary this area could provide for some additional infill lots to satisfy the perceived demand in the market for this type of land.

The extent of the Rural Living Zone 2 area should not extend beyond those areas shown in Figure 3 below, so as to maintain the viable nature of the existing farming enterprises and importantly, provide for the protection and future of the [REDACTED] business for [REDACTED] and future generations.

#### VCAT DECISIONS

The VCAT decision of [REDACTED] is attached to this submission as it is directly relevant to the proposed impacts detailed above.

It is important to note that the subject land from this VCAT decision is directly south of [REDACTED] Farm and fronts the western side of the [REDACTED] Road, which is also proposed to be included the FZ3 area by Amendment C70.

The policy assessment that the Tribunal detail in its determination states that a dwelling on a 10.48 hectare property is not consistent with agricultural State/Local Planning Policy and the provisions of the Farming Zone.

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

The Tribunal in its decision raised the following concerns about the application that it ultimately determined to not approve:

- The Tribunal's decision highlighted that the land in this area is high quality agricultural land. None of the parties involved in the hearing disputed this matter.
- The proposed dwelling would increase land use conflicts between larger farming enterprises and lifestyle properties.
- The continued introduction of dwellings on smaller lots such as proposed will in a cumulative manner inflate land prices and will make land unviable for the expansion of farming enterprises and ultimately impact on the agricultural economy and agricultural production.
- The demand for lifestyle properties and the proliferation and concentration of lifestyle properties in agricultural areas will lead to the fragmentation of productive agricultural land.
- The Tribunal also relied on other previous VCAT decisions to refuse the dwelling on the 10ha lot.

This VCAT decision is considered to be a key consideration for Amendment C70 and something that needs to guide the outcomes for this area as a best practice example of policy assessment to maintain sustainable agriculture as a major component of the region's economy.

## SUMMARY

This submission seeks to:

- Remove the Farming Zone 3 from being applied to the area west and south of Koroit in its entirety to effectively protect [REDACTED] and other existing agricultural businesses.
- Extend the proposed Rural Living Zone 2 area west and south of Koroit as exhibited to also include land as detailed in Figure 3 below.

Please contact me on [REDACTED] or [REDACTED] on [REDACTED] or via email if you have any questions about this submission. Any further correspondence regarding the amendment and this submission should be directed to [REDACTED]

Yours faithfully,

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
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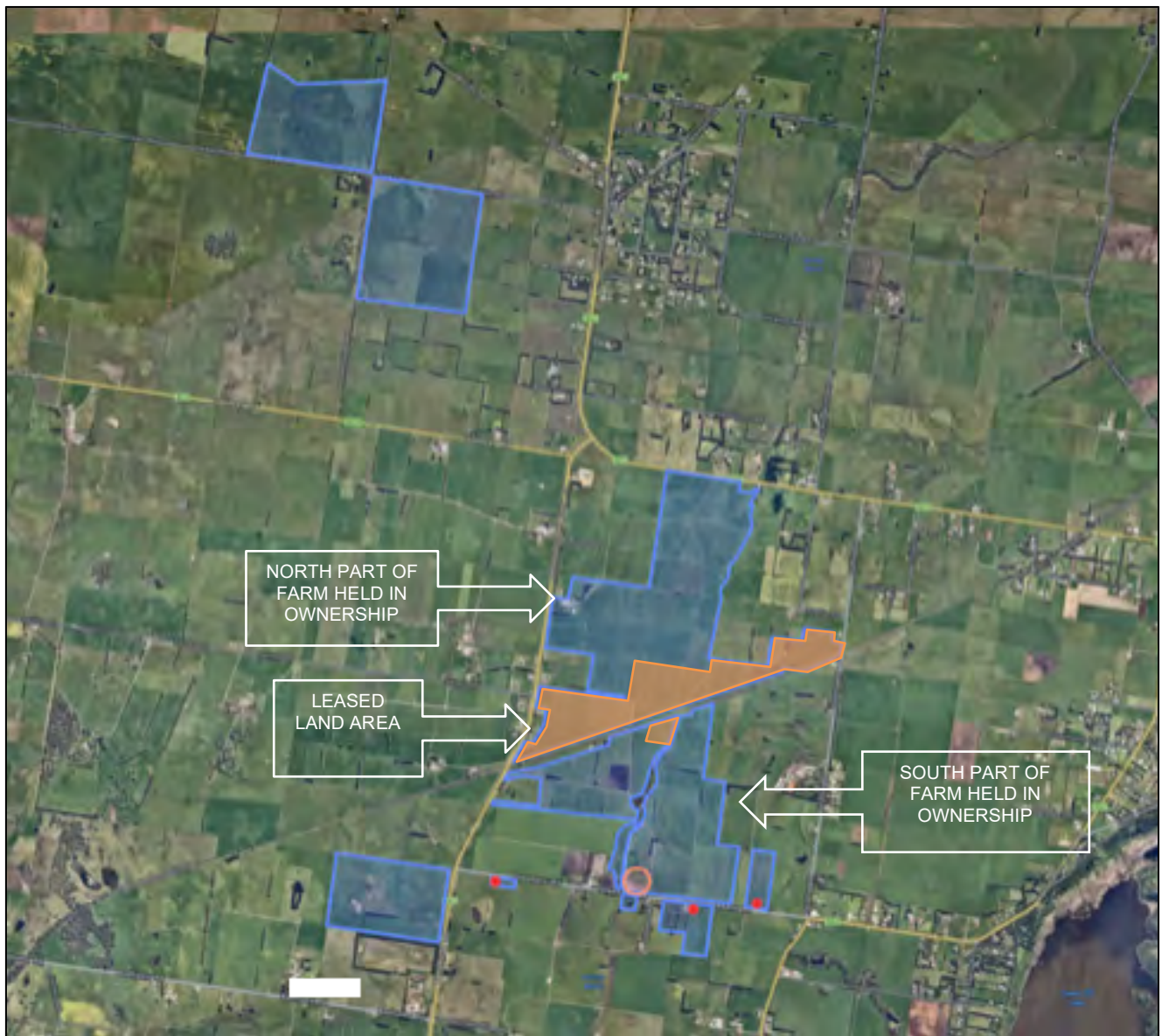


Figure 1

WHOLE FARM PLAN FOR [REDACTED] (400 HECTARES≈)

LEASED LAND AREA intersects the middle of the northern and southern parts of the farm - shown in orange

DAIRY FARM COMPLEX - shown in orange

THREE (3) EXISTING FARM DWELLINGS - shown in red (adjacent to [REDACTED] Road)

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]





Figure 2

SURROUNDING COMMERCIAL AGRICULTURAL BUSINESSES – areas shown in green

SUBJECT LAND FOR 2015 VCAT HEARING – shown in yellow

██████████ DWELLINGS – shown in red

██████████ DAIRY COMPLEX – shown in orange

UNDERSTOOD BOUNDARY BETWEEN AGRICULTURAL USES AND EMERGING RURAL LIVING USES – shown as a red line along  
██████████ Road and the ██████████

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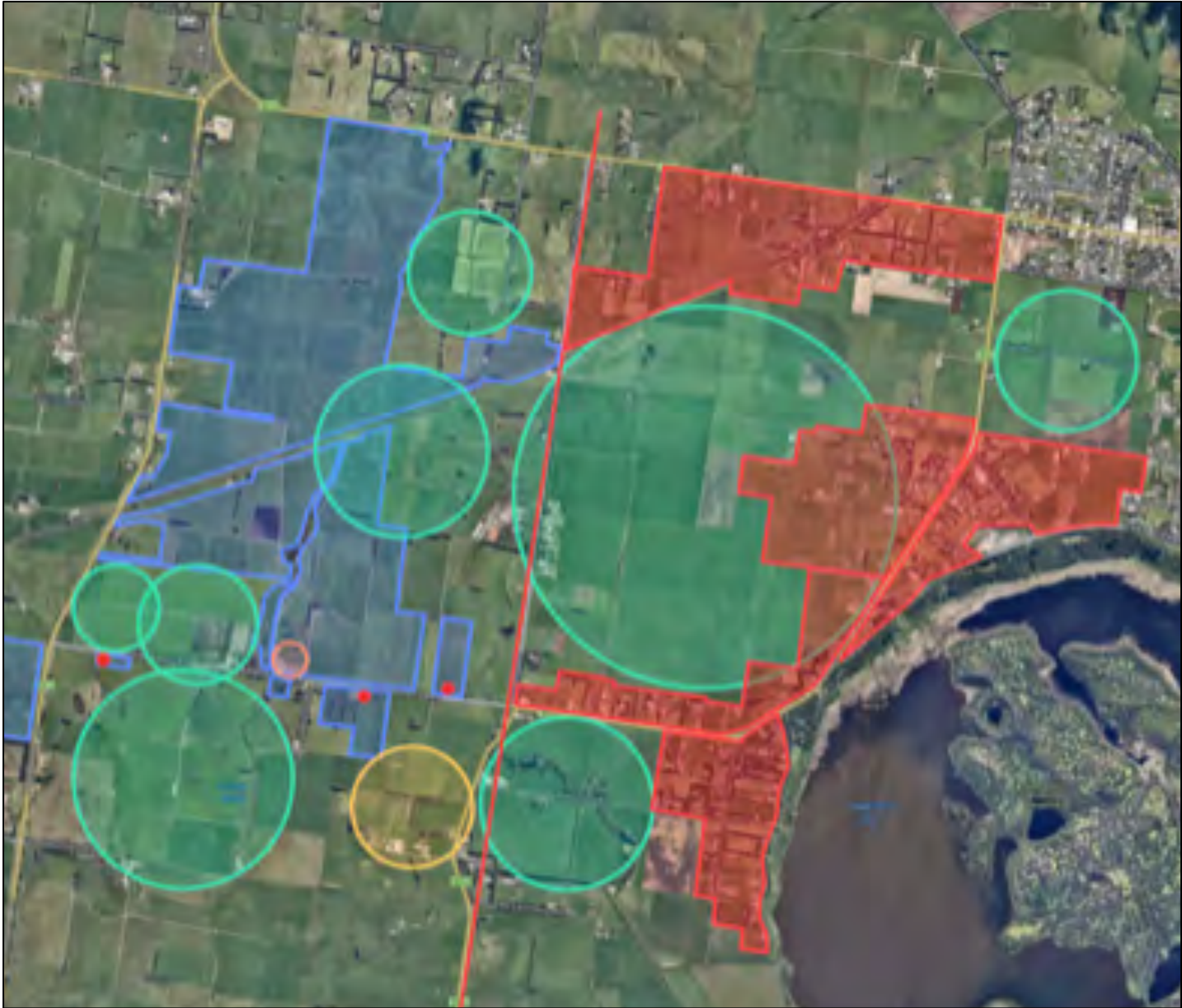


Figure 3

REVISED EXTENT OF RLZ2 THAT SHOULD BE PROGRESSED BY AMENDMENT C70 – shown in red

██████████ FARM – shown in blue

OTHER FARMING BUSINESS AREAS – shown in green

██████████	██████████	██████████	██████████
██████████	██████████	██████████	██████████
██████████	██████████	██████████	██████████



## AMENDMENT C70 SUBMISSION

Dear Council

2/11/21

Thank you for the opportunity to hear our submission in relation to the "Planning scheme amendment C70moyn Rural housing and Settlement Strategy"

[REDACTED] have been farming the subject land (Map 37) for two generations and have great knowledge of the [REDACTED] land and surrounding property's to ours. With good farming practices, sustainable farming applications, this area is capable of any form of future primary production.

10 hectares can still be a very productive farm with potential to create a viable business from that size.

Why should we be "Disadvantaged" to our neighbours who occupy the same Quality and productive land as ours.

Our land has already been included in a family succession plan for the future.

Rural Living/Farming should be a legitimate lifestyle/business option, with appropriate council controls in place.

We believe that the current minimum lot size for dwellings and subdivision should stay as it is at 10 Hectares and are "opposed" to any proposed changes on our land to increase to 40 hectares.

Regards,

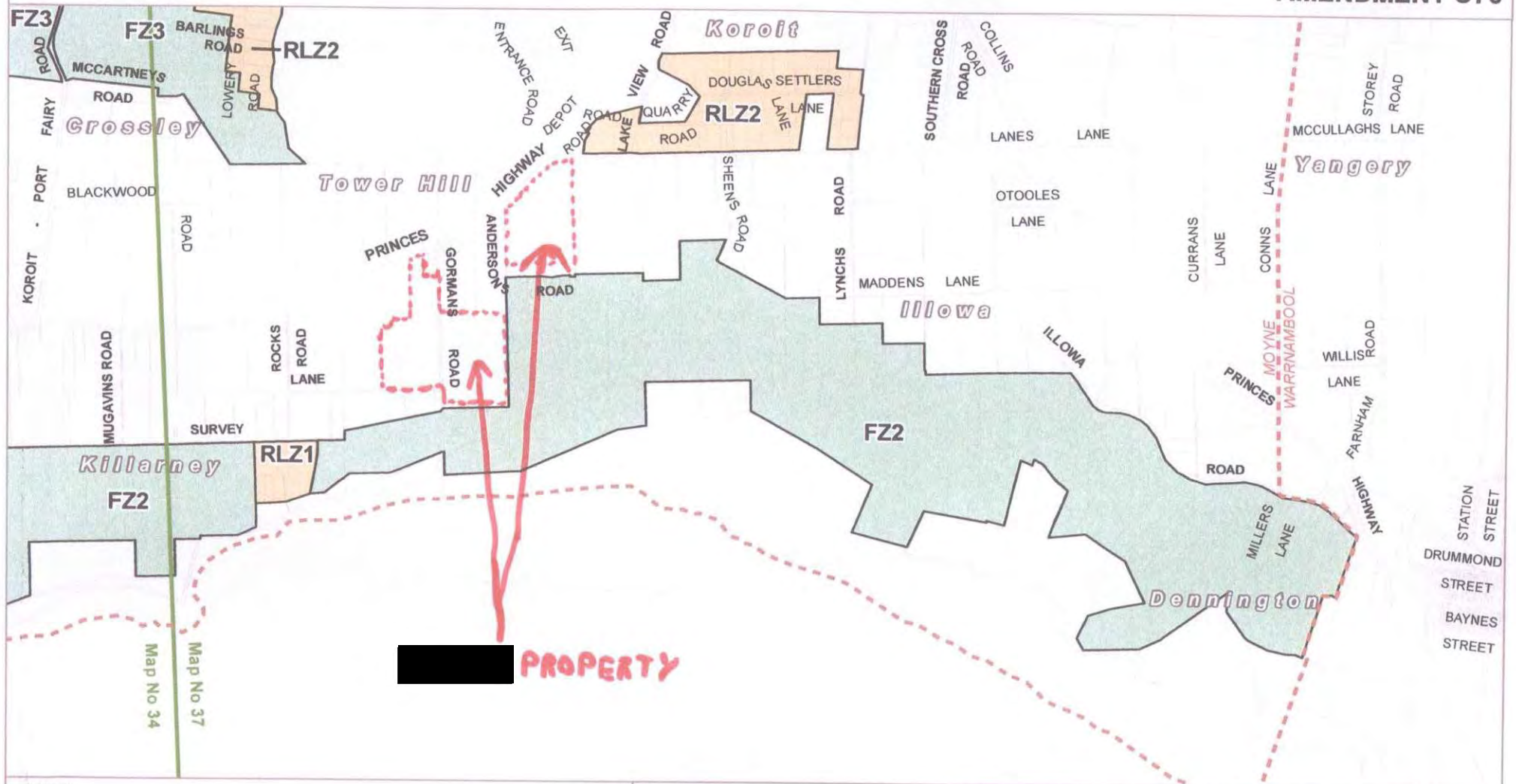
[REDACTED]  
[REDACTED]

Email- [REDACTED]

PI [REDACTED]



# MOYNE PLANNING SCHEME - LOCAL PROVISION AMENDMENT C70



**LEGEND**

- FZ - Farming Zone
- RLZ - Rural Living Zone
- Local Government Area

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Planning Group  
Print Date: 29/04/2021  
Amendment Version: 3

0 940 1,880  
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Environment,  
Land, Water  
and Planning

Part of Planning Scheme Maps 34 & 37



**MOYNE SHIRE COUNCIL**

ABN: 69 056 376 923

**MOYNE  
SHIRE****Valuation, Rate and Charge Notice**RATES AND CHARGES DECLARED BY COUNCIL ON THE 29th JUNE 2021  
(CAPITAL IMPROVED VALUE USED FOR RATING PURPOSES)

**MOYNE SHIRE COUNCIL:** Princes Street, Port Fairy, 3284  
**MAIL TO:** PO Box 51, Port Fairy, 3284  
**TELEPHONE:** 1300 656 564  
**WEB:** [www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)  
**OFFICE HOURS:** 8.45AM TO 4.45pm MONDAY TO FRIDAY

Rate Account Number	Rating Period	Issue Date	Level of Value	Operative Date of
[REDACTED]	1/7/2021 - 30/6/2022	31/08/2021	Date 01/01/2021	Valuation 01/07/2021

DESCRIPTION OF PROPERTY:

**Rating Details:**

General Rates 0.0017992c/\$

Fire Service Levy Primary Production Variable (.000205 x CIV)

**TOTAL DUE****INSTALMENT AMOUNT PAYABLE BY 30/09/2021**

Remaining Instalments |

**Transactions after 25 August 2021 have not been included in this notice.**  
 See reverse side of this notice for important information and payment detail.



BPAY® this payment via internet or phone banking.  
 BPAY View® - View and pay this bill using internet banking.  
 BPAY View Registration No.: [REDACTED]

Post  
Billpay**MOYNE SHIRE COUNCIL**

Name

Rate Account Number

Instalment amount

Due date

For credit:

**MOYNE SHIRE COUNCIL**

Drawer

Bank

Branch

**PAYMENT AMOUNT**

Trancode

User code

Customer reference number

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# MOYNE SHIRE COUNCIL

ABN: 69 056 376 923

MOYNE  
SHIRE

## Valuation, Rate and Charge Notice

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Rate Account Number	Rating Period	Issue Date	Level of Value	Operative Date of
[REDACTED]	1/7/2021 - 30/6/2022	31/08/2021	Date 01/01/2021	Valuation 01/07/2021

Site V [REDACTED]

DESCRIPTION OF PROPERTY: [REDACTED]

### Rating Details:

General Rates 0.0017992c/\$

Fire Service Levy Primary Production Variable (.000205 x CIV)

TOTAL DUE [REDACTED]

INSTALMENT AMOUNT PAYABLE BY 30/09/2021 [REDACTED]

Remaining Instalments [REDACTED]

**Transactions after 25 August 2021 have not been included in this notice.**  
See reverse side of this notice for important information and payment detail.



Billers Code: [REDACTED]



4

MOYNE SHIRE COUNCIL

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BPAY View® - View and pay this bill online internet banking.  
BPAY View Registration No. [REDACTED]

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Billpay

Billers Code: [REDACTED]

Ref: [REDACTED]



Name [REDACTED]

Rate Account Number [REDACTED]

Instalment amount [REDACTED]

Due date [REDACTED]

For credit:

MOYNE SHIRE COUNCIL

PAYMENT AMOUNT

Drawer [REDACTED]

Bank [REDACTED]

Branch [REDACTED]

Trancode [REDACTED]

User code [REDACTED]

Customer reference number [REDACTED]

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[REDACTED] &gt; &gt;



SUBMISSIONS ON BEHALF OF

[REDACTED]

Amendment C70 to the Moyne Planning Scheme

5 November 2016

## Introduction

1. This submission is made on behalf of [REDACTED]
2. [REDACTED] owns own the land [REDACTED] of the Budj Bim National Park being the land known shown marked yellow on the plan annexed to these submissions [REDACTED]
3. [REDACTED] is agricultural land used for grazing and cropping. [REDACTED] [REDACTED] has been held by [REDACTED] for over 100 years and during this time, has always been farmed by [REDACTED].
4. Some bush land is located on [REDACTED], but only a small portion of the land. A satellite image is annexed these submission showing the extent of the bush land.
5. This submission is therefore directed at that part of Amendment C70 (the Amendment) to the Moyne Planning Scheme (the Scheme) which proposes to change the zoning of the [REDACTED] Land from the Farming Zone (FZ), to the Rural Conservation Zone (RCZ).
6. In summary, the Amendment is flawed as:
  - a. It is inconsistent with the planning objectives in section 4 of the Planning and Environment Act 1987 (the Act), the State Planning Policy Framework (SPFF), the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS);
  - b. It is inconsistent with the Moyne C70 Land Capability and Biodiversity Studies Project 2009 (the Capability Project);
  - c. The objective of protecting bush land can be achieved by less restrictive and more appropriate planning controls;
  - d. It does not recognise that historically landowners have protected bushland without planning controls.

- e. It proposes to apply planning controls suitable for natural resources on cleared and productive agricultural land.

#### The Amendment

- 7. It is not necessary to set out the background and content of the Amendment in its entirety. Instead, [REDACTED] makes submission on the part of the Amendment that impacts [REDACTED] Land.
- 8. The purposes of the RCZ are primarily concerned with the natural environment, natural resources and conservation. The majority of the [REDACTED] Land is cleared agricultural land more suited for the purposes and controls of the FZ. While [REDACTED] may have the benefit of existing use rights if the Amendment is approved in its current form, any change agricultural practice may require a planning permit. Further, the construction of a building for agricultural feeding purposes may require planning approval.
- 9. Under the current FZ a permit is not required for agricultural use, or to construct a building for agricultural feedings purposes (subject to minor limitations).
- 10. The SPFF and MSS both emphasise the need to protect productive agricultural land and enable innovation in agriculture. Applying the RCZ to cleared agricultural land will not encourage or allow for evolving and changing agricultural uses, as planning permission will be required.

#### *The Capability Project*

Relevantly, the Capability Project:

- 11. States that the RCZ is most applicable where the environment or landscape features cover a substantial area rather than being widely dispersed or fragmented, or where the surrounding land has been substantially altered.<sup>1</sup> The bush land on the [REDACTED] Land is mostly fragmented and has itself been substantially altered.

---

<sup>1</sup> Capability Project - page 16.



12. States that because of climate change, the relative importance and versatility (emphasis added) of agriculture in the Shire may increase...<sup>2</sup>
13. In reference to the State Government's Planning Practice Note: Applying the Rural Zones (DSE February 2007<sup>3</sup>:

*The nature of farming in Victoria is changing in ways that require careful consideration. It is:*

- *Becoming more diverse. Farming in Victoria is constantly changing and expanding in response to changing world and domestic consumption patterns and the need to remain profitable and sustainable.*

14. Requiring a planning permit for a change in agricultural use is inconsistent with the need and demand for diverse farming practices.

#### *Alternative Planning Controls*

15. It is clear the purpose of the RCZ is to protect the bushland on [REDACTED] Land. An alternative and more appropriate control can be achieved by applying either:
  - a. Environmental Significance Overlay (ESO) that requires a permit to remove, destroy or lop any vegetation, with an appropriate schedule so fencing and agricultural buildings can be constructed without the need for a permit; or
  - b. Vegetation Protection Overlay (VPO) that requires a permit to remove, destroy or lop any vegetation specified in a schedule to the VPO, with an appropriate schedule that identifies what vegetation is required to be protected.

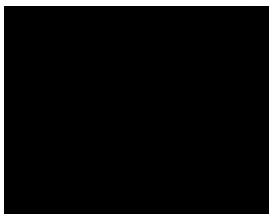
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<sup>2</sup> Capability Project – page 39.

<sup>3</sup> Capability Project – page 40.

## Conclusion

16. The FZ is the appropriate zone for land being used for agriculture.<sup>4</sup>
17. A significant part of the [REDACTED] Land is clear open county that has been farmed for over 100 years.
18. Applying the RCZ to cleared open county is contrary to good planning practices.
19. Uncleared land can be sufficiently protected by alternative planning controls such as the ESO or VPO. This will allow for innovation and flexibility in agricultural practises to meet the future needs of the agricultural sector.
20. There is no evidence that the existing planning controls on the [REDACTED] Land has resulted in damage to or the removal of bush land.



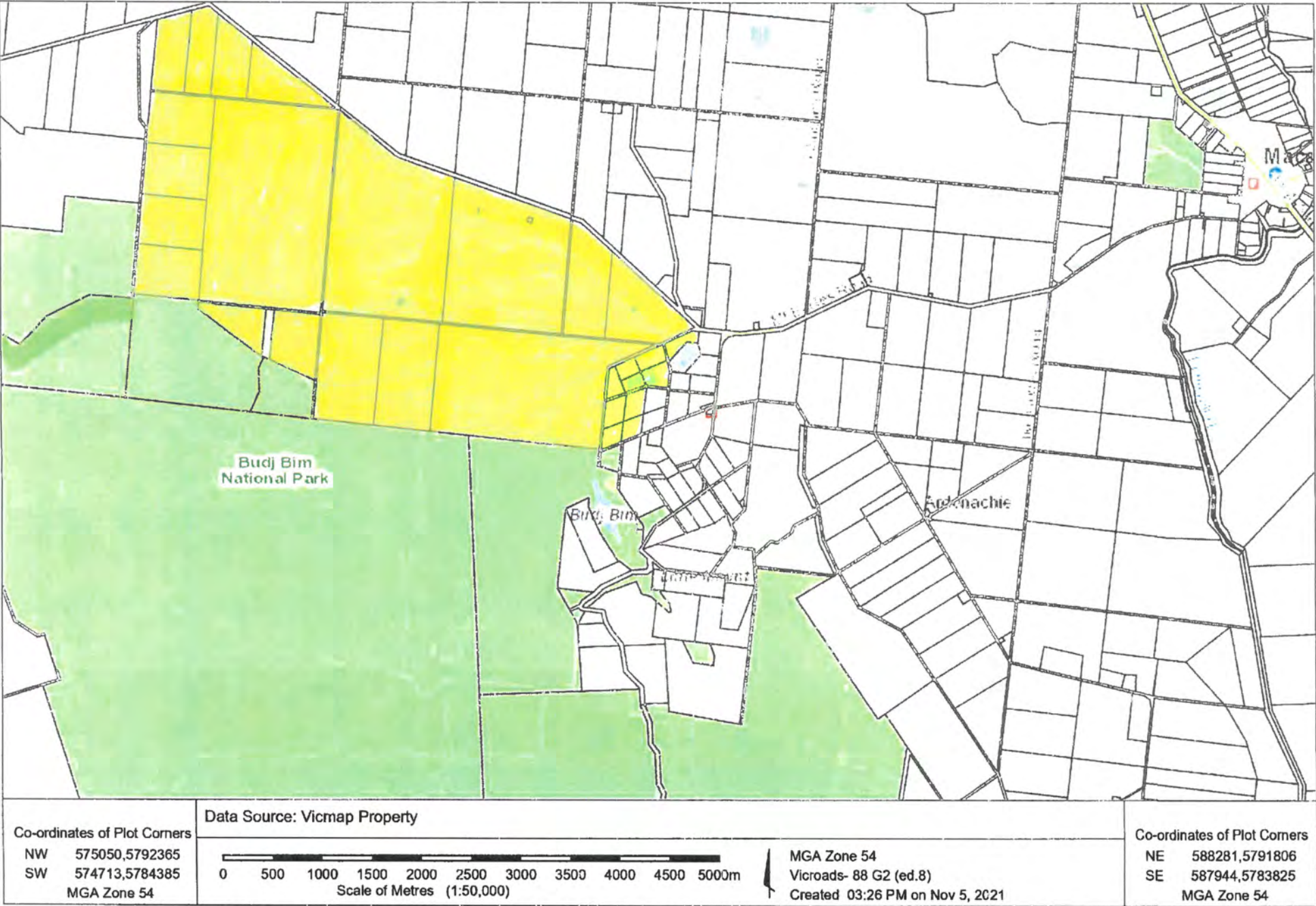
8 November 2021

[REDACTED]

[REDACTED]

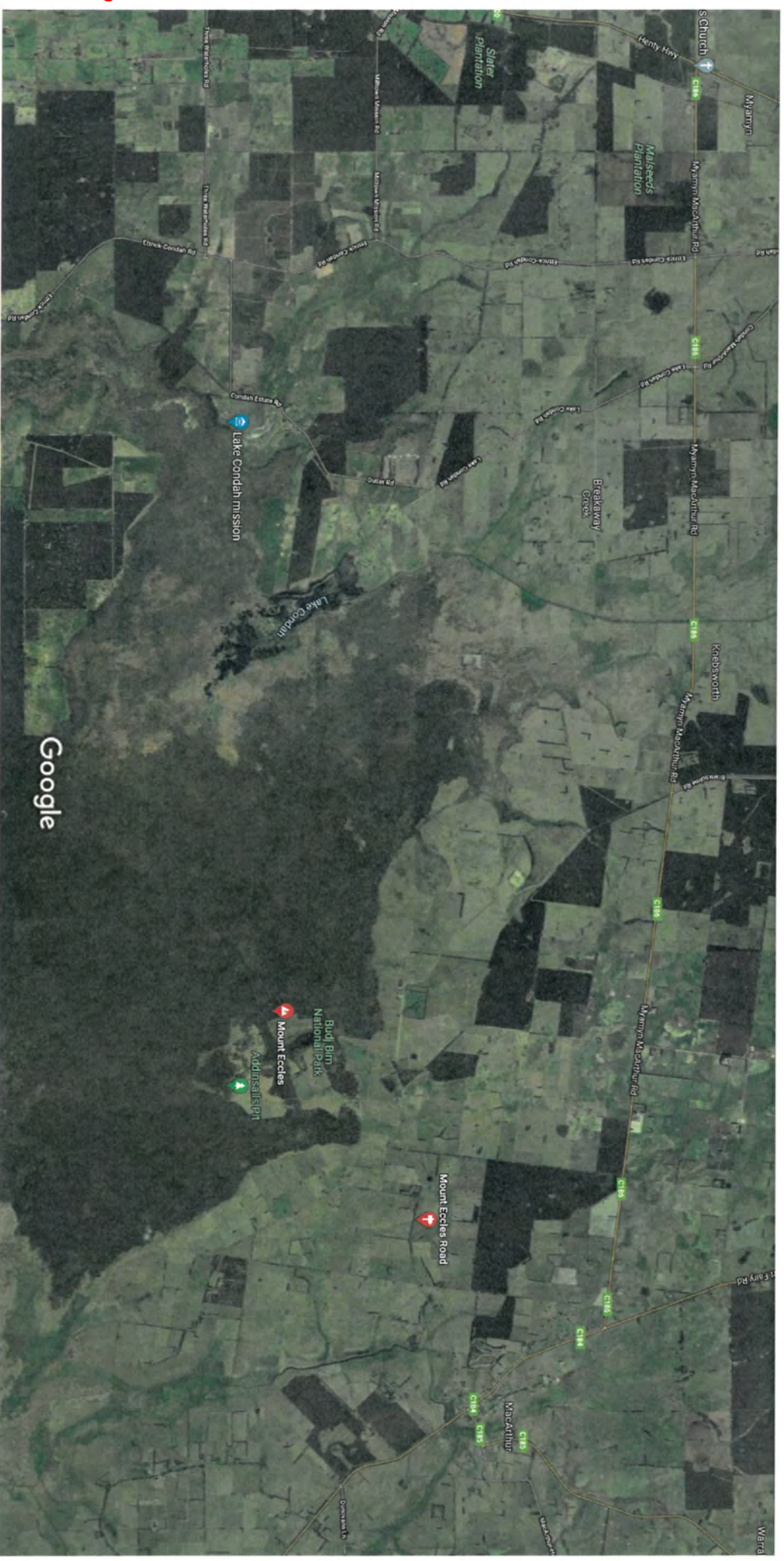
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<sup>4</sup> Capability Project – Page 73.



WARNING: No warranty is given as to the accuracy or completeness of this map. Dimensions are approximate. For property dimensions, undertake a Title search.





[REDACTED]

[REDACTED]

[REDACTED]

## **OBJECTION TO PLANNING AMENDMENT**

### **C70 MOYNE SHIRE**

I wish to object to the Planning amendment permit C70 Moyne Shire it is at odds with the planning scheme and does not support the purposes of retaining productive agricultural land, protecting the long-term viability of large-scale agriculture into the future and has the potential to create conflicting land uses that adversely impact on farming practices. This planning amendment could see a dramatic increase in the creation of smaller allotments with dwellings for non -agricultural purposes adjacent to sites such as working dairies and the multitude of dairy farms in the area on large acreage potentially having a highly negative impact on the operations of Agricultural farms and therefore also on the employment and business viability of these operations. As seen in other areas the establishment of residences adjacent to dairy farms has resulted in farmers having their residential neighbours attempting to not allow basic farming activities resulting in court challenges up to the Supreme Court level.

The area of land within this proposal should remain Farming Zone to give farmers confidence and assurance that their ability to farm in the area without conflicts of land use is maintained and that it will preserve some of Victoria's best high quality agricultural land which is highly productive and sought after. Refusing this amendment would protect farming and food production from subdivision into smaller lots with residential dwellings and non-farming practices creating insecurity for farmers, potential for stress and loss of time and therefore income responding to numerous potential conflicts and planning permit applications for smaller subdivisions.

I am the owner operator of a family third generation Australian owned 400acre dairy farm. The [REDACTED] boundary of my fence line is [REDACTED] of this proposal's Southern boundary. I have a working dairy milking in the early morning and night 100 meters from that boundary (refer to map). The area of land adjacent to my [REDACTED] boundary is not suitable to be included in this amendment as it is next to my dairy with effluent ponds that are regularly pumped out, milk tankers coming in the middle of the night, 24/7 machinery operation, spraying of fields and the noise and smell from the dairy should not be adjacent to any residential area.

Furthermore, I wish to draw to your attention that the conflicts with the areas adjacent to the numerous working



dairies within in this proposed area for amendment have the same issues and potential for undermining the ability of these dairies to carry out their day-to-day operations which is the primary industry in this area and the backbone of the local economy and should be properly supported by refusing this proposed amendment.

\* Not one farmer wants more money for his land in the current climate changing the schedule to the current farms zone will dramatically increase the price of the land. It will be detrimental to the current way of buying land for expanding farming operations.

Yours Sincerely

A large black rectangular redaction box covering the signature and address of the sender.

08.11.21

Ps

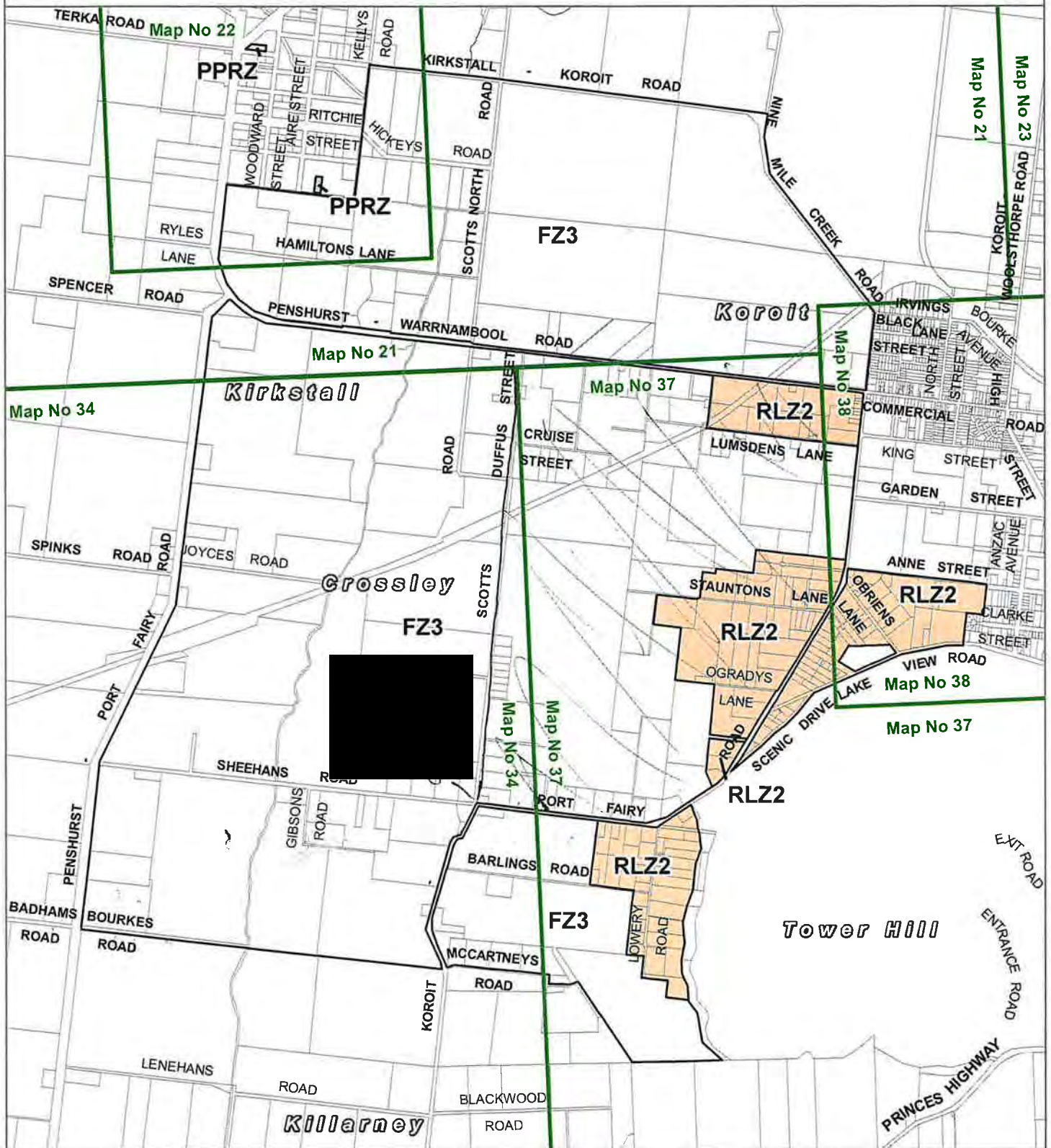
As part of my objection I also offer an alternative site for your planned subdivision.

The area I have chosen will have little to no impact on nearby farmers as the land is not intensively farmed more so large lifestyle non commercial types . This land area will not impact the rest of the land prices in the moyne shire simply because its not highly sought after land and houses are sparsely situated.

The basic location is between the port fairy water tower and goose lagoon on the south side of the highway. This area could be subdivided into 150 25acre blocks some could even have with private beach access . School buses are at the front gate to primary or seconday and even preschool , 25 acre allotments allow for the self employed or all your weekend activities all without disturbing any nearby farmers hence all happily living in our own spaces

Sent from [Mail](#) for Windows





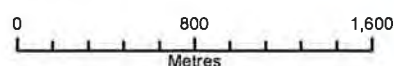
#### LEGEND

- FZ - Farming Zone
- PPRZ - Public Park and Recreation Zone
- RLZ - Rural Living Zone
- Local Government Area

Part of Planning Scheme Maps 21, 22, 34, 37 & 38

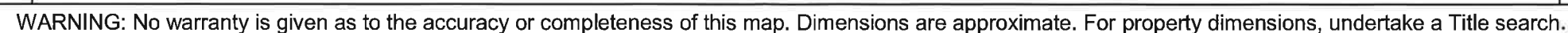
**Disclaimer**  
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

Planning Group  
Print Date: 30/05/2021  
Amendment Version: 4



Environment,  
Land, Water  
and Planning









1<sup>ST</sup> November 2021

Moyne Shire  
Strategic Planning Unit  
PO Box 51  
Port Fairy  
VIC 3284

Subject: Amendment C70 Submission

We wish to submit 2 responses to the above mentioned amendment.

**Submission 1:**

**We wish to submit our support of applying a minimum lot size of 2 hectares – Southern Cross.**

We feel that the minimum lot size of 2 hectares is appropriate for Southern Cross as most residences have generous amounts of land between neighbours. Living on spacious allotments in Southern Cross is a lifestyle choice for the residents.

Minimum lot sizes of 2 hectares allow residents to enjoy rural living with the options of keeping pets and small hobby farms i.e. horses, sheep without encroaching on adjoining properties/residents.

The Victorian State Government is supportive of minimum lot sizes of 2 hectares as covered under PPN42.

The following statement about the application of Rural Zones is taken from the PPN42 on the [www.planning.vic.gov.au](http://www.planning.vic.gov.au) website.

**PPN42: Applying the Rural Zones**

**Rural Living Zone:**

**“This zone provides for residential use in a rural environment. It is designed to cater for lots in a rural setting that are large enough to accommodate a dwelling and a farming use.”**

Council should be aware of the need to retain rich farm and agricultural land which is being irrevocably lost every day to housing developments.



The impacts of the loss of farm and agricultural land can be far-reaching, including but not limited to loss of food production, loss of soil fertility and destruction of species habitat.

Moyne Shire has made mention in the Rural Housing and Settlement Strategy Addendum Report that **“due to the proximity of Koroit and Mailors Flat there is no intention to provide the Southern Cross area with any community or recreational facilities and to only provide limited infrastructure akin to rural residential areas on the edge of settlements”** therefore we feel that a minimum lot size of less than 2 hectares would be adverse to the area.

**The Municipal Strategic Statement as per Ordinary Council Meeting – 15 December 2015 identified:**

- ***Agriculture as the most significant land use within the Shire.***
- ***Agriculture is also the most important sector of the local or regional economy, in terms of its contribution to gross product, value-adding, employment and trade. The economic well-being of towns, as well as the Shire generally, is directly related to the incomes of primary producers.***
- ***The MSS seeks to avoid residential and rural residential development on small rural lots or re-subdivision of existing lots that may form isolated developments that are unrelated to existing townships and impact on farming activities and sensitive environments.***
- ***The MSS specifically seeks to maintain the status of agriculture as a key element of the economy and encourage innovative farming practices to expand the agriculture sector’s role.***

**Submission 2:**

**We wish to submit our opposition to any change in which existing landowners will be denied the opportunity to be notified by Moyne Shire of planning permit applications.**

We feel that it is not unreasonable for any future planning permit applications to be examined by existing residents/landowners for design and siting issues to minimise any adverse impacts listed below and to allow for best outcomes for all parties.

**We encourage the Moyne Shire to enforce:**

- **New builds should not negatively impact existing residents views or land values**
- **Setbacks**
- **Height restrictions encompassing dwellings/outbuildings/vegetation/landscaping**

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Monday, 8 November 2021 3:02 PM  
**To:** Moyne  
**Subject:** Amendment C 70 Submission  
**Attachments:** 004.jpg; 005.jpg

AMENDMENT C70 SUBMISSION

I am the owner of 71 acres which consists of 10 titles at [REDACTED] that i am keen to develop into a Rural Living Zone.

I have looked at the proposed amendments for the Koroit and Kirkstall areas. I think the amendments are based on ten year old out dated information and they do not reflect the current demand or provide enough Rural Living Zoned land that would actually be available for sale. There is no near enough Rural Living Zoned land.

I with my planner [REDACTED] would be keen to work with council and the state planning panel to do a reconfiguration of my current titles to something like i have provided (see attachment 2).

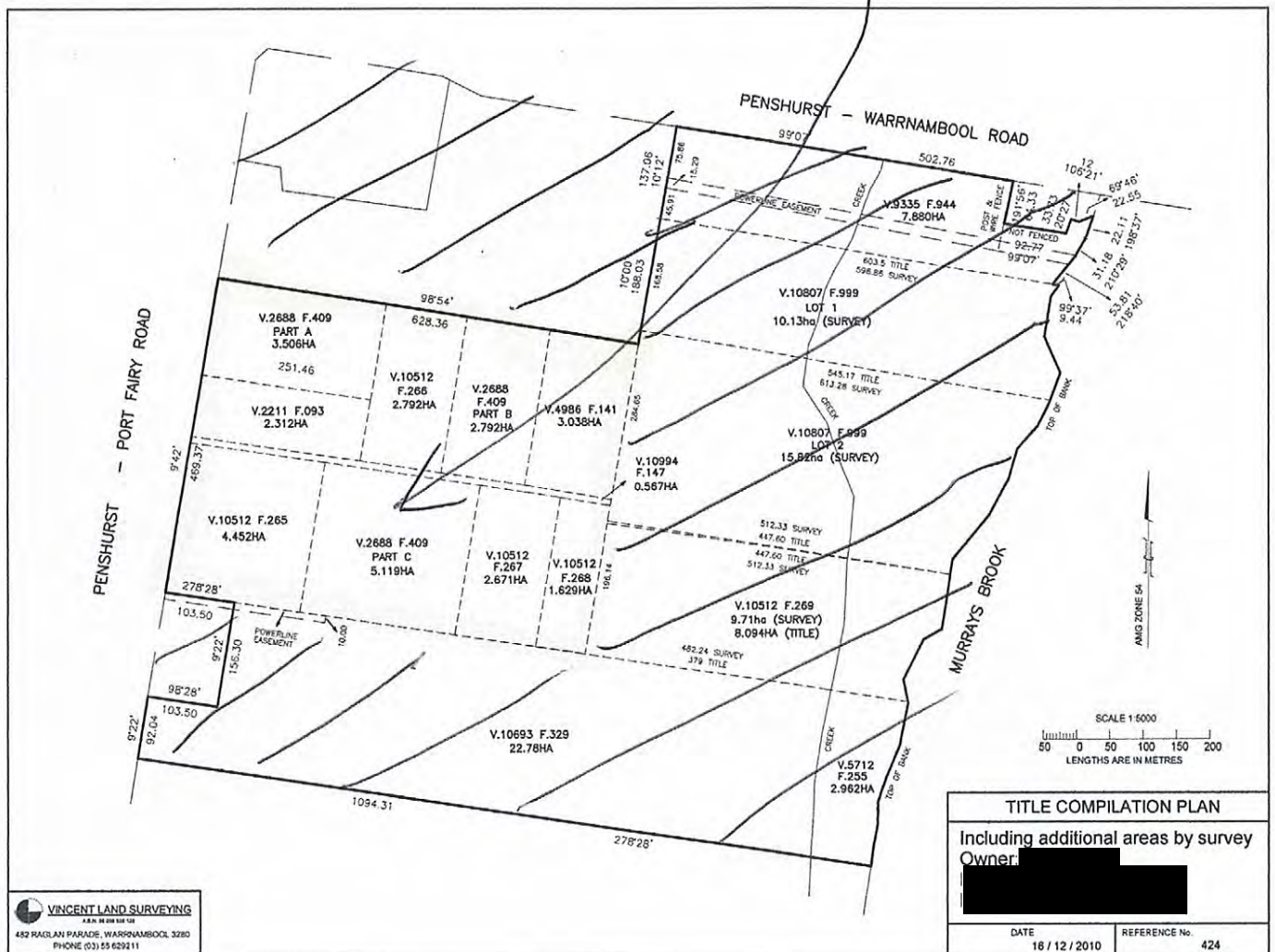
If my titles were reconfigured and rezoned to Rural Living Zone i would have 10 – 7 acre lots available for sale next year.

Please contact me by email – [REDACTED] or mobile – [REDACTED] to discuss further.

Regards,

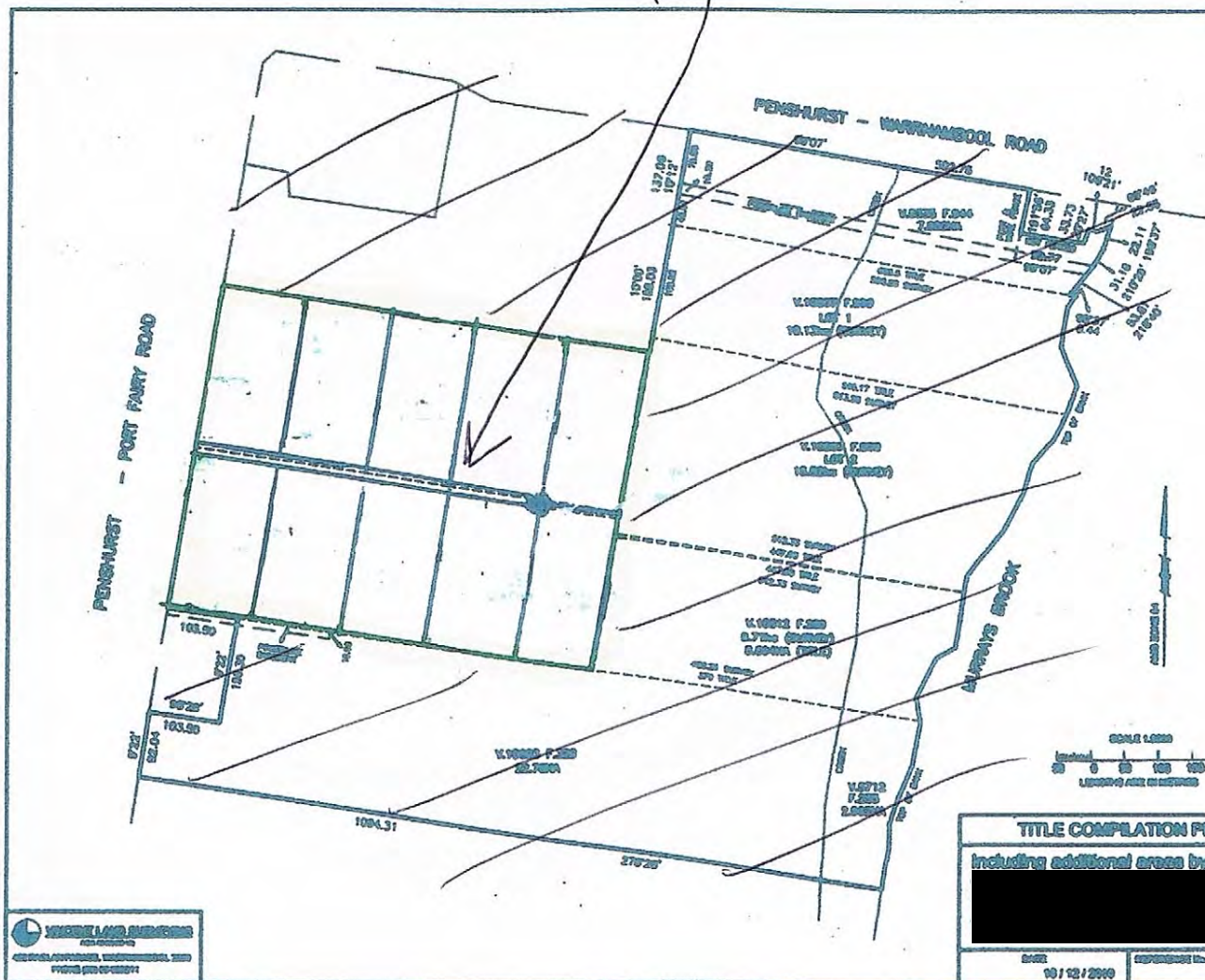
[REDACTED]

Attachment 1





Attachment 27



To Moyne Shire

Re: C70moyn – Rural Housing and Settlement Strategy

Moyne Shire is an area that is rich in agricultural history. A proud history of making a living on the land. We are against the proposed changes to the zoning area and allotment sizes in the C70 moyn proposal will have a negative impact for the following reasons:

#### Loss of agricultural land

Currently we have the 40-hectare rule in place which is a safeguard to make sure the farmland is productively used and for farming purposes. It stops rural lifestyle blocks being developed in prime agricultural land. It is common knowledge that over the last couple of decades, the amount of farmland that we have for food production has significantly decreased and add on top of the foreign ownership has increased, we really need to preserve the farmland we have and look at better ways of dealing with population overspill from places like Warrnambool.

You state that changing the size from 40 hectare to 10 hectares is designed for small scale farm/agriculture enterprises, yet you haven't provided any criteria around this, which leads me to believe that this could be manipulated for other use as there are not controls in place. Preserving agricultural land should be a priority.

Currently we are seeing the results of poor planning from Moyne Shire who are approving small subdivisions of land on prime farmland. Examples of these are along the Warrnambool Penshurst Rd Koroit where there are four recently built homes on approx. 3-hectare blocks with another in the process of being built. This is a classic example of the loss of prime agricultural land that is not being used for agricultural purposes anymore.

Small communities need to preserve our farmland, maintain our own locally grown/produced food source. We should be supporting our farmer so they can provide us with an affordable food source that is locally grown. We don't want to become a country that relies on other counties for food. We produce great quality food, we need to protect this now, we need to protect our farmland for our future. We need to stop subdividing the land for other purposes.

Perhaps instead of promoting small scale farming/agriculture, incentives could be given to help existing farmers diversify their existing operations which would lead to more employment opportunities in Moyne Shire.

#### Affordable housing

I understand that our population is growing, and this places pressure on councils to come up with options to provide for this. Affordable housing needs to be looked at. Currently we are in unprecedented times. The surprise thing that has come out of the Covid-19 pandemic is the increase in the prices of houses and rental properties. As you can see by the table below housing prices have gone up be 27% regionally. Using Koroit as an example, currently advertised for sale on Domain, there is not one house priced under \$500K. This leaves purchasing a home out of reach for a lot of families and pushing them into an overpriced rental market.

## Index results as at August 31, 2021

	Change in dwelling values				
	Month	Quarter	Annual	Total return	Median value
Sydney	1.8%	6.4%	20.9%	23.8%	\$1,039,514
Melbourne	1.2%	4.0%	13.1%	16.0%	\$769,968
Brisbane	2.0%	6.1%	18.3%	23.1%	\$612,377
Adelaide	1.9%	5.3%	17.9%	22.7%	\$522,180
Hobart	2.3%	7.2%	24.5%	30.2%	\$639,219
Darwin	-0.1%	2.4%	22.0%	29.0%	\$486,248
Canberra	2.2%	7.3%	22.5%	26.8%	\$816,644
Combined capitals	1.5%	5.2%	17.5%	20.9%	\$751,014
Combined regional	1.6%	5.4%	21.6%	27.1%	\$493,925
National	1.5%	5.2%	18.4%	22.1%	\$666,514

*Note hedonic indices for Perth and WA have been temporarily withdrawn while we investigate a divergence from other housing market measurements. Aggregate indices (combined capitals, combined regional and national) include a relatively small weighting from WA, therefore please make some allowance for this information in your interpretation until the issue is resolved.*

Rezoning land to make way for smaller 10-hectare allotments will also promote an increase in land values, making it harder for everyday mums and dads to purchase property. It will create an environment for only the wealthy to be able to afford such properties, making more of a divide between the classes in our society.

As there is this overspill from places like Warrnambool wouldn't it make more sense to look at options for smaller blocks attached to townships. Where the prices will hopefully be cheaper, and the urban sprawl can be contained. Currently there seems to be no structure to the urban sprawl across Moyne shire which is contributing to the loss of valuable agricultural land.

#### Other Effects

There are two things that I think will happen with the changes to zonings and reducing the minimum lot size. Property prices will go up, and rates will go up. It has not been stated anywhere what the impact of rezoning will have on the calculations used to calculate rates, which leads me to presume that this will go up. Another for of revenue raising.

What about our roads. They are already crumbling around us. They have been getting progressively worse over the years. There doesn't seem to be a clear plan to fix them. With the changes to zonings and minimum lot sizes it would create more traffic on our roads, more use means more potholes.

What plans in place to fix and maintain our roads?

As there are low lying area around particularly between Koroit and Kirkstall, I have concerns about the affects that flood water will have on these small allotments. Any new property built will have to



have septic tanks. What happens when flood waters go over these septic tanks? Raw waste will seep out. This will create a health issue. Once the flood waters finally recede, you will be left with remnants of waste on the ground.

I also have a concern about noise pollution. Currently these farming areas are lovely peaceful areas. Not just because they are beautiful areas to live in, but because they are quiet. This peace and quiet is very important to our mental health, also working from home has created a great work life balance. These proposed changes will create more noise pollution due to increased traffic and also as we don't know what these small farm/agriculture businesses' will be and there are no controls in place as to how they will operate. I could end up with a neighbour who operate at all hours of the day and night, making lots of noise resulting in poor mental health and lifestyle.

Kind Regards

[REDACTED]  
[REDACTED]  
[REDACTED]

Moyne Shire AMENDMENT C70 SUBMISSION

Submitter:

[REDACTED]

Phone:

Email:

[REDACTED]

**Submission regarding the proposed Illowa/Tower Hill RLZ2 area in Amendment C70**

I support the rezoning of the Illowa/Tower Hill area to a Rural Living Zone, however I would like to request to change the minimum lot size specified in the Schedule to one hectare. The following points explain my reasoning for this request:

- This request is in keeping with the existing block sizing in the area. This is clearly demonstrated on the zoning map below which shows the majority of the blocks in the Illowa/Tower Hill RLZ2 area are already under two hectares with some being significantly smaller, including several blocks which are less than one hectare.
- Any concerns that further development in this area would impact the current operations of the quarry can be alleviated by the creation of a caveat. A caveat stating that no objections can be made to the quarry's operations under its current approval status would address these concerns.
- Under the current planning scheme for this area, I can build bed and breakfast accommodation or have tourism accommodation cottages however, I am not able to subdivide to build one additional residential dwelling. In terms of the impact to the area, if the intent of the two hectare minimum block size is to maintain lower density, then this does not seem to be logical as to be economically viable, any tourist accommodation/lodgings would need be substantially larger than a single residential dwelling.

On a more personal level, I would like to outline some additional reasons underlying my submission:

- Currently the property is split into a single paddock (approximately one hectare) alongside [REDACTED] Rd and my home to the west (also approximately one hectare). The land has been configured this way with a single, fenced off paddock for over 20 years and so what I am requesting would merely make this division of the land official.
- Regarding concerns of Parks Victoria, the land has been grazed extensively in the past and therefore would have little impact on crater vegetation. Unlike the current development on the northern side of [REDACTED], any dwelling on the land adjacent to my house would not break the skyline as the land is a lot lower than where my current dwelling is. Therefore, it would not impact on the aesthetics of the [REDACTED].
- My elderly parents reside in my home and are currently unable to maintain this sized property. They do not want to relocate as they love the area. The land is too small to farm and too big for them to maintain. I usually work in Europe for at least nine months of the year and so am not able to assist them with maintaining the property.
- The sale of this block would not go to market as I have family friends that will purchase this block to build their dream family home for them and their three children. They would become valuable members of this small community, whilst also providing support and

assistance for my parents when I am overseas, which will enable them to remain living in my home for as long as possible.

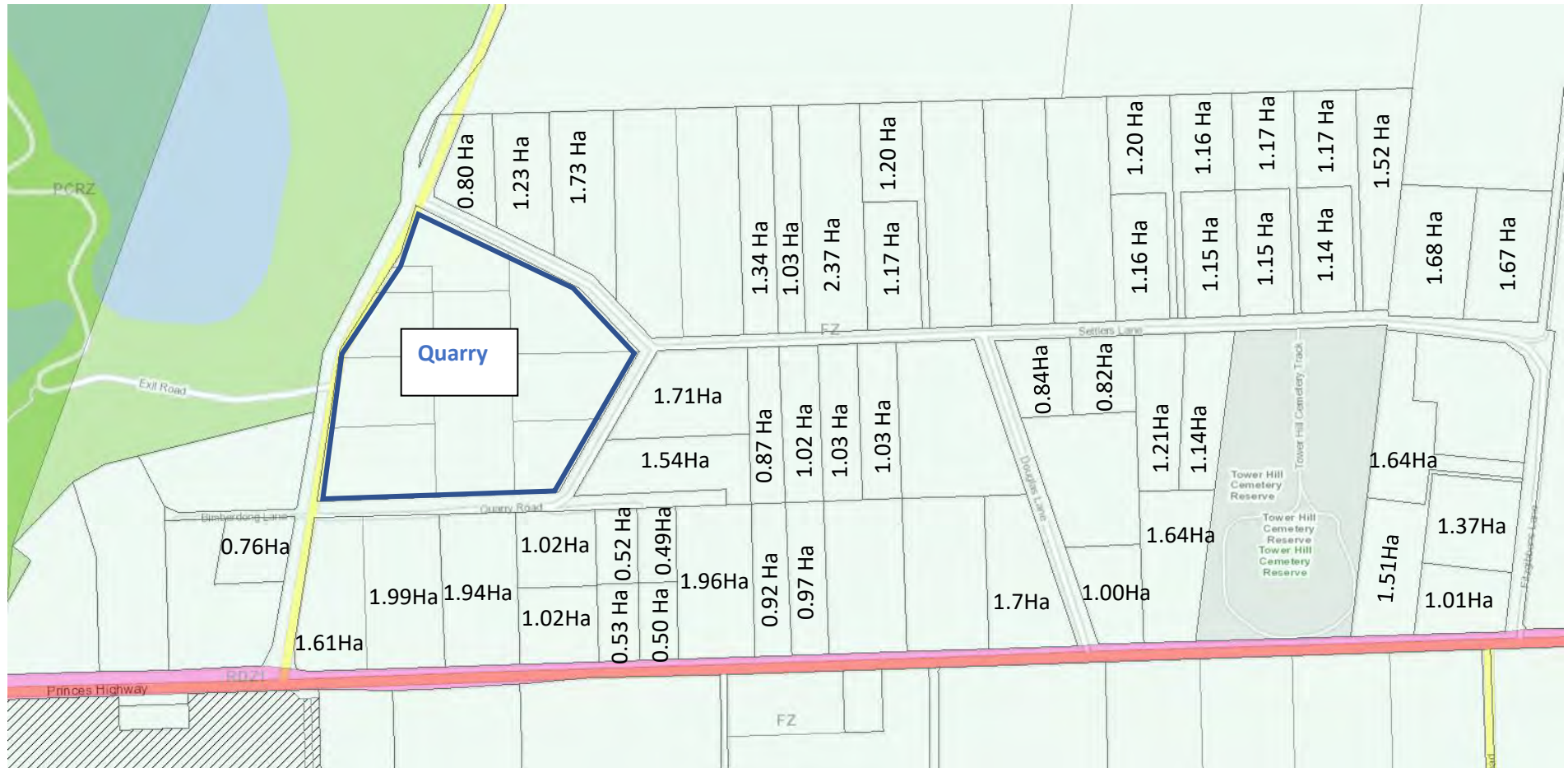
No one could have foreseen the impact that Covid 19 and the ensuing lockdowns would have on regional growth in Victoria and I commend the Moyne Shire for their proactive approach towards the anticipated role and growth expectations for the Shire's smaller settlements.

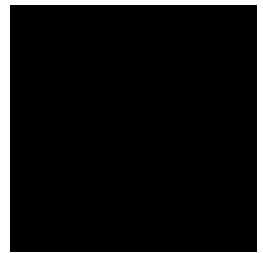
For the reasons outline above, whilst I support the rezoning of the Illowa/Tower Hill area to a Rural Living Zone, I would like to submit that the minimum lot size specified in the Schedule for this zone be changed to one hectare (RLZ1).

Yours sincerely

A black rectangular redaction box covering the signature area.







5 November 2021

[REDACTED]  
Strategic Planner  
Moyne Shire Council  
PO Box 51  
MOYNE VIC 3284

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

Dear [REDACTED],

**SUBMISSION TO PLANNING SCHEME AMENDMENT C70  
MOYNE PLANNING SCHEME**

We act on behalf of [REDACTED] regarding the above matter.

Our clients own approximately 13 hectares of land at [REDACTED]  
[REDACTED]

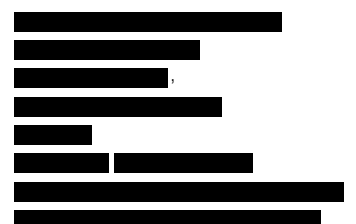
The Moyne Warrnambool Rural Housing and Settlement Strategy 2010 (herein referred to as 'the 'Strategy') recommends land in Southern Cross is suitable for rezoning to the Rural Living Zone, with 2 hectares specified for:

- minimum subdivision area; and
- minimum area which no permit is required for a dwelling.

The Rural Housing and Settlement Strategy – Addendum Report 2015 (herein referred to as 'the Addendum Report') updates the findings of the Strategy for Southern Cross locality (among others). The Addendum recommends a decrease to the minimum subdivision area and minimum area for which no permit is required for a dwelling to 1 hectare.

The Addendum Report identifies a 1 hectare minimum area for subdivision and for which no permit is required for a dwelling would provide further growth that is characteristic of the Southern Cross settlement with little need for additional physical or community infrastructure.

Amendment C70moyn seeks to change the minimum subdivision area and minimum area for which no permit is required for a dwellings to 2 hectares, rather than 1 hectare as recommended by the Addendum Report.



A comparative analysis of land supply figures from the Strategy and the Addendum Report are outlined in the table, below.

Southern Cross - Land Supply Analysis			
Zone	Additional Lot Yield	Dwelling Approvals p/year*	Total Land Supply
RLZ 1ha minimum lot size**	27	2	20 years
RLZ 2ha minimum lot size***	9	2	~4.5 years

\*dwelling approval rates derived from Rural Housing and Settlement Strategy – Addendum Report 2015

\*\*Rural Housing and Settlement Strategy – Addendum Report 2015

\*\*\*Amendment C70moyn (exhibited) and Moyne Rural Housing and Settlement Strategy 2010

As demonstrated above, reverting the minimum area for subdivision and for which no permit is required for a dwelling to 2 hectares will result in a significant undersupply of Rural Living Zoned land within Southern Cross (around 4.5 years supply).

The Land Supply Analysis (above) also shows the 2 hectare lot size is not consistent with the strategies identified in **Clause 11.02-1S** Supply of Urban Land of the Moyne Planning Scheme, including the strategy:

- Plan to accommodate projected population growth over at least a 15 year period (author underline) and provide direction on locations where growth should occur.

It is unclear why the original recommendation of the Addendum Report has been abandoned, in relation to the 1 hectare minimum area for subdivision and 1 hectare minimum area for which no permit is required for a dwelling.

On this basis, [REDACTED] support the recommendation to rezone land at Southern Cross from the Farming Zone to the Rural Living Zone and request the following changes:

- Amend the Southern Cross Framework Plan within proposed **Clause 21.09-22** Southern Cross to remove reference to the '2 hectare minimum lot size' and replace with a reference to a '1 hectare minimum lot size';
- Amend Planning Scheme Map 37 to re-zone land at Southern Cross as shown on the map from Farming Zone (FZ) to Rural Living Zone Schedule 1 (RLZ1).

In addition to the above, proposed **Clause 21.09-22** Southern Cross identifies the following 'Vision' (overleaf):



*No further intensification of lot densities shall be supported.*

Given lot size, and therefore density, is managed through the Rural Living Zone, the intention in relation to lot density in Proposed **Clause 21.09-22** is unclear.

I welcome the opportunity to meet with you to discuss further and look forward to working with Council during the preparation of the final amendment.

Should you have any queries please contact our office on [REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Our Ref: 20961-03  
Contact: [REDACTED]  
8 November 2021

Strategic Planning Department  
Moyne Shire Council  
E-mail: moyne@moyne.vic.gov.au

Dear Sir/Madam,

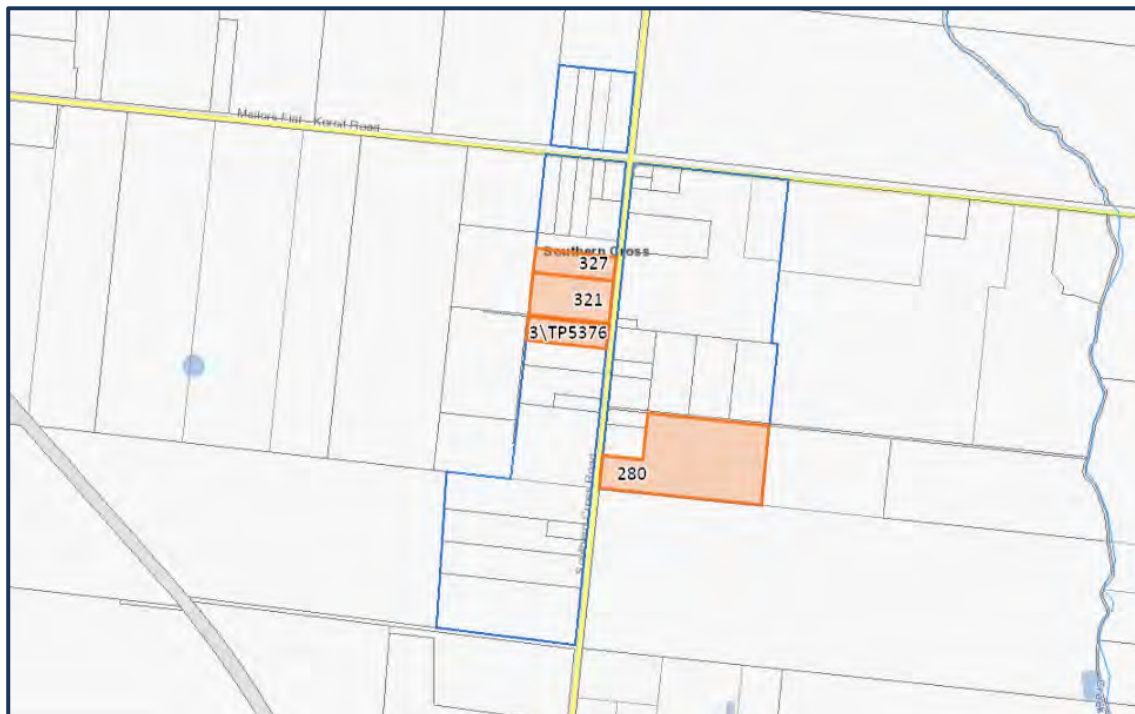
## Amendment C70moyn Submission Proposed Rural Living Zone land at Southern Cross

Phone [REDACTED]  
[REDACTED]

We represent [REDACTED] who are the landowners of the following parcels of land in Southern Cross:

- > [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

All of this land is within the area of Southern Cross which is proposed to be rezoned from Farming Zone to Rural Living Zone via Planning Scheme Amendment C70moyn as exhibited – refer to the map below.



Whilst these landowners generally support the proposed rezoning of the land identified in C70moyn from the Farming Zone to the Rural Living Zone, we write to you **seeking minor changes** to the exhibited documents.



The landowners were surprised to learn that the minimum subdivision area for this land proposed in C70moyn had increased from 1 hectare, as recommended in the Council adopted Rural Housing and Settlement Strategy, to 2 hectares.

We believe that the proposed 2 hectare minimum subdivision area in the Schedule to the Rural Living Zone, as exhibited for Southern Cross, would represent an inefficient use of the land by providing for lots which make no contribution to agriculture but also fail to address rural residential housing demand in Moyne Shire.

We therefore request that Moyne Shire Council revise the Schedule to the Rural Living Zone for Southern Cross so that it allows for a minimum subdivision area of 1 hectare. This would represent a better strategic planning outcome for the land for the following main reasons:

### **Demand**

There are 31 existing dwellings within the area of Southern Cross identified as proposed Rural Living Zone. There are only 8 vacant lots within this area. The fact that 80% of the lots are residential, in spite of the existing Farming Zone discouraging residential development, is evidence that demand is very high to live in Southern Cross. This is a more reliable indicator of demand than any other.

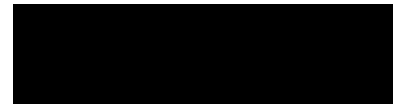
In its exhibited form, the amendment only allows for the subdivision of three existing lots as identified in the map below. This may provide for an additional 7 dwellings which, when added to the potential of vacant lots, brings the total potential housing yield for Southern Cross to just 15 dwellings.



It is our submission that 15 additional dwellings is simply not enough and would be exhausted in 5 years at a rate of 3 new dwellings per year.

A 1 hectare lot minimum in the Schedule to the Rural Living Zone would allow the majority of lots within the amendment area to subdivide, if they so wished. This would at least provide a supply which could be realised through subdivisions, as determined by the market and the appetite of each individual lot owner/occupier.





An undersupply of rural residential land would lead to more pressure for dwellings on small and larger lots in the Farming Zone around Southern Cross and Koroit. The proposed amendment misses the opportunity to manage residential development in Southern Cross appropriately to preserve productive farmland in the area in accordance with Clause 14.01-1 Protection of agricultural land

### **Connectivity**

Southern Cross has great connections to Warrnambool, Port Fairy and Koroit in terms of their proximity and the quality of the road network. Both Southern Cross Road and Mailors Flat-Koroit Road are straight roads which are within Road Zone – Category 1. The area represents an opportunity to live in a rural environment within short driving time of important services. This appeals mainly to an older demographic who do not want 2 hectares of land to maintain.

### **Environmental**

There are no watercourses within the land proposed to be rezoned via C70moyn.

The land has good soils for wastewater disposal.

There is no significant native vegetation in the area.

The land has a low risk of bushfire.

Given the area has minimal environmental constraints, the proposed amendment could make more efficient use of land intended for rural living purposes by providing for a 1 hectare lot minimum.

In summary, the landowners we represent generally support the proposed rezoning of land identified in C70moyn in Southern Cross to the Rural Living Zone **with a variation to the proposed Schedule to provide for a minimum lot size of 1 hectare.**

Please contact me if you have any queries.

Your Sincerely

[Redacted signature block containing four lines of blacked-out text]

Our Ref: [REDACTED]  
Contact: [REDACTED]  
26 October 2021

Strategic Planning Department  
Moyne Shire Council  
E-mail: moyne@moyne.vic.gov.au

Dear Sir/Madam,

### **Amendment C70 Submission Rural Living Zone land at Southern Cross**

We represent [REDACTED] and neighbouring landowners in Southern Cross generally support the proposed rezoning of the land from the Farming Zone to the Rural Living Zone through Planning Scheme Amendment C70moyn.

However the consensus of landowners within the area of land proposed to be rezoned to Rural Living is that a minimum subdivision area of 1 hectare, specified in the schedule to the zone, would represent a much more appropriate outcome for the future planning of their hamlet. These landowners were surprised to learn that the minimum subdivision area for this land proposed in C70moyn had increased from 1 hectare, as recommended in the Council adopted Rural Housing and Settlement Strategy, to 2 hectares.

The landowners feel that a 2 hectare minimum subdivision area would represent an inefficient use of the land by providing for lots which make no contribution to agriculture but also fail to address rural residential housing demand.

Southern Cross has great connections to Warrnambool, Port Fairy and Koroit in terms of their proximity and the quality of the road network. From a residential land perspective, it represents an opportunity for a rural environment within short driving time of important services. This appeals to an older demographic who do not want 2 hectares of land to maintain.

[REDACTED] neighbouring landowners have signed a petition (at Appendix 1) to show their support for the proposed rezoning of land identified in C70moyn in Southern Cross to the Rural Living Zone **with a variation to provide for a minimum lot size of 1 hectare.**

Please contact me if you have any queries.

Your Sincerely

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Appendix 1 – Landowners Petition

Petition supporting a 1ha lot size minimum for Rural Living Zone land in Southern Cross

26 October 2021





## Department of Environment, Land, Water & Planning

Our ref: SP477810

Your ref: C70moyn

8 November 2021

State Government Offices

[Redacted]  
[Redacted]  
[Redacted]  
Tel: [Redacted]  
[Redacted]

[Redacted]  
Strategic Planner  
Moyn Shire Council

Dear [Redacted]

**PLANNING SCHEME AMENDMENT:** C70moyn  
**PROPOSAL:** Rural Housing and Settlement Strategy  
**ADDRESS:** Moyn Shire Council (rural land and small settlements)

I refer to your letter of Notice to Lily D'Ambrosio, Minister for Energy, Environment and Climate Change dated 7 September 2021, in respect of the above-described Planning Scheme Amendment.

The Department of Environment, Land, Water and Planning (DELWP) has considered the amendment and has identified the following interests:

- Implications for native vegetation and other biodiversity values
- Crown land interface and implications

The proposed amendment includes implications for Parks Victoria managed Crown land. DELWP has engaged with Parks Victoria regarding the amendment, and anticipates forwarding any additional detailed comment in this regard shortly.

DELWP supports the intent of the proposed amendment. The following comments and feedback are provided to assist Council.

### Application of Rural Conservation Zone

DELWP supports the recognition of environmental values through application of the Rural Conservation Zone.

### Rezoning of Public land

A significant component of the amendment comprises rezoning of public land within the Shire to either Public Use Zone (PUZ), Public Conservation and Resource Zone (PCRZ) or Public Park and Recreation Zone (PPRZ) to reflect its status as public land. DELWP is in the process of preparing a detailed review and response to site specific proposals affecting Crown land, and anticipates forwarding this in coming days.

One of the early matters DELWP has noted during its review is that there are a number of Crown parcels that appear to be logical inclusions but which have not been captured. DELWP recommends amending the zoning for additional parcels through a subsequent corrections amendment to ensure consistency

#### 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 the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



and comprehensiveness. DELWP will provide more information as part of its detailed review and response.

### **Crown land interface**

One of the considerations for both DELWP and Parks Victoria as Crown land administrators or managers is the potential for the public – private interface to create conflict between land use and management expectations. Such conflicts have the potential to be exacerbated by zoning changes. As indicated above, DELWP is currently undertaking a detailed review which includes these matters, and will provide further commentary shortly should there be more to say regarding interface matters.

### **Additional commentary regarding environmental matters**

DELWP has reviewed the proposed changes to clauses in the Local Planning Policy Framework. DELWP has identified opportunities for additional information to be included which may strengthen the strategic framework and planning controls, and better guide the use and development of agricultural land, rural living development, and the growth and development of the Shire's smaller settlements.

#### **21.07 Economic Development**

- DELWP acknowledges that “the economy of the (Moyne) Shire has traditionally been based on agriculture and to a lesser extent manufacturing, tourism and commerce”. However, there is little to no acknowledgement of the intrinsic value of the natural environment, nor of the economic benefits provided by the natural environment in this provision.
- Page 2 of the provision states “remnant native vegetation of significant ecological value exists on private agricultural land”. DELWP supports the statement that “impacts on their viability from agriculture should be avoided or minimised through encouraging measures that protect and enhance their quality”.
- DELWP disagrees with the statement that “these (native vegetation) remnants are ecological resources *for the future*” (emphasis added). Native vegetation has intrinsic ecological and economic value **right now** and has been shown to provide significant benefits to the agriculture industry. DELWP also recommends further clarification on the intention and meaning of ‘ecological resources’ is provided within this paragraph.
- DELWP acknowledges the statement on Page 2 that the protection of the native environment “is often needed in balance with continuing agricultural use of the land, mainly grazing”. However, there are no objectives in this provision to protect native vegetation and significant ecological values, whilst supporting and working with the agricultural industry that is intrinsic to the Shire.
  - DELWP suggests an Objective is added to Page 6 of this provision, that emphasises the biodiversity, ecological and economic value of native vegetation and areas of significant environmental value, and the importance of protecting these landscapes within the Shire, in conjunction with protecting agricultural land.

#### **21.09 Local Areas**

- DELWP encourages Moyne Shire to include the protection of adjacent wetlands, waterways, and areas of significant environmental value in the Vision for each of the Townships listed under this provision.
- Information is provided below for each town.

#### **Caramut**

- DELWP notes that surrounding the township of Caramut are areas of Ecological Vegetation Class (EVC) 132 – Plains Grassland vegetation, and EVC 55 – Plains Grassy Woodland (both endangered vegetation types).
- There are also Victorian Biodiversity Atlas (VBA) records of Brolga and Tussock Skink (listed as endangered under the *Flora and Fauna Guarantee (FFG) Act 1988* ), and the critically endangered flora species Clumping Golden Moths and Cut-leaf Burr-daisy within 2km of the township zone.
- DELWP recommends further consideration be given to how to avoid and minimise the development of areas that will impact native vegetation and how development is going to prevent direct and indirect impacts on areas of significant environmental value.
- DELWP supports the statement that “development should respect, protect and enhance the environs of Muston Creek”.

#### **Cudgee**

- Aerial imagery indicates that the land currently zoned LDRZ is largely undeveloped, with few existing houses, and appears to be highly modified, likely used for agriculture. As such if future development were to occur, significant impacts to native flora and fauna are unlikely.
- DELWP recommends the following statement be included under the Vision for Cudgee: “development should respect, protect and enhance the environs of Brucknell Creek”. The wording of this statement is taken from the Vision for Caramut.

#### **Ellerslie**

- DELWP notes that the Township Zone of Ellerslie is adjacent to the Hopkins River. The native vegetation following the river is mapped as EVC 641 – Riparian Woodland (an endangered vegetation community).
- Any further development within Ellerslie needs to consider the environmental values present along the Hopkins River, and ensure development does not cause any direct or indirect impacts to the adjacent waterway.

#### **Framlingham**

- Any further development within Framlingham must consider wastewater disposal constraints and must not adversely impact the environmental value of the adjacent Hopkins River.
- Aerial imagery indicates that remnant native vegetation connects the township of Framlingham along the Hopkins River to Framlingham Forest, approximately 3km south of the township. All future development should emphasise the retention of this native vegetation as a potential wildlife corridor and valuable habitat.

#### **Garvoc**

- Any future development within the township must consider wastewater disposal constraints and must not negatively impact the adjacent Yaloak Creek or nearby Mount Emu Creek.

#### **Grassmere**

- There are VBA records of Southern Bent-winged Bat approximately 1km east of the Township. As a Threatened Sensitive fauna species, the exact location of these records is protected, however any future development in or surrounding Grassmere must consider potential impacts on this critically endangered species and its habitat.



### **Hawkesdale**

- DELWP notes that aerial imagery and NatureKit mapping indicate intact native vegetation surrounding the Township comprising EVC 642 – Basalt Shrubby Woodland and EVC 53 – Swamp Scrub (both with a bioregional conservation status of endangered). Future development must address the statewide native vegetation policy and seek to avoid and minimise the removal of this native vegetation.
- DELWP also notes that the Victorian Volcanic Plains Linear Reserves Planning Portal (<http://vvplr.cerdi.edu.au/>) indicates that there is high-quality grassland vegetation on the Penshurst-Warrnambool Road to the south of the Hawkesdale, as well as several VBA records of threatened flora with approximately 2km of the Township. The value and importance of these remnant grasslands must be considered during any future development planning and must be protected from any adverse direct or indirect impacts.

### **Hexham**

- DELWP supports the low-growth proposal for Hexham and notes the significant environmental values in the surrounding landscape to be protected, including:
  - The current wetlands west and east of the Township (<https://nvim.delwp.vic.gov.au/>)
  - Threatened fauna including Growling Grass Frog, Southern Bent-winged Bat, Brolga, Tussock Skink and Striped Legless Lizard.
  - Threatened flora including Purple Blown-grass and high-quality remnant grassland vegetation on the Woolsthorpe-Hexham Road and the Hexham-Chatsworth Road.
- The close proximity of the Township to the Hopkins River, and the lack of reticulated sewerage, must be considered in all future development.

### **Illowa West**

- DELWP notes the immediate proximity of the Tower Hill Lake and Wildlife Reserve to the settlement of Illowa West and emphasises the importance of protecting this significant site from any adverse impacts of future development.

### **Kirkstall**

- DELWP notes that the landscape around Kirkstall is highly modified and likely previously utilised for agricultural practices. As such, no significant impacts to native flora or fauna are likely to occur within this landscape.

### **Koroit**

- DELWP notes the immediate proximity of the Tower Hill Lake and Wildlife Reserve to the south of Koroit and emphasises the importance of protecting this significant site from any adverse impacts of future development.
- DELWP supports the statement that “the significant environmental features around Koroit are to be protected and promoted” and “the Tower Hill crater rim should be protected from inappropriate and intrusive development”.
- Comments provided by DELWP and Parks Victoria regarding the Koroit Structure Plan (dated 4 June 2020) may also be of assistance and are enclosed.

**Macarthur**

- DELWP notes the remnant patches of EVC 175 – Grassy Woodland and EVC 68 – Creekline Grassy Woodland (both endangered) surrounding the township. Future development must consider how to avoid and minimise the development of areas that will impact native vegetation and how development is going to prevent direct and indirect impacts on areas of significant environmental value.
- Any further development needs to consider the environmental values present along the Eumeralla River and to ensure development does not cause any direct or indirect impacts to the adjacent waterway.

**Nullawarre**

- Aerial imagery indicates the land proposed to be rezoned Farming Zone is currently utilised for agricultural purposes and is highly modified. As such, no significant impacts to native flora or fauna are likely to occur.

**Orford**

- There are 3 endangered EVCs within the Township of Orford including Swampy Riparian Woodland, Basalt Shrubby Woodland and Damp Sands Herb-rich Woodland Mosaic. Future development must consider how to avoid and minimise the development of areas that will impact native vegetation, and how to protect the environmental values present along the adjacent Shaw River.

**Panmure**

- Any future development within Panmure must consider wastewater disposal constraints and must not negatively impact the adjacent Mount Emu Creek.
- There are several VBA records of Southern Bent-winged Bat on land within 1km north of the Township of Panmure. As a Threatened Sensitive fauna species, the exact location of these records is protected, however any future development in or surrounding Panmure must consider potential impacts on this critically endangered species and its habitat.

**Purnim**

- Drysdale Creek, which abuts the north-western extremity of the proposed settlement boundary, should be referenced as a particular environmental and landscape feature.
- DELWP has no other comment to add.

**Southern Cross**

- DELWP notes the close proximity of the Tower Hill Lake and Wildlife Reserve to the settlement of Southern Cross and emphasises the importance of protecting this significant site from any adverse impacts of future development.
- Aerial imagery indicates the landscape is highly modified and has a long history of agricultural use. Future development in the Rural Living Zone would benefit from revegetation on private land, and the landscaping of public areas using flora species of local provenance.

**Towilla Way**

- DELWP agree that development outside of settlement boundary should be discouraged and notes the significant environmental values in the surrounding landscape to be protected:
  - The group of nationally important Lower Merri River Wetlands.
  - Several VBA records of shorebirds including Hooded Plovers and Australian Gull-billed Terns.

- Some of these values are also recognised by the existing application of Schedule 5 to the Significant Landscape Overlay (SLO5) – Port Fairy to Warrnambool Coast and nearby Schedule 1 to the Environmental Significance Overlay (ESO1) – Coastal Areas and Estuaries.

#### **Winslow**

- DELWP supports the Local Area statement's recognition of Lake Cartcarrong as a significant landscape feature and acknowledgement of constraints relating to wastewater disposal.
- DELWP has no additional information to add.

#### **Woolsthorpe**

- Any further development needs to consider the environmental values present along the Spring Water Creek, and to ensure development does not cause any direct or indirect impacts to the adjacent waterway.

#### **Woorndoo**

- DELWP agrees that development outside of settlement boundary should be discouraged and notes the significant environmental values in the surrounding landscape to be protected:
  - Lake Eyang, north of Woorndoo
  - A significant number of Nationally Important Wetlands to the north west of Woorndoo.
  - Threatened fauna including Growling Grass Frogs and Brolga
  - Threatened flora species including Fragrant Leek-orchid, Basalt Sun-orchid, Pale Swamp Everlasting and the threatened Western (Basalt) Plains Grassland Community, protected under the FFG Act.
- Any further development needs to consider the environmental values present along the Salt Creek, and to ensure development does not cause any direct or indirect impacts to the adjacent waterway.

#### **Yambuk**

- DELWP notes the significant environmental values in the surrounding landscape to be protected against future development:
  - Several Nationally Important Wetlands at Lake Yambuk.
  - VBA records of Hooded Plovers, Australian Painted-snipe, Australasian Bittern and Curlew Sandpiper.
- Some of these values are also recognised in the existing application nearby of ESO1 – Coastal Areas and Estuaries.

If you have any queries regarding this matter, please contact [REDACTED] on telephone [REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]

Planning Approvals Program Officer  
Barwon South West Region

Encl. SP470837\_Koroit Structure Plan Draft\_DELWP comments\_FINAL.pdf





## Department of Environment, Land, Water & Planning

Our ref: SP470837

Your ref: Koroit Structure Plan – Consultation Draft December 2019

4 June 2020

Tel: [REDACTED]  
DX 216048

[REDACTED]  
Strategic Planner  
Moyne Shire Council

moyne@moyne.vic.gov.au  
[REDACTED]

Dear [REDACTED]

**PROPOSAL:** Koroit Structure Plan – Consultation Draft December 2019  
**ADDRESS:** Koroit

Thank you for your correspondence dated and received 3 February 2020 regarding the above-described Draft Structure Plan. I acknowledge these comments are provided after the requested date and apologise for the delay.

The Department of Environment, Land, Water and Planning (DELWP) has reviewed the Draft Structure Plan and considered matters relevant to its portfolio of interests, including

- coastal policy,
- Crown land,
- biodiversity, and
- the Victorian Planning System.

These comments also incorporate the views of Parks Victoria, which manages Tower Hill Wildlife Reserve including Tower Hill Lake.

DELWP supports the Structure Plan's objectives and strategies to protect the environmental, landscape and heritage values of Koroit and the adjacent Tower Hill Wildlife Reserve, to minimise the impacts of urban development and protect the low scale character of Koroit. The following comments are provided to assist in finalising the Structure Plan.

### Coastal Policy

#### Key policies or strategies

The Victorian Coastal Strategy (2014)<sup>1</sup> expands on the importance of coastal settlements and defines several key policies for decision making when defining township boundaries:

- Avoid detrimental impacts on indigenous flora and fauna, coastal processes or neighbouring property or assets (2.1.12).
- Non-urban breaks be maintained between coastal settlements to preserve the character of the coastline and coastal settlements, as well as providing increased amenity resources and protecting wildlife habitat and coastal biodiversity (2.2).

<sup>1</sup> Victorian Coastal Strategy 2014, Victorian Coastal Council; pg 54 - 57

#### Privacy Statement

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- Risks associated with areas of environmental or landscape significance, and areas susceptible to landslip and erosion are crucial when redefining growth town and settlement boundaries (2.2).
- The structure plan should reflect the directions set out in the Regional Growth Plan (2.2.3a). The Great South Coast Regional Growth Plan (2014) identifies Koroit as a 'District Town' having capacity for medium growth.
- Growth should not threaten wetlands (2.2.3d).
- Consideration of the impact of inland settlement growth may have on coastal areas (2.2.3h).
- Existing non-urban breaks between all coastal settlements must be maintained to support community identity and inspire a sense of place (2.2.5).
- Avoid linear urban sprawl along the coastal edge and within rural landscapes, protect areas between settlements for non-urban use (2.2.6).
- Retain visually significant landscapes and protection of views (2.2.7).

The Marine and Coastal Policy (DELWP 2020)<sup>2</sup> has been released since the draft Structure Plan was exhibited, and supersedes the 'policy for decision making' parts of the Victorian Coastal Strategy which many of the above points derive from. Key policies for decision making from this new policy include:

- Respecting and considering Traditional Owners' rights, aspirations and knowledge into decision making, planning and management (1.1 – 1.9).
- Maintain and enhance the overall extent and condition of native habitats across public and private land in the marine and coastal environment (2.5).
- Maintain and improve the environmental condition of coastal wetlands, lakes and estuaries (2.7).
- Protect and seek to enhance the values and characteristics that contribute to natural features and landscapes (including seascapes) in the marine and coastal environment, including by managing cumulative effects (3.1).
- Maintain intangible and tangible cultural values and heritage sites to reflect and protect their values (4.1)
- Maintain, enhance and monitor a comprehensive, adequate and representative system of well-managed Marine and Coastal National Parks, sanctuaries, nature conservation reserves and coastal Crown land reserves. Consider options to maintain public access to these areas whilst allowing for coastal habitat migration (5.2 – 5.3).
- Plan for sea level rise of not less than 0.8 metres by 2100 (6.1).
- Avoid development in identified areas that are vulnerable to coastal hazard risk from impacts such as erosion and flooding, inundation, landslips and landslides, and geotechnical risk, and initiate development or protective works to mitigate detrimental impacts on coastal processes (6.3, 6.10).
- Identify clear settlement boundaries in planning schemes, to plan for growth and protect coastal values; and direct growth to within these boundaries (8.2).
- Retain and protect existing non-urban breaks and uses between all coastal settlements (8.6).
- Use buffers, where required, to protect environmental values, cultural values and heritage sites, and to enable the co-existence of compatible activities and to allow for adaptation of the natural environment (8.9).
- Use strategic and spatial planning to identify recreation and activity nodes to create efficient and compatible relationships between buildings and infrastructure, and to minimise impacts on the marine and coastal environment (10.4).

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<sup>2</sup> Marine and Coastal Policy, Department of Environment, Land, Water and Planning, March 2020, pg 23-70

- Understand and assess compatibility and conflict between uses and activities, and with the environment. Consider direct, cumulative and synergistic impacts on uses, activities and the environment, and climate and environmental change (14.9).

It will be important for Council to review and understand whether this requires any changes to the Structure Plan prior to finalisation.

### **Crown land implications**

DELWP has reviewed matters raised in 'Appendices 2 – Planning Scheme Anomalies<sup>3</sup>' and supports Council in seeking to correct the outlined anomalies. Council may also wish to further investigate the below parcels and consider if they should also be included in a future Planning Scheme Amendment:

- Crown Allotment 2003 at the corner of North Street and Bourke Avenue is undeveloped and temporarily reserved for Public Purposes (Recreation and Tourism) as part of the Port Fairy to Warrnambool Rail Trail. DELWP recommends the rezoning of this parcel from GRZ1 to Public Use Zone (PUZ) 4 consistent with the majority of the Rail Trail. Council should note that this anomaly extends outside the current structure plan boundary.
- The undeveloped Crown land parcel at 104 High Street, Koroit (CA 31 Section 48), is currently zoned GRZ1, may be better suited as PUZ3 to improve consistency with the intended use and the zoning of the adjoining Crown land parcel (P374985). Both are reserved for use of Public Buildings.
- DELWP has identified a parcel of what appears to be Crown land (CA 2017) at 41 Station Street, Koroit. The land currently appears undeveloped and is zoned GRZ1. Subject to DELWP confirming details of this Crown land's status and use, it may be appropriate to rezone this parcel. I will confirm in due course.

### **Potential conflicting uses**

Council should consider the existing uses of Tower Hill Wildlife Reserve, and the potential impact of increased urban development in areas adjoining this site. The Tower Hill Wildlife Reserve is a permitted duck hunting area. There is potential for conflict between increasing urban development and hunting. The thoughts of the Game Management Authority may be valuable when reviewing the structure plan.

### **Biodiversity considerations**

Urbanisation and development are considered key risks to biodiversity values. Development adjacent to reserves can have significant impacts. For example, the disturbance required for new infrastructure can facilitate weed establishment, additional dwellings can increase artificial light and noise impacts, inappropriate changes to stormwater flows can affect flora values, as well as increases in vermin activity associated with human habitation. Parks Victoria and DELWP are interested in understanding how these impacts will be assessed and managed through the structure planning process.

It is also important to note that development directly adjacent to reserves often leads to land management issues, as well as risks to biodiversity. For example, unplanned or illegal access can be created, which lead to issues such as mountain bikes, dog walking and rubbish. Parks Victoria is in the process of developing a master plan for the Tower Hill Wildlife Reserve and sees an opportunity for this plan and the Structure Plan to align. Specifically, this would focus on the position of connection nodes

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<sup>3</sup> Koroit Structure Plan Consultation Draft December 2019 Part A + B; pg 47



to ensure that visitors are entering at safe and appropriately signed locations, which will help to protect the values of the reserve.

While residential development along the interface may not be expected to change greatly, Parks Victoria and DELWP note the several references to increased accessibility to Tower Hill and an objective to “strengthen connection from Port Fairy – Warrnambool Rail Trail to Tower Hill Reserve”<sup>4</sup>. Given the constrained landscape – particularly around and within Tower Hill due to the steep topography – it is anticipated that much more detailed consideration will be needed to properly understand potential opportunities and limitations.

With these matters in mind, Parks Victoria and DELWP are specifically interested in how the interfaces will be developed to manage these risks. DELWP encourages Council to consider the benefit of identifying a ‘transition’ zone along the interface with the reserve, drawing on the existing diversity of lot sizes and development levels.

### **The Victorian Planning System**

#### **Additional services planned or required for the township for current needs or future consolidation / growth**

DELWP’s key concern is the ability of existing infrastructure and systems to accommodate any future population growth in an environmentally sustainable manner. Stormwater runoff and the threat it poses to surrounding sensitive environments is of particular concern. Parks Victoria and DELWP acknowledge the Structure Plan’s recognition of the need to consider “issues of drainage and water management including on-site and off-site effects (catchment wide) and any discharge to Tower Hill Lake;<sup>5</sup>” as part of any future residential growth. Stormwater discharge, in terms of both quality and quantity, into the reserve should be carefully assessed. Any changes to the flow of water into, out of, or within Tower Hill Wildlife Reserve would require authorisation under section 21(2) of the *Wildlife Act 1975*.

#### **Potential changes to settlement boundary, rezoning and associated constraints**

The cluster of small lots on the west side of Koroit-Port Fairy Road (south of Penshurst-Warrnambool Road) sits outside of the proposed settlement boundary and is designated as future Rural Living Zone. As these lots are small and appear to be mostly developed by dwellings, Council could consider including these within the settlement boundary and rezoning to a residential zone (if connected to reticulated sewer).

The Structure Plan designates land abutting McVicar Street and Mill Street as ‘Future Rural Living’. As not all of this land is located within the proposed 300 metre Bega Factory buffer, part of the area may be suitable for conventional residential development. Council is encouraged to discuss the proposed buffer approach with DELWP in light of proposed VPP changes to the buffer and amenity provisions, as well as to seek the comments of the Environment Protection Authority on the appropriateness of the buffer and 300 metre distance. It is also important to recognise that the Environmental Significance Overlay (ESO) can only control development. If an ESO is to be used, it should clearly only be addressing issues that can be controlled through development.

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<sup>4</sup> Koroit Structure Plan Consultation Draft December 2019 Part A + B; pg 24

<sup>5</sup> Koroit Structure Plan Consultation Draft, December 2019 Part A + B; pg 17

It is noted that land at 134 High Street is proposed to be rezoned from Industrial 1 Zone (IN1Z) to Industrial 3 Zone (IN3Z), and that a Heritage Overlay (HO170) is proposed to be applied to the whole site. The HO may be an impediment to future development and Council may wish to consider whether the HO should only cover the former farmhouse.

The rezoning of residential land within the township from General Residential Zone (GRZ) to Neighbourhood Residential Zone (NRZ) is supported in principle to protect the low scale character of Koroit. Council should ensure the rezoning to NRZ is strategically supported by the Structure Plan and is consistent with Planning Practice Notes 90 and 91.

With regard to the statement “Anne Street and the Tower Hill State Game Reserve set the southern boundary of the town. Additional urban development southwards of Anne Street is considered inappropriate, as it would detrimentally affect the unique landscape features of Tower Hill<sup>6</sup>”, Council should consider whether any elements should be incorporated in the proposed NRZ to maintain the existing diversity of lot arrangement and level of development between Anne Street and Tower Hill (within the structure plan area).

I trust these comments are of assistance. DELWP and Parks Victoria would be pleased to discuss further if beneficial.

If you have any queries regarding this matter, please contact [REDACTED] on telephone [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]

Program Manager Planning Approvals  
Land and Built Environment Programs  
Barwon South West Region

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<sup>6</sup> Koroit Structure Plan Consultation Draft December 2019 Part A + B; pg 16



**Submission to Moyne City Council C70 Amendment**  
**Rezoning from proposed FZ3 to Low Density Residential Zone (LDRZ)**

On behalf of [REDACTED]

This submission proposes the rezoning of land bordered by Nine-Mile Creek Road, the Port Fairy Rail Trail and the Penshurst Warrnambool Road to Low Density Residential Zone with a minimum lot size of one acre.

An indicative subdivision layout of the land owned by [REDACTED] is provided to demonstrate the potential for a sensible lot layout the maximises street frontages and provides natural surveillance for each block. The other land to the south would be easily connected to the road network. See attached.

Existing properties affected by the proposal are [REDACTED], [REDACTED].

Attachment 1 shows the existing subdivision (inset) as well as the indicative lot layout for [REDACTED] (main).

**Land description**

Approximately 28 acres or 11.3 hectares

Three existing houses

Largely cleared land with few trees and little native vegetation.

The slightly sloping land sits high in the landscape and is not subject to flooding

This parcel of land is immediately adjacent to the township of Koroit

Reticulated town water is already connected to the land

Broadband access is also already connected to the land



██████████ fragments the farming land to its east from the broad acre farming land to the west farming land

### **Proposed zoning C70 Amendment**

The C70 Amendment proposes that this parcel of land is within Farming Zone 3 which schedules a minimum subdivision size of 40 hectares and the minimum lot size for which no permit is required for a dwelling is 10 hectares.

This schedule effectively rules out any potential for further subdivision or increased residential development despite its immediate proximity to the township.

### **Vision for Koroit**

The existing Moyne Planning Scheme and the proposed C70 amendment identifies Koroit as a District Town with moderate growth potential.

The Rural Housing Strategy defines ‘moderate’ as providing some potential growth beyond existing urban zoned land and through infill but within defined settlement boundaries.

The Council’s vision for Koroit is to:

- strengthen and diversify Koroit’s economic, social and cultural base in a sustainable manner that preserves the character of the town and promotes a good quality of life for its residents.
- enable the expansion of the land zoned for residential purposes and Rural Living to recognise areas developed for rural living purposes, and to allow for growth in urban and rural living opportunities within a defined settlement boundary around the town

The Planning Scheme states that development in Koroit should be encouraged within and adjacent to existing serviced areas within the settlement boundary to protect adjoining farmland and to ensure that the environment of the area is not compromised.

### **Other planning scheme considerations:**

Key policy objectives within the Planning Scheme, the proposed amendment and the Rural Housing Strategy that support rezoning of this land for residential development include the following:

- balance the need to provide desirable housing opportunities with realistic future servicing considerations,
- maintain compact urban forms that will allow for the ease of service delivery and minimal infrastructure costs.
- recognise the different requirements of the population by allowing the accommodation of the population of the municipality within a range of dwelling types suitable for the needs of the community.
- encourage rural residential and rural living development in appropriately zoned areas on the periphery of existing townships and settlements that can take advantage of available facilities and services.
- guide future population growth on the basis of a settlement hierarchy
- manage development on the fringes of townships so that it enhances the character of the town's landscape setting.
- encourage limited rural living and low-density residential development within existing zoned areas, ensure that any effects upon the surrounding farms are minimised.
- define a sustainable urban/non-urban edge to the main townships and settlements
- locate Low Density Residential Zone or Rural Living Zone - for existing low-density areas on the periphery of the built-up area of the main towns and settlements, and as an alternative to the Township Zone where development is dispersed.

### **This proposal**

This proposal complies neatly with the planning policy intent of Moyne Shire Council and its planning scheme. The land:

- abuts the township of Koroit with realistic future servicing potential
- provides a clearly defined and compact urban form with minimal infrastructure costs
- provides an opportunity for an extra type of residential development not currently offered in Koroit but suitable for people seeking a rural amenity close to the facilities of a District Town
- is located on the immediate periphery of the township and therefore providing the opportunity to access the services and social infrastructure provided in Koroit
- has the potential to enhance the character of the main entrances to the township with a country style setting, tree-lined country laneways and landscaped gardens

- utilises the Port Fairy Rail Trail as a natural buffer from the farming areas to the west and provides a logical settlement boundary to the north-west corner of Koroit

Koroit's excellent proximity to Warrnambool makes it an attractive location to the regional city and is integral to Koroit's growth potential. The regional city provides close access to quality education and health services. It is also accessible to employment centres in Warrnambool, Port Fairy and Portland.

Koroit is designated as a district town with moderate growth potential. As such it has good infrastructure including sewerage.

The proposal provides the opportunity for a rural setting with large residential allotments (one acre) with plenty of space for children to play, for vegetable gardens and fruit trees and native vegetation.

It fills a gap in the residential housing type available in Koroit, providing manageable lot sizes and therefore minimising the potential for agricultural weeds that larger rural living lifestyle properties sometimes create.

Its location is within walkable distance to the town's centre and immediately connected to the Rail Trail, thus supporting an active lifestyle.

The proposed character will emphasise the rural aspect with permeable street design and unmade roads that will operate as shared ways for pedestrians and cars.

The size of each block allows for septic tank wastewater systems supported by reticulated water supply. Alternatively, the town's sewerage system could be utilised inexpensively because of the land's immediate proximity to the town.

Rainwater capture through tanks can also be maximised, water harvesting off the house rooftops and associated shedding on these large residential blocks.

### **Utilising the Rail Trail as the settlement boundary**

The Rail Trail provides a more logical separation buffer from farming activity. The utilisation of this as the buffer is also consistent with the zoning patterns to the east of the subject land and would provide a continuous settlement boundary in the north-west corner of the Town.



By being at the edge of the town the rezoning of this land and the utilisation of the Rail Trail as the settlement boundary does not fragment other farming land. In fact, the Rail Trail (zoned PUZ4) already fragments this FZ land from continuous agricultural activity

### **Summary**

This proposal is supported by the policy intent of the Moyne Planning Scheme and its strategies.

It provides an extra residential type to the mix of housing opportunities in Koroit.

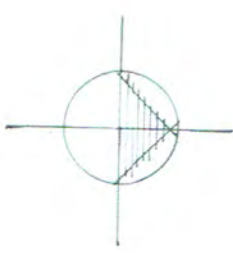
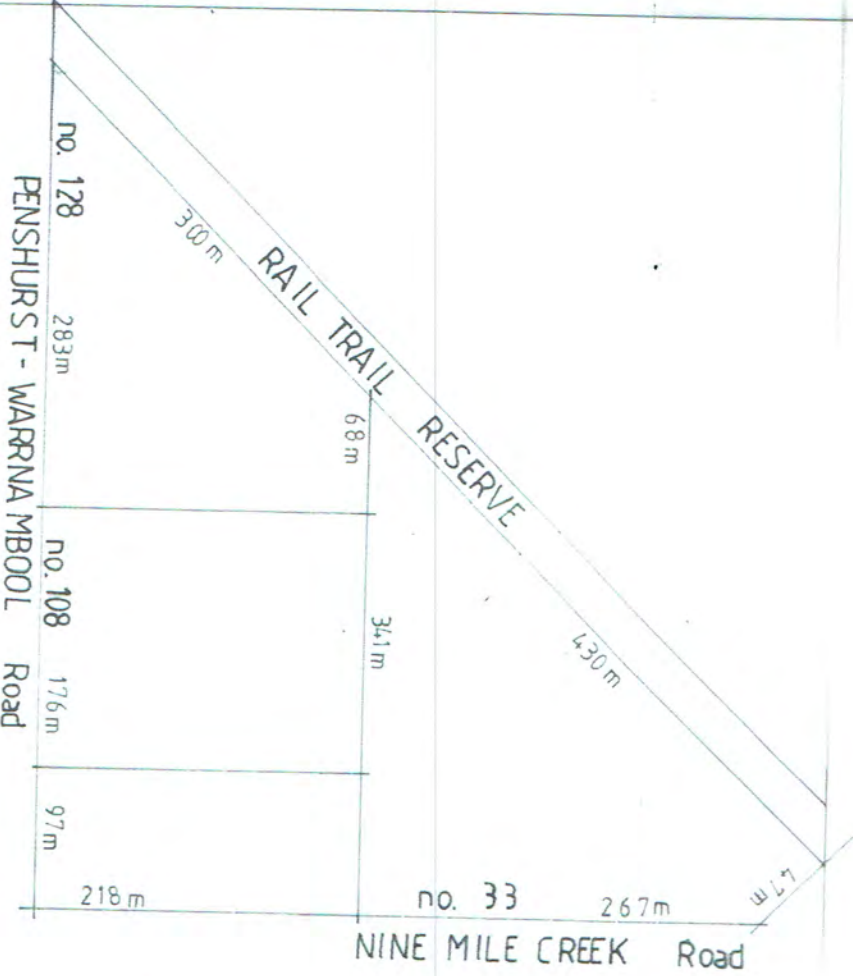
The provision of a road with blocks facing the Rail Reserve, Nine Mile Creek Road and Penshurst-Warrnambool Rd provides opportunities for permeable road network with natural surveillance to most properties.

There is potential for an improved environmental and amenity outcome because of the scale and location of the residential type.

The utilisation of the Rail Trail as the township boundary is logical and consistent with the adjacent residential land.



existing PROPERTIES  
(measurements approximate)  
1:5000



PENSHURST - WARRNAMBOOL Road

RAIL TRAIL RESERVE

proposed ROAD

- 10. (5358 m<sup>2</sup>) 1.3 acres
- 9. (5184 m<sup>2</sup>) 1.28 acres
- 8. (5200 m<sup>2</sup>) 1.28 acres
- 7. (5248 m<sup>2</sup>) 1.3 acres
- 6. (6868 m<sup>2</sup>) 1.7 acres
- 5. (4825 m<sup>2</sup>) 1.2 acres
- 4. (4074 m<sup>2</sup>) 1 acre
- 3. (4074 m<sup>2</sup>) 1 acre
- 2. (4074 m<sup>2</sup>) 1 acre
- 1. (4074 m<sup>2</sup>) 1 acre

NINE MILE CREEK Road

DETAIL for  
PROPOSED  
RE-ZONING  
1:2000



8 November 2021

[REDACTED]  
Strategic Planner  
Moyne Shire Council  
PO Box 51  
MOYNE VIC 3284

By email: [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)

Dear [REDACTED]

**SUBMISSION TO PLANNING SCHEME AMENDMENT C70  
MOYNE PLANNING SCHEME**

We act on behalf of [REDACTED] regarding the above matter.

Our client owns approximately 55 hectares of land at [REDACTED].

Our client has recently received planning permission (PL21/078) to undertake a re-subdivision of their existing titles, to create:

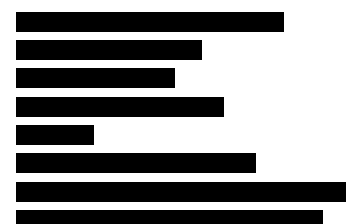
- Lot 1 with an area of approximately 27 hectares, and
- Lot 2 with an area of 28 hectares (refer to **attached** plan).

Lot 1 will comprise the existing dwelling within a small paddock, with three further paddocks. Lot 2 will comprise two paddocks.

The re-subdivision of the land enables our client's transition away from farming, whilst retaining the opportunity to reside in the existing dwelling on the land.

The existing buildings on the land are of local heritage significance to the Moyne Shire, although not formally recognised within the Moyne Planning Scheme. The site is known as the [REDACTED] Farm complex and comprise the following items of local significance:

- the Victorian bluestone farmhouse;
- two smaller Victorian stone cottages (circa 1850s – 1866); and





- mature Norfolk Island Pine (*Araucaria heterophylla*) planted in front of the house.

Our client wishes to investigate opportunities for rural living development on Lot 1 in the future, as this land is separated from the balance of the farm by the existing dwelling.

Our client is exploring opportunities to transition business operations from a solely farming / agricultural basis to a multifaceted business across farming / accommodation / hospitality (including restoration of the cottage for short-term accommodation, refurbishment of the former dairy to a function space).

Part of the transition to our client's vision would require family participation in day-to-day operations and site management. Lot 1 would serve as future rural living allotments for family members to purchase and reside on the estate grounds to assist with ongoing management of the multifaceted business, gardens and farmland.

Our client notes the benefits of the proposal include ensuring a unique and significant property is expertly maintained whilst offering sustainable use for future generations; and unlocking quality opportunities for Moyne Shire's tourism and hospitality sectors attracting tourist patronage, expenditure and increasing exposure for the greater region.

Our client recognises their land cannot be included in the C70moyn amendment and any rezoning would instead be subject a separate privately initiated planning scheme amendment.

Our client supports the recommendations of C70moyn and respectfully requests the following amendment to the Southern Cross Framework Plan (contained at **Clause 21.09-22** Southern Cross) to facilitate the abovementioned opportunities:

- Inclusion of annotations and wording to the south of the proposed Settlement Boundary and west of [REDACTED] Road, to reference 'Potential extension to settlement boundary' (or similar) in a [REDACTED] direction.

The above recommendation is supported by the Planning Policy Framework of the Moyne Planning Scheme, including **Clause 11.02-1S** Supply of Urban Land which includes the strategy:

- Plan to accommodate projected population growth over at least a 15 year period and provide direction on locations where growth should occur.

Our client would welcome the opportunity to meet with you to discuss further and look forward to working with Council during the preparation of the final amendment.

Should you have any queries please contact our office on [REDACTED].

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]



EASEMENTS

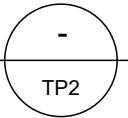
1:2500



EASEMENT INFORMATION				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITTED IN FAVOUR OF
E-1	CARRIAGEWAY	7.50	AH191133C	LOTS 1 ON PS719371F
E-2	CARRIAGEWAY	VARIES, SEE DIAG	PS719371F	LOTS 1 ON PS719371F
E-3	POWER LINE	12	PS719371F SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000 APPLIES	POWERCOR AUSTRALIA LTD

PROPOSED CONCEPT OF SUBDIVISION PLAN

1:2000



revision:    description:    date:

-    -    -

**NOTATIONS**  
1. WARNINGS AS TO DIMENSIONS: THIS PLAN IS NOT BASED ON SURVEY.  
2. FEATURES ON THIS PLAN HAVE BEEN DERIVED FROM PHOTO GEOMETRY.  
3.THIS PLAN HAS BEEN PREPARED FOR TOWN PLANNING PURPOSES ONLY.  
4. NO RESPONSIBILITY TAKEN FOR THE RESULTANT ACTIONS OF THE USE  
THIS PLAN FOR OTHER THAN IT'S INTENDED PURPOSE.  
5. THIS PLAN MAY NOT BE COPIED WITHOUT THE INCLUSION OF THESE NOTIFICATIONS.

project:

CONCEPT SUBDIVISION PLAN AT [REDACTED]

client:

[REDACTED]

drawing title:

PROPOSED CONCEPT OF SUBDIVISION PLAN

date:

NOV. 2021

scale:

AS SHOWN    **A3**

drawn by:

HE+LM

project no.:

**19-112**

rev.:

/

dwg no: **TP2** of TP2

© MYERS PLANNING GROUP 2021

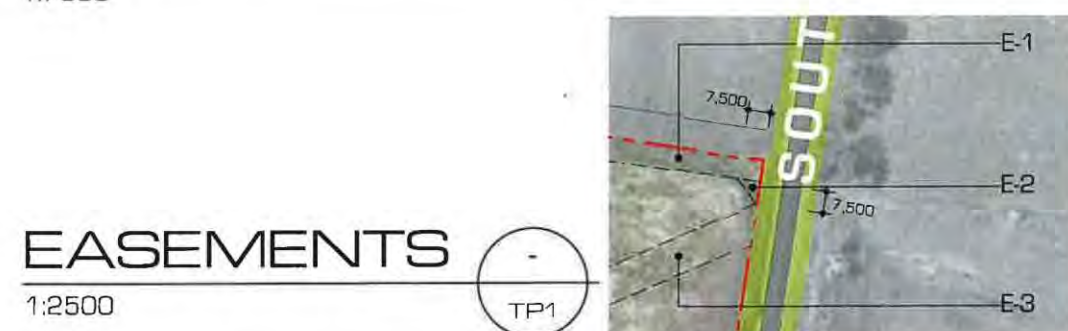
19-112. 209 Sth Cross Rd Site Plan d (25).pln





## CURRENT TITLE PLAN

1:7000



## EASEMENTS

1:2500



# PROPOSED SUBDIVISION AND SITE PLAN

1:7000

EASEMENT INFORMATION				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITTED IN FAVOUR OF
E-1	CARRIAGEWAY	7.50	AH1B1133C	LOTS 1 ON PS719371F
E-2	CARRIAGEWAY	VARIES, SEE DIAG	PS719371F	LOTS 1 ON PS719371F
E-3	POWER LINE	12	PS719371F SECTION 88 OF THE ELECTRICITY INDUSTRY	POWERCOR AUSTRALIA LTD

MOYNE SHIRE COUNCIL

THIS PLAN IS <sup>TR1</sup>ENDORSED PURSUANT TO  
PLANNING PERMIT No. PL21/078  
SUBJECT TO THE CONDITIONS OF THE  
PERMIT AND PROVISIONS OF THE MOYNE  
PLANNING SCHEME.

8/10/2021   
Date Signature for Responsible Authority  
Page \_\_\_\_\_ of \_\_\_\_\_

revision:	description:
1	Initial version
2	Added new features
3	Fixed bugs
4	Updated documentation
5	Added new features
6	Fixed bugs
7	Updated documentation
8	Added new features
9	Fixed bugs
10	Updated documentation

date:

project:

ALTERATIONS TO SUBDIVISION BOUNDARIES AT [REDACTED]  
\$ [REDACTED] N [REDACTED] E [REDACTED] S [REDACTED] N [REDACTED] S [REDACTED] B

client:

drawing title:

## SITE PLAN

```
| date:
```

AUGUST 2021

scale:

AS SHOWN **A3**

drawn by:

project no.:

21-322

rev. 4

C

dwg no: **TP1** of TP1

## NOTATIONS

1. WARNINGS AS TO DIMENSIONS: THIS PLAN IS NOT BASED ON SURVEY.  
2. FEATURES ON THIS PLAN HAVE BEEN DERIVED FROM PHOTO GEOMETRY.  
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19-112.209 Sth Cross Rd Site Plan





# SUBMISSION

## C70moyn – Rural Housing and Settlement Strategy

November 2021

The Victorian Farmers Federation (VFF) welcomes the opportunity to submit in response to the Moyne Planning Scheme amendment – C70moyn. The farming community routinely expresses concern that agricultural issues are not being properly considered by the Victorian and local planning systems.

The VFF represents a number of farmers in the Moyne Shire Council municipal area. Our members represent many different commodities including dairy, livestock, horticulture and grains. These farm businesses support many service sector and secondary processing jobs in the Shire.

Different commodities and production systems have different sensitivities to potential land use conflict. Given the landscape and amenity values of Moyne Shire the development pressure on high amenity areas can impact on the ability to maintain or grow production. The impact of this pressure on some of the Victoria's most productive and versatile soils, in conjunction with the Rutledge and Atkinson special survey lot sizes, has led to the loss of production in some areas, due to poor guidance on how to protect soils from inappropriate development.

For over 4 years VFF has had a well-developed policy position on the changes required to the planning system to support the retention and growth of agriculture in Victoria. Repeated failures to address or consider these matters in state policy or advice how to determine impact on agriculture has led to the loss of planning scheme content that actively promotes and protects agriculture.

Failure to properly consider land use conflict on the main land use (by area) in Victoria can be seen as an urban bias in the planning system. It leads to applications that describe farm land as 'vacant' and reports that don't outline how impacts on agriculture have been considered.

In that regard VFF is pleased to see that Council is attempting to lead the state in outlining the importance of agriculture to the Shire and the land use challenges it faces.

The VFF are generally supportive of changes proposed in the Moyne Planning Scheme amendment – C70moyn which is in relation to the Rural Housing and Settlement Strategy. The VFF understand that there is a balance between providing enough appropriately zoned land to accommodate a growing population and allowing residential uses on prime agricultural land.

Agriculture was taken out of "economic development" in VC71. Unfortunately the VC71 amendment documents and background report do not specify why agriculture was removed from the economic development sections of the then state planning policy framework.

Analysis of the changes in the planning system around this time demonstrate that there was significant change to allow urban development on high quality agricultural land as well as changes that prioritise land management outcomes on agricultural land in preference to its agricultural use, often without a clear nexus to land use and development.

The C70moyn amendment is proposing to make changes to a number of clauses within the Moyne Planning Scheme, however the VFF is particularly supportive of Clause 21.07 – Economic Development. The proposed Economic Development clause recognizes agriculture as the most significant land use in the Shire and that the economic wellbeing of the Shire and its towns are directly related to the agricultural sector. The VFF has been calling for agriculture to be included in the state's economic impact clause since it was removed.



The Moyne Shire Council recognizing that their economy is heavily dependent upon agriculture and that agriculture is the most significant land use within the Shire, is a significant step into ensuring that agricultural land will be protected from conflicts and inappropriate development. Introducing this information into the planning scheme enables a proper consideration of the economic development of agriculture when applying for planning permits that would not normally be a consideration as agriculture is not listed in the PPF economic development clause.

The VFF believes that this is one of the most significant inclusions within the amendment as it will help protect agriculture into the future. The inclusions of 'rural land is a finite resource that should be retained for productive purposes, and not used as a less expensive alternative to residential land' to discourage dwellings in the agricultural areas that are not associated with agriculture, will protect this land into the future.

Moyne Planning Scheme amendment – C70moyn is an opportunity for the Shire to be forward thinking and show how to work with industry to identify what is needed to see agriculture thriving in 30 years' time.

2020 demonstrated that Victoria was well placed in a pandemic as we produce a wide range of food and fiber, with good biosecurity systems. This provided not only food security but a key segment of the economy that kept people in work and earned income for the nation. The decisions we make now will impact our resilience to other global shocks. That future is at risk unless the planning system gives serious consideration to industry knowledge on what is needed to protect existing quality agricultural land.

With the proposed amendment to the Moyne Planning Scheme the VFF want to ensure that the small lot sizes do not affect the ability to farm and that no land use conflict occurs. This can be avoided by properly considering dwelling and other secondary applications for small lots in agricultural areas and the proposed changes will help with this.

Farmers often need to buy more land. This is often relatively small lots that give them the critical mass they need to maintain a viable farming operation. These lots may be distant from their main holding, and the distance can also help protect their business from total loss from local climatic events. Once development occurs on this land its ability to be purchased for farming is removed and the expectations of quasi rural residential potential increases values in the wider area, with flow on impacts for viability given that agriculture is a price taking industry.

Farming is part of the history and social fabric of the Moyne area and will continue to be an important part of the local economy and environment. The VFF has made the endorsements in this submission in an effort to ensure farming in Moyne Shire Council is not impeded by unnecessary or unintended impacts on the local agricultural industry.

Thank you for the opportunity to provide this submission. The VFF remains committed to assisting all levels of government in developing the Planning Policy that has good agricultural outcomes and welcomes and encourages industry engagement.

Yours sincerely,


 A black rectangular box redacting the signature of the President.

 - President

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Moyne Shire Council  
Planning Authority  
Princes Street  
Port Fairy  
VIC, 3284

Dear Moyne Shire Council Planning Authority,

I wish to express an objection to amendment C70 affecting land owners bounded by [REDACTED]  
[REDACTED]

Your intention to increase the minimum lot size from 10 hectares to 40 hectares in hope to savour the land as 'high quality agricultural land' is fruitless, unproductive and a waste of time. Especially when there are a mere three land owners involved, one of which is sanctioned to subdivide anyway.

In order to utilise 'high quality agricultural land' in the way you are implying; for farming and cropping, you and I both know that you need more than 40 hectares to be successful. Who is currently cropping this parcel of land for profit? When was the last time any of these land owners used their 'high quality agricultural land' to farm crops which fuelled their family home and lifestyle?

In order to make a profit from farmland, you need far more than 40 hectares. Take a look at the ~80 hectares in [REDACTED] Road. How many times has this farm changed hands in the past 7 years? A farm is not sustainable unless it has the capacity to sacrifice parts of it to improve other parts, and to do this your 'farm' needs to be far greater than 40 hectares, not just be of 'high quality agricultural land'.

Yes, the land is of high quality and the soil should be savoured. No one is ever going to create a suburb of their own within these borders, but sanctioning the likes of myself for using my invested land to grow my young family and sustain the younger generation within the area is an unnecessary mistake.

In conclusion, increasing the minimum lot size from 10 hectares to 40 hectares in this particular area is a waste of time. Farming and cropping off 40 hectares is not sustainable and therefore amendment C70 is impractical.

Yours sincerely,

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, 8 November 2021 4:53 PM  
**To:** Moyne  
**Subject:** Amendment C70 Submission  
**Attachments:** Amendment C70 Submission.docx

**'Amendment C70 Submission'**      [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)

Support for **Rezoning RLZ** with amendment to **1 Hectare minimum lot size**

**I support the extended boundary and rezoning of the land** within the new **Southern Cross** boundary from Farming Zone to Rural Living Zone, however, I support the **minimum lot size of 1 Hectare** which was previously proposed and supported by Moyne Shire Council to be appropriate in this area for the following reasons. (as opposed to 2 hectare minimum lot sizes)

- There is a shortage of land lots for residents and huge demand for lifestyle lots to enable enjoyment of the area and experience the rural living lifestyle.
- 1 Hectare lot land size is more than adequate for appropriate residential services such as sewerage.
- The proposed 2 Hectare minimum size restricts the lots available for new residents and therefore reduces rate payer funds and contribution into the local community and economy.
- Increasing lots and residents, results in a flow on effect to the local business patronage and extra visitors to the area contributing to increased tourism dollars spent.
- Nearby towns including Koroit, which provides amenity to the surrounding smaller townships, are experiencing population growth and land is in short supply. These same points could be raised for proposed rezoning of land to 2 hectare lots sizes at Koroit, Crossley, Illowa and Tower Hill to be changed to allow for 1 hectare minimum lot sizes.
- Demands for housing are pushing prices up and creating affordability issues due to lack of supply.



- The settlement boundaries proposed, protects and maintains extensive farming zoned land for continued agricultural use and recognises the importance of farming in the area.

- **1 Hectare lots** (instead of 2 hectare minimum lot sizes) **within the proposed Southern Cross, Koroit, Crossley, Illowa and Tower Hill boundaries** provide fair, economic and sustainable use and development of land in this area.

Thank you for your consideration.

Kind regards,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



# Department of Education and Training

Schools and Regional Services

2 Treasury Place  
East Melbourne Victoria 3002  
Telephone: 03 9637 2000  
DX210083

COR2185005

[REDACTED]  
Moyne Shire Council  
via email: [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)

Dear [REDACTED]

## Public Exhibition of Amendment C70moyn to the Moyne Planning Scheme

Thank you for providing the Department of Education and Training (DET) with the opportunity to comment on Amendment C70moyn to the Moyne Planning Scheme. I note the Amendment updates the planning policy framework and planning controls, specifically the use and development of agricultural land, rural living development, and the growth and development of the Shire's smaller settlements, in line with the recommendations of three council strategies:

- Rural Housing and Settlement Strategy (2010);
- Land Capability and Biodiversity Strategy (2009); and
- Addendum Report to both Strategies adopted in September 2015.

These strategies, and the amendment documents accompanying them, have been reviewed.

I understand from the amendment documentation that the main implications for DET are the rezoning of the Hawkesdale P-12 College, Grassmere Primary School and Panmure Primary School sites to Public Use Zone Schedule 2 (Education).

DET does not have any concerns with Amendment C70moyn as exhibited.

If you would like to discuss this submission, you may contact [REDACTED], Senior Planner, Infrastructure and Planning Branch, Department of Education and Training, on [REDACTED] or by email: [REDACTED]

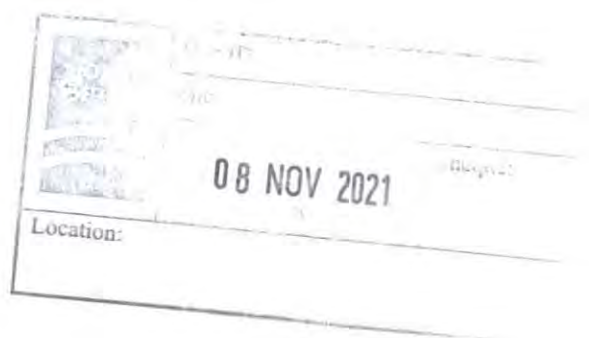
Yours sincerely

[REDACTED]

[REDACTED]

Director, Infrastructure and Planning  
Department of Education and Training  
08 / 11 / 2021

Cc: [REDACTED], *Strategic Planner*



Amendment C70 Submission

Members of Council

Moyne Shire Council

7<sup>th</sup> November 2021

Dear Council

On behalf of myself [REDACTED] I wish to place a submission before Council re **Amendment C70 Moyne planning scheme**.

The [REDACTED] family have been residents of the Tower Hill area since the late 1800's.

Our main interest in the amendment is the ar [REDACTED]  
[REDACTED] During the period 1990 to 2000 we were involved in the development of [REDACTED] As part of this development of 17 lots we reduced our total holdings of 42 lots to 29 lots. This included 17 [REDACTED] lots, 3 hectares which was transferred to crown land and the [REDACTED]  
[REDACTED]

In keeping with the planning conditions at the time 8 lots of 10 HA plus were created. The area from [REDACTED] was zoned 10 Ha minimum at this time although this minimum was not always adhered to. Several houses on smaller allotments via [REDACTED] have been built.

In 2009-2010 we made submission to council re retention of 10 Ha rule and attended a Panel Hearing. There was no decision or outcome from these hearings and no notification of any change in the [REDACTED] area.

The first, I came aware of any change was a valuation report received from valuer, [REDACTED] When doing a valuation for change in family interests in land held in [REDACTED] area in 2020, [REDACTED] noted that the land owned by [REDACTED] on the west side of [REDACTED] was not part of 10HA zoning.

On raising this matter with [REDACTED] he was unable to give me a date of the change. He thought it may have happened in 2015. I claim that there was no notification of this change.



**In summary our main opposition to the changes include**

In [REDACTED] valuation of our properties, he considered the advantage of the 10 Ha zoning and valued them accordingly. We took over these properties in 2020.. We now find that less than 12 months later we will be at a major financial disadvantage if this rezoning goes ahead.

:

The original changes to the [REDACTED] were not notified to ratepayers. I am sure many ratepayers would not be aware of the repercussion of this change to their landholdings.

We would like to know the actual date and copy of the council meeting where changes were made.

Our land is covered a 173 agreement. This agreement was signed in 1990-2000 on the advice of solicitor, [REDACTED] to relinquish the excess allotments in favour of 10Ha allotments as they would comply with the then zoning. We now find that the expense and rearrangement of boundaries of little consequence, if changes take place.

To my knowledge the area between [REDACTED] contains only 1 allotment of more than 40Ha.

We wonder why the [REDACTED] line doesn't continue the entire length of [REDACTED] but diverges to the [REDACTED]

Thanks for the opportunity to make a submission to Council.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ph [REDACTED] Ph [REDACTED]

[REDACTED]



## Department of Transport

PO Box 775  
Geelong, VIC 3220 Australia  
Telephone: +61 3 5225 2524  
[www.transport.vic.gov.au](http://www.transport.vic.gov.au)

Ref: DOC/21/152906

Moyne Shire Council  
PO Box 51  
**PORT FAIRY VIC 3284**  
[moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)

To Whom It May Concern

**PLANNING SCHEME AMENDMENT C70moyne:  
IMPLEMENTING THE RECOMMENDATIONS OF THE MOYNE WARRNAMBOOL RURAL  
HOUSING AND SETTLEMENT STRATEGY (2010) AND ADDENDUM REPORT (2015)  
AND MODIFICATIONS TO CLAUSES AND MAPS OF THE MOYNE PLANNING SCHEME**

Thank you for the opportunity to submit into Amendment C70moyne, Moyne Warrnambool Rural Housing and Settlement Strategy (the Strategy).

The amendment seeks to incorporate the outcomes of a strategic review into the Moyne Warrnambool Rural Housing and Settlement Strategy (2010) and Addendum Report (2015), insert new clauses, amend existing clauses and maps of the Moyne Planning Scheme in relation to several villages, hamlets and towns within the shire.

The Great South Coast region possesses some of the highest quality wind resources that are close to high voltage transmission infrastructure. The industry is continuing to grow and several wind farm sites have been identified for development<sup>1</sup> that will rely arterial and local roads within the shire some of which have not been constructed to accommodate the heavy and over-size vehicle volumes associated with the construction of windfarm projects.

Future vision for the development of towns and hamlets with moderate to higher growth potential must have regard to the interaction of wind farm related construction traffic with general traffic and carefully consider the proposed changes to the planning scheme on the safe and efficient operation of the arterial road network.

Princes Highway West is a key transport corridor that services Great South Coast region including the township of Port Fairy. The Princes Highway (PHW) Corridor Strategy, 2019, provides direction for the longer-term development of the PHW and the Department of Transport is currently progressing planning for the future of PHW between Warrnambool and Port Fairy. This study will also investigate the future need for a bypass of Port Fairy.

The Department of Transport (DoT) is supportive of the amendment and offers the following comments for consideration by the Shire:

- Clause 21\_07 *Tourism* outlines the significant growth potential of the Moyne hinterland. Whilst the DoT acknowledges the importance of tourism to the local and state economies, Moyne Shire should carefully assess the interface of tourist developments with other modes of traffic, as outlined in Clause 18.01-1S *Land Use*

---

<sup>1</sup> Barwon South West Renewable Energy Roadmap Capturing Our Community's Views

*and Transport Planning* and Clause 18.01-2S *Transport System* of the Moyne Planning Scheme.

- The proposed map reference 015znMaps34\_35 of the amendment impacts an area of the Public Acquisition Overlay (PAO) for a future Port Fairy bypass. This map indicates that the land is to be rezoned to Rural Living Zone – Schedules 1 & 3. Both schedules do not specify a minimum setback distance from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1. Consideration should be given to including minimum setback distances consistent to that specified in Schedule 2 to Clause 35.07 Farming Zone.
- Proposed map references 017znMaps34\_37 (Koroit) and 026znMaps15\_16 (Mortlake) of the amendment for land zoned Rural Living – Schedules 1 & 2. Consideration should be given by the shire to provide consistency by including the minimum setback distances from a Road Zone category 1 road similar to that specified in Schedule 2 to Clause 35.07 Farming Zone.
- The Koroit Structure Plan envisions residential, industrial and commercial development, which is likely to increase all traffic, including heavy vehicle traffic and directly impact arterial roads such as Penshurst-Warrnambool Road (C183), Koroit-Port Fairy Road (C179) and Mailors Flat-Koroit Road (C183, also known as Commercial Road). These roads form an important link in the supply chain for the surrounding industries including timber harvesting, dairy supply, wind energy and tourism. Direct access onto these roads should be carefully assessed in consultation with the DoT to avoid adverse operational and safety impacts.

We appreciate the opportunity to engage in this process. If you have any questions regarding this letter or the conditions prepared, please contact [REDACTED] (Senior Transport Planner) on [REDACTED] or [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]

Director Barwon South West  
15 / 11 / 2021



Moyne Planning Scheme Amendment C70

Submitted by [REDACTED]

Please find attached and/or enclosed:

Rationale for this submission

Letter from [REDACTED]


Letter from [REDACTED]

Letter from [REDACTED]

Map A

Map B

Map C

	Doc ID: 1050590
	File
15 NOV 2021	
Location: Planning	

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Moyne Planning Scheme Amendment C70 – Hawkesdale

15/11/2021

The idea of rezoning land to the east of the current Moyne township zone (RLZ1) in Hawkesdale from farming to rural residential is a poor option in attempting to reinvigorate the town.

Here is my reasoning.

Zone RLZ1 currently consists of twenty lots of land. Please refer to the attached 'map A'  
Eight of these currently have houses on them. Marked 2

A further five lots are directly associated with house blocks and marked 2A. One is used as a horse and livestock paddock with fencing, a dam and other water points interconnected with the house block and is very unlikely to be sold in the near future (see attached letter)

Three other lots are associated with a family who have used these blocks as lifestyle blocks for rearing and grazing animals over decades. (see attached letter)

The fourth is used as machinery storage and for grazing of animals and has been for decades.

Blocks marked 1A are currently only accessible via unused roads (marked 1) with council having indicated they will not fund to consolidate these roads and make them viable to access these blocks. I believe none have ready access to power. For these reasons, none of these blocks could be viably sold for development without first incurring a substantial monetary outlay from the owners, both of whom have indicated they have no intention to sell in the future. (see attached letters)

Block marked 3 is currently used for grazing and is intended to be sold by the grandfather to a grandson in the future.

This leaves one block which is viably able to be sold in the near future should this amendment go ahead in its current form.

To hopefully ensure the viability of Hawkesdale well into the future, accessible land that is on the market or may be on the market in the short to medium term, should be made available by rezoning to make it easier and less time consuming for potential purchasers.

A more suitable area should be utilised which would allow a simplified process of property purchase rather than the current byzantine process. Ideally, the entire town should be allowed to flourish by allowing rural housing zones back to their original settlement. As this appears not to be on the horizon, an alternate to the current zone RLZ1 should be investigated. We desperately need to:

- 1/ increase resident numbers and
- 2/ raise the likelihood of small business development in the town.

After discussion with other locals, it is our opinion the best option would be either side of Dawson Street, along the southern entrance way to the town. Refer map B. The owners of six of these blocks have indicated they would like to sell these blocks however, while currently the rural zone, this would be difficult. I believe two of the blocks could be subdivided into four and still remain above the 1ha minimum. The potential sale for the appropriate use, could, and hopefully would allow the town to bounce back from the constrictions it currently endures.

This area has main road frontage, minimal drainage issues and easy power access. Its proximity on the main road makes it ideal for both residential and 'suitable' small or light business use, something the town desperately needs. This area needs to be zoned residential and light commercial.

The area to east of Dawson Street and north of Warwillah Road may be suitable for subdivision into the future however the current owners have no intention of selling at this point.

I have few details of the six blocks north of O'Brien Street and east of Whitehead Street other than one currently has a house on it while the other has shedding only.

A recent plan sent to me via your planning department (map 3) shows the current vacant lots in the southern area of the township. This was no doubt a helicopter view with no rationale as to whether these lots are available for development into the future (say within 10 – 20 years). Why the two vacant lots on the north east corner of Ryans Road and Noremac Road are even listed as vacant lots is odd as they are the bull paddocks and part of the farm on the western boundary of Hawkesdale.

My hope is that your planners make a concise and educated analysis of the needs of the township utilising factual information and reasoning. Our town deserves a bright future. Withholding its growth potential over ill conceived ideas and flawed data is simply not acceptable.

Thankyou

██████████



[REDACTED]  
[REDACTED]  
I am the owner of a number of blocks of land near my home in [REDACTED]  
Hawkesdale. I use these blocks to graze stock with the land being in the [REDACTED]  
family for many years.

I have two blocks to the east of my house and another 4 to the north of my house  
between two unused roads.

There is no intention of me selling these blocks in my lifetime. It would be up to my  
sons to decide what they want to do.

Thankyou;

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

I am the owner of a number of blocks of land in the Hawkesdale township. I own two blocks which are located directly [REDACTED]

[REDACTED]

These blocks, as well several others in the township have been in my family for decades. I have no intention of selling them and they will be passed on to my son and grandson. They are used to graze stock.

Yours Sincerely;

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
12/11/2021 [REDACTED]

I am the owner of two blocks of land in [REDACTED] Hawkesdale. Several years ago I decided to build a house on one block and use the other block as a lifestyle block for horses and livestock. I have extra fencing, water points and a dam on this other block. I have no intention of selling either the house or the block as I have put so much work into the entire property.

Yours Sincerely:

[REDACTED]

[REDACTED]



Land  
vic.gov.au

Map Centre - VicRoads 510 C3

Hawkesdale

MAP 'A'

## Legend

- WARRNAMBOOL Major town
- Minor town
- Built up area
- Road
- Road name
- Railway
- Rail trail
- Tramway
- Property or parcel
- Highlighted property
- 29 Address
- 2 Lot number
- PS225072 Plan number
- 1C Crown allotment number
- River, stream, coastline
- Water body
- Locality
- Locality name
- Local Government Area
- BRIMBANK LGA name
- Local Gov Ward (2012)
- Port Ward Ward name (2012)
- Local Gov Ward (2008)
- Port Ward Ward name (2008)
- State Lower House (2014)
- Lower House name (2014)
- State Lower House (2001)
- Lower House name (2001)
- Bushfire prone area

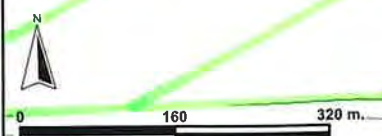


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Map Scale 1:7,500  
August 6, 2019 2:51:30 PM





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Hawkesdale



Legend

- Major town
- Minor town
- Dwell. zone area
- Road
- Road name
- Railway
- Rail yard
- Turnway
- Property (of parcels)
- Highlighted property
- Address
- Lot number
- Plan number
- Crown all element number
- River, stream, coastline
- Water body
- Locality
- Locality name
- Local Government Area
- LGA name
- Local Govt Ward (2012)
- Ward name (2012)
- Local Govt Ward (2016)
- Ward name (2016)
- State Lower House (2014)
- State Lower House (2016)
- Lower House Name (2011)
- Lower House Name (2016)
- Bushfire prone area



0 160 320 m.

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17 November 2021



[REDACTED]  
Moyne Shire Council  
PO BOX 51  
PORT FAIRY VIC 3284

By email: [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)

**RE: AMENDMENT C70MOYN SUBMISSION**

Thank you for notifying Council of the exhibition of Moyne Shire Planning Scheme Amendment C70moyn which seeks to introduce the recommendations of the Moyne Warrnambool Rural Housing and Settlement Strategy (2010), Land Capability and Biodiversity Strategy (2009), and Addendum Report to both strategies (2015) into the Moyne Planning Scheme.

Firstly, it is acknowledged that Amendment C70moyn is a significant undertaking, and a large amount of work has been put into forming the amendment. Warrnambool City Council would like to commend Moyne Shire for actively seeking to address rural residential development, and rural housing issues. Pressure for this type of development is a significant issue for Moyne Shire; an issue that Warrnambool City Council and our community also faces regularly.

Warrnambool City Council has reviewed Amendment C70moyn, and wishes to provide the following feedback and raise the following issues:

- It is considered that the Amendment needs to provide a Community Impact Assessment, which identifies any potential demand on Moyne and Warrnambool, and the methodologies of addressing those impacts.

The estimated dwellings and population, especially in and around well-built or projected residential growth areas of Warrnambool (Bushfield, Grassmere, Koroit etc al, Southern Cross, etc ) appear to be very conservative.

However, as the neighbourhoods in the residential growth areas in the North of Warrnambool get built out, there is a likelihood of Moyne Shire feeling the pressure to further grow these areas, as significant infrastructural investments are likely to ensue from growth within Warrnambool. It would be of mutual interest to both Warrnambool City Council and Moyne Shire to include those estimates in the advocacy or proposals for further infrastructure developments, in these areas, at this stage itself.

Warrnambool's community services, particularly, early years, sports and recreation, open space and parks and gardens, are already experiencing significant extra pressure from Moyne residents in the current context, any additional stress, whether large or small, can significantly impact the asset management plan for Warrnambool City Council.

..../2

- The Amendment needs to consider and respond to the strategic directions within the Warrnambool Planning Scheme and the Warrnambool Domestic Wastewater Management Plan (2020-2025), for the settlement of Bushfield-Woodford, noting the settlement has hit the threshold for septic tank density, and specifically, directions to defer growth pending a wastewater management solution.
- It is considered a Traffic Impact Assessment needs to be undertaken to inform the proposed rezoning at Bushfield, including amenity and safety implications for the local road network maintained by Warrnambool City Council, including any cost implications.
- Confirmation is requested that all neighbouring properties in proximity to the proposed rezoning at Bushfield in the Warrnambool LGA have been notified.

If you have any queries or would like further information, please do not hesitate to contact the Manager of City Strategy & Development on [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Tuesday, 7 December 2021 7:16 AM  
**To:** Moyne  
**Subject:** Town Planning  
**Attachments:** [REDACTED]

To Whom it May Concern,

I [REDACTED] refer to the attached submission.

I would like to have my address [REDACTED] removed from this submission as there was no consulting from [REDACTED].

I have no abjection to [REDACTED] from submitting the plans for her own address at [REDACTED]  
[REDACTED]

I however want no involment.

Yours Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]





**Submission to Moyne City Council C70 Amendment**  
**Rezoning from proposed FZ3 to Low Density Residential Zone (LDRZ)**

On behalf of [REDACTED]

This submission proposes the rezoning of land bordered by Nine-Mile Creek Road, the Port Fairy Rail Trail and the Penshurst Warrnambool Road to Low Density Residential Zone with a minimum lot size of one acre.

An indicative subdivision layout of the land owned by [REDACTED] is provided to demonstrate the potential for a sensible lot layout the maximises street frontages and provides natural surveillance for each block. The other land to the south would be easily connected to the road network. See attached.

Existing properties affected by the proposal are [REDACTED], [REDACTED].

Attachment 1 shows the existing subdivision (inset) as well as the indicative lot layout for [REDACTED] (main).

**Land description**

Approximately 28 acres or 11.3 hectares

Three existing houses

Largely cleared land with few trees and little native vegetation.

The slightly sloping land sits high in the landscape and is not subject to flooding

This parcel of land is immediately adjacent to the township of Koroit

Reticulated town water is already connected to the land

Broadband access is also already connected to the land

frragments the farming land to its east from the broad acre farming land to the west farming land

### **Proposed zoning C70 Amendment**

The C70 Amendment proposes that this parcel of land is within Farming Zone 3 which schedules a minimum subdivision size of 40 hectares and the minimum lot size for which no permit is required for a dwelling is 10 hectares.

This schedule effectively rules out any potential for further subdivision or increased residential development despite its immediate proximity to the township.

### **Vision for Koroit**

The existing Moyne Planning Scheme and the proposed C70 amendment identifies Koroit as a District Town with moderate growth potential.

The Rural Housing Strategy defines 'moderate' as providing some potential growth beyond existing urban zoned land and through infill but within defined settlement boundaries.

The Council's vision for Koroit is to:

- strengthen and diversify Koroit's economic, social and cultural base in a sustainable manner that preserves the character of the town and promotes a good quality of life for its residents.
- enable the expansion of the land zoned for residential purposes and Rural Living to recognise areas developed for rural living purposes, and to allow for growth in urban and rural living opportunities within a defined settlement boundary around the town

The Planning Scheme states that development in Koroit should be encouraged within and adjacent to existing serviced areas within the settlement boundary to protect adjoining farmland and to ensure that the environment of the area is not compromised.

### **Other planning scheme considerations:**

Key policy objectives within the Planning Scheme, the proposed amendment and the Rural Housing Strategy that support rezoning of this land for residential development include the following:

- balance the need to provide desirable housing opportunities with realistic future servicing considerations,
- maintain compact urban forms that will allow for the ease of service delivery and minimal infrastructure costs.
- recognise the different requirements of the population by allowing the accommodation of the population of the municipality within a range of dwelling types suitable for the needs of the community.
- encourage rural residential and rural living development in appropriately zoned areas on the periphery of existing townships and settlements that can take advantage of available facilities and services.
- guide future population growth on the basis of a settlement hierarchy
- manage development on the fringes of townships so that it enhances the character of the town's landscape setting.
- encourage limited rural living and low-density residential development within existing zoned areas, ensure that any effects upon the surrounding farms are minimised.
- define a sustainable urban/non-urban edge to the main townships and settlements
- locate Low Density Residential Zone or Rural Living Zone - for existing low-density areas on the periphery of the built-up area of the main towns and settlements, and as an alternative to the Township Zone where development is dispersed.

### **This proposal**

This proposal complies neatly with the planning policy intent of Moyne Shire Council and its planning scheme. The land:

- abuts the township of Koroit with realistic future servicing potential
- provides a clearly defined and compact urban form with minimal infrastructure costs
- provides an opportunity for an extra type of residential development not currently offered in Koroit but suitable for people seeking a rural amenity close to the facilities of a District Town
- is located on the immediate periphery of the township and therefore providing the opportunity to access the services and social infrastructure provided in Koroit
- has the potential to enhance the character of the main entrances to the township with a country style setting, tree-lined country laneways and landscaped gardens



- utilises the Port Fairy Rail Trail as a natural buffer from the farming areas to the west and provides a logical settlement boundary to the north-west corner of Koroit

Koroit's excellent proximity to Warrnambool makes it an attractive location to the regional city and is integral to Koroit's growth potential. The regional city provides close access to quality education and health services. It is also accessible to employment centres in Warrnambool, Port Fairy and Portland.

Koroit is designated as a district town with moderate growth potential. As such it has good infrastructure including sewerage.

The proposal provides the opportunity for a rural setting with large residential allotments (one acre) with plenty of space for children to play, for vegetable gardens and fruit trees and native vegetation.

It fills a gap in the residential housing type available in Koroit, providing manageable lot sizes and therefore minimising the potential for agricultural weeds that larger rural living lifestyle properties sometimes create.

Its location is within walkable distance to the town's centre and immediately connected to the Rail Trail, thus supporting an active lifestyle.

The proposed character will emphasise the rural aspect with permeable street design and unmade roads that will operate as shared ways for pedestrians and cars.

The size of each block allows for septic tank wastewater systems supported by reticulated water supply. Alternatively, the town's sewerage system could be utilised inexpensively because of the land's immediate proximity to the town.

Rainwater capture through tanks can also be maximised, water harvesting off the house rooftops and associated shedding on these large residential blocks.

### **Utilising the Rail Trail as the settlement boundary**

The Rail Trail provides a more logical separation buffer from farming activity. The utilisation of this as the buffer is also consistent with the zoning patterns to the east of the subject land and would provide a continuous settlement boundary in the north-west corner of the Town.

By being at the edge of the town the rezoning of this land and the utilisation of the Rail Trail as the settlement boundary does not fragment other farming land. In fact, the Rail Trail (zoned PUZ4) already fragments this FZ land from continuous agricultural activity

### **Summary**

This proposal is supported by the policy intent of the Moyne Planning Scheme and its strategies.

It provides an extra residential type to the mix of housing opportunities in Koroit.

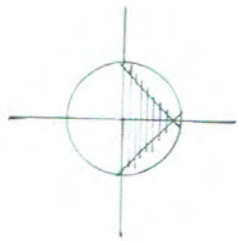
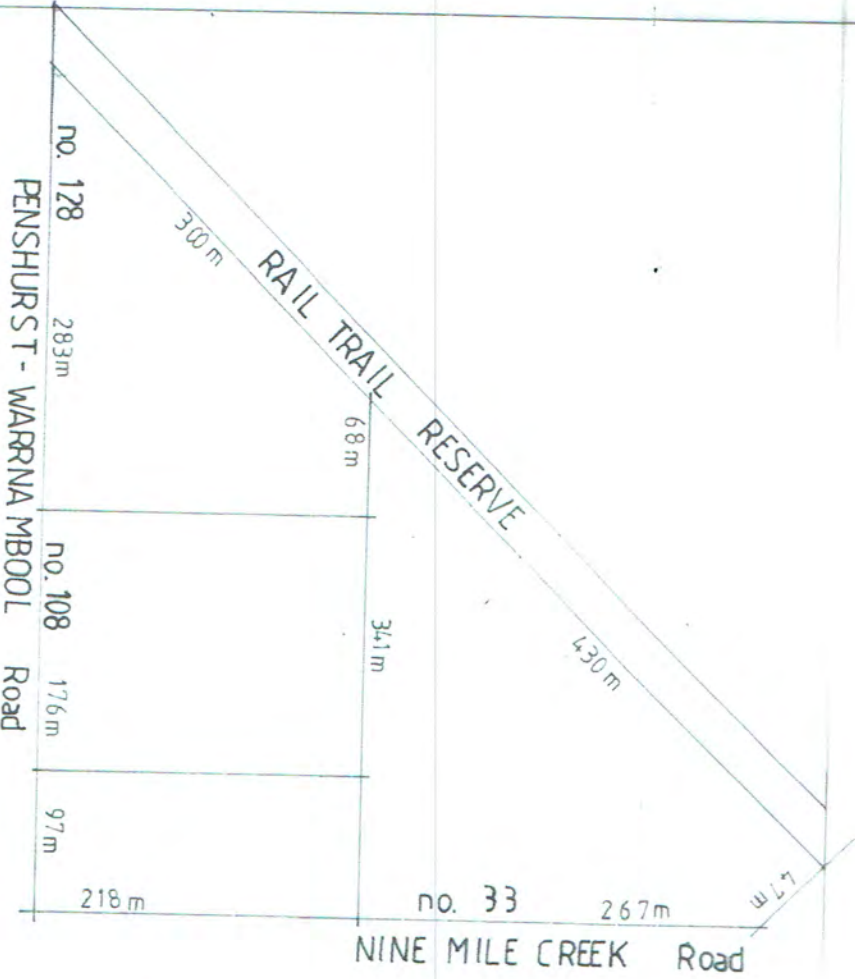
The provision of a road with blocks facing the Rail Reserve, Nine Mile Creek Road and Penshurst-Warrnambool Rd provides opportunities for permeable road network with natural surveillance to most properties.

There is potential for an improved environmental and amenity outcome because of the scale and location of the residential type.

The utilisation of the Rail Trail as the township boundary is logical and consistent with the adjacent residential land.



existing PROPERTIES  
(measurements approximate)  
1:5000



PENSHURST - WARRNAMBOOL Road

RAIL TRAIL RESERVE

proposed ROAD

10. (5358 m<sup>2</sup>)  
1.3 acres

9. (5184 m<sup>2</sup>)  
1.28 acres

8. (5200 m<sup>2</sup>)  
1.28 acres

7. (5248 m<sup>2</sup>)  
1.3 acres

1. (4074 m<sup>2</sup>)  
1 acre

2. (4074 m<sup>2</sup>)  
1 acre

3. (4074 m<sup>2</sup>)  
1 acre

4. (4074 m<sup>2</sup>)  
1 acre

5. (4825 m<sup>2</sup>)  
1.2 acres

6. (6868 m<sup>2</sup>)  
1.7 acres

NINE MILE CREEK Road

DETAIL for  
PROPOSED  
RE-ZONING

1:2000



17/01/2022

Moyne Shire Council  
PO Box 51  
Port Fairy VIC 3284

**SUBMISSION TO PLANNING SCHEME AMENDMENT C70  
MOYNE PLANNING SCHEME**

Dear Sir/Madam,

We act on behalf of the landowners of [REDACTED] – for [REDACTED]

The above land is an original Crown Grant Title that was created in 1924. The land contains the landowners principal place of residence/dwelling and an associated shed.

**SUBMISSION DETAIL**

On their behalf, the following concerns are raised regarding the proposed C70 Planning Scheme Amendment to their property at [REDACTED]

- The Rural Housing and Settlement Strategy 2010 indicated that the above land would be included in a Township Zone as well as selected surrounding land that already contains substantial rural living development. The Report also suggests that the Low Density Residential Zone be used in conjunction with an additional planning tool to address residential land capability matters. C70 is not consistent with the proposed planning provision outcomes from the Report.
- The strategic basis of the Rural Housing and Settlement Strategy Report was to also limit rural lifestyle areas to protect immediate adjoining agricultural land uses in the surrounding area. The landowner agrees with the protection of larger farming land in the area outside of the settlement of Kirkstall needs to be protected, but the line between those larger farming areas and the existing rural lifestyle areas needs to be better defined.
- The subject land and all of the immediate surrounds have already been substantially converted for rural lifestyle purposes and on that basis, it is more appropriate to have the subject land and those selected surrounds located in the Low Density Residential Zone to acknowledge the existing land use as recommended in the Rural Housing and Settlement Strategy 2010.
- The subject land is already heavily fragmented and is not effectively be able to be used in conjunction with larger farming operations as land is not contiguous and separated by the surrounding road network. If the subject land and immediate surrounds are used for agriculture will likely increase the potential for land use conflicts with established rural lifestyle land uses.

- The Rural Housing and Settlement Strategy 2010 Report and the Addendum Report 2015 are relying on market demand analysis for rural lifestyle land that is more than 10-15 years old. It also suggests that there are sufficient lots in the Township Zone that are available supply the demand for additional dwellings in the township. The reports also recommend planning tools to manage lot sizes to effectively manage land capability issues regarding wastewater disposal associated with residential uses.
- C70 now recommends no planning Zone or Overlay controls to manage land capability matters within the township of Kirkstall and discards the need to rezone the subject land to Low Density Residential Zone, based on arbitrary commentary regarding land capability and the vicinity of a Piggery located to the north east of the site.
- The landowner agrees that setbacks from the [REDACTED] should be recognised to avoid land use conflicts, but to dismiss rezoning the land to Low Density Residential Zone without a comprehensive land capability assessment is an inadequate analysis.
- Over the last 10 years, approximately 25 dwellings have been constructed or are under construction within the Township zone or adjoining Penshurst-Warrnambool Road. These are notated with a red dot in Figure 1 (see below). This data was prepared as part of the planning permit application for the dwelling that is now located on the subject land. The analysis was prepared in 2020 and is therefore considered to be a current analysis/snapshot of residential growth in the township.

## SUMMARY

This submission seeks to:

- Remove the subject land from the Farming Zone and any additional land between Penshurst Warrnambool Road, Buntings Road and Atkinson Street to achieve rational Zone boundaries.
- Include the subject land and any additional land between Penshurst Warrnambool Road, Buntings Road and Atkinson Street in the Low Density Residential Zone to achieve rational Zone boundaries (Figure 2 – shows subject land and area between Penshurst Warrnambool Road, Buntings Road and Atkinson Street).
- Set a minimum lot size in the Schedule to the Low Density Residential Zone of 0.8ha to suitably address issues regarding land capability and wastewater management.

Please contact me on [REDACTED] or via email if you have any questions about the above submission. Any further correspondence regarding the amendment and this submission should be directed to [REDACTED]

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]





Figure 1 Dwellings built or under construction since 2011 (Background Aerial Photo – Vicmap 2015)



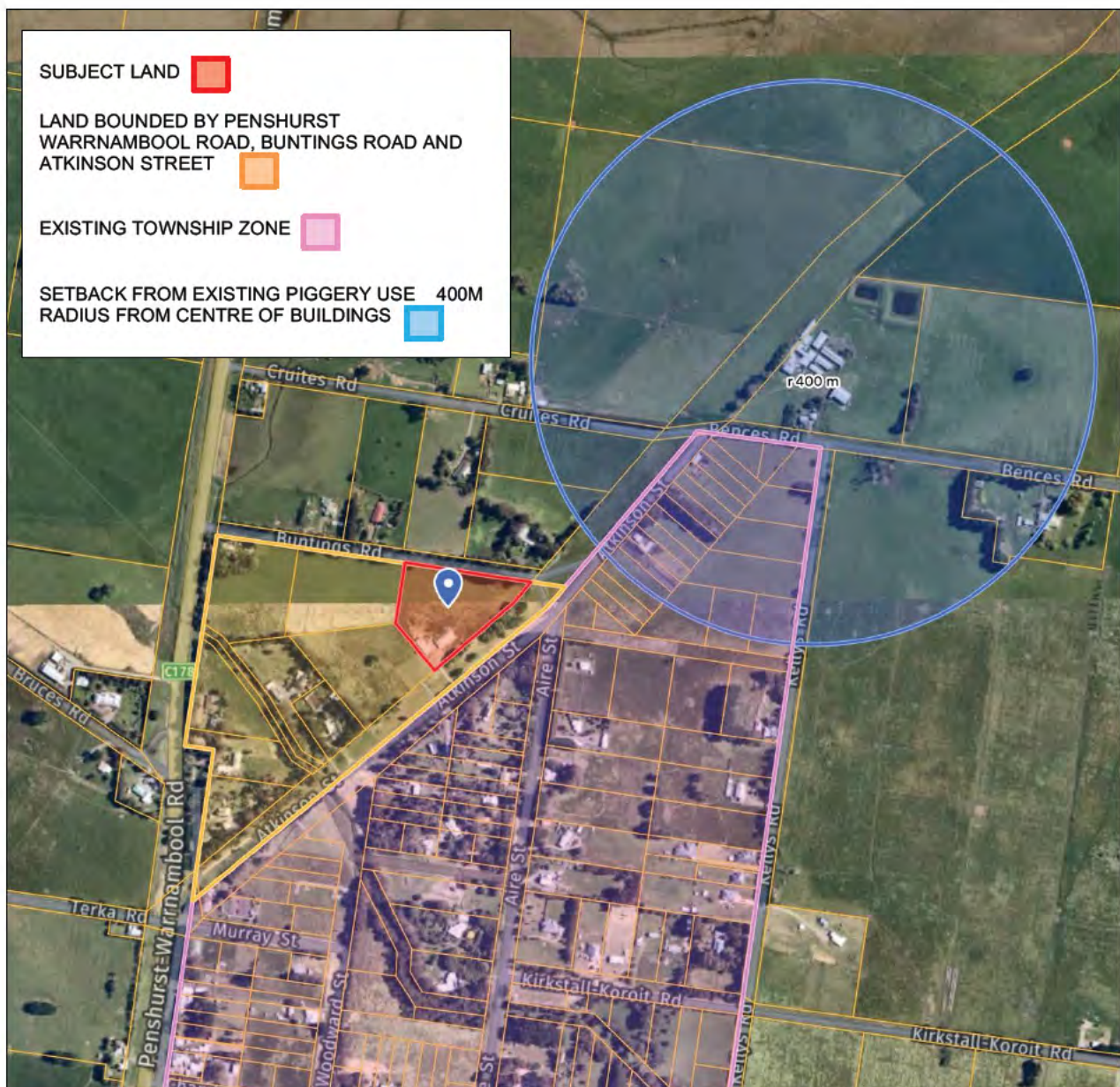


Figure 2 – CONTEXT PLAN for submission for [REDACTED] (CA 11 Sec D Parish of Warrong)

– Background aerial from Nearmap (November 2021)

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# Petition · Stop Moyne Shire Rezoning Farming Land · Change.org

[www.change.org](http://www.change.org)

Moyne Shire are trying to rezone improved farming land from a Farming Zone to Rural Conservation Zone.

It means that anyone who owns land under this proposed zoning change will require a permit to do almost anything on their own land. It will decrease production, profitability and the value of the land.

Not only does the proposed new zoning include improved farming land that has been owned by locals for over 100 years, it also covers houses, sheds and infrastructure (not of historic or archaeological interest) used to operate a farming business.

If the proposed zoning goes ahead, local farmers will be severely disadvantaged in how they can operate their businesses.

This is happening at local council level, but is being pushed by State Government through the Department of Environment, Land, Water and Planning, it could happen in your backyard too, it is already happening in the Macedon Ranges as well as Moyne Shire.

We need your support to show Council that we do not want this new rezoning and they need to come up with another solution and not inhibit our livelihoods.



Name	Country	Signed On
Catherine	Australia	22/09/2021
Bridie	Australia	22/09/2021
Carol	Australia	22/09/2021
Helen	Australia	22/09/2021
Bruce	Australia	22/09/2021
Stuie	Australia	22/09/2021
Debbie	Australia	22/09/2021
Scott	Australia	22/09/2021
Miriam	Australia	22/09/2021
Leigh	Australia	22/09/2021
Jenny	Australia	22/09/2021
Sarah	Australia	22/09/2021
Christine	Australia	22/09/2021
Jane	Australia	22/09/2021
Stuart	Australia	22/09/2021
Alex	Australia	22/09/2021
Geordie	Australia	22/09/2021
Lyn	Australia	22/09/2021
Elisa	Australia	22/09/2021
Graeme	Australia	22/09/2021
Lachlan	Australia	22/09/2021
Zoe	Australia	22/09/2021
Sandra	Australia	22/09/2021
Katelyn	Australia	22/09/2021
Warren	Australia	22/09/2021
Mark	Australia	22/09/2021
Dave	Australia	22/09/2021
Rebecca	Australia	22/09/2021
Helen V	Australia	22/09/2021
Andrew	Australia	22/09/2021
Bev	Australia	22/09/2021
Patrick	Australia	22/09/2021
Jayden	Australia	22/09/2021
Jer	Australia	22/09/2021
Glen	Australia	22/09/2021
Wallace	Australia	22/09/2021
Kate	Australia	22/09/2021
Kevin	Australia	22/09/2021
Karen	Australia	22/09/2021
Darren	Australia	22/09/2021
Bruce	Australia	22/09/2021
Leon	Australia	22/09/2021
David G	Australia	22/09/2021
Johanna	Australia	22/09/2021
Philip	Australia	22/09/2021
Melinda	Australia	22/09/2021
Scott	Australia	22/09/2021
Thea	Australia	22/09/2021
Barry Le	Australia	22/09/2021
Velia H	Australia	22/09/2021
Elsie V	Australia	22/09/2021
Jill R	Australia	22/09/2021
Mal M	Australia	22/09/2021
Janine	Australia	22/09/2021
David F	Australia	22/09/2021
Michael	Australia	22/09/2021

Matthew	Australia	22/09/2021
Elizabeth	Australia	22/09/2021
Gavin	Australia	22/09/2021
Laura	Australia	22/09/2021
Nicole	Australia	22/09/2021
Tarryn	Australia	22/09/2021
Carol	Australia	22/09/2021
Tom	Australia	22/09/2021
Kaitlin	Australia	22/09/2021
Jill	Australia	22/09/2021
Tanya	Australia	22/09/2021
Virginia	Australia	22/09/2021
Yvonne	Australia	22/09/2021
Phil	Australia	22/09/2021
Stuart	Australia	22/09/2021
Gary	Australia	22/09/2021
Greg	Australia	22/09/2021
Leigh	Australia	22/09/2021
Annab	Australia	22/09/2021
Lorrene	Australia	22/09/2021
Sam	Australia	22/09/2021
Paul	Australia	22/09/2021
Mary	Australia	22/09/2021
David	Australia	22/09/2021
Kristy	Australia	22/09/2021
Harold	Australia	22/09/2021
Patricia	Australia	22/09/2021
Daniel	Australia	22/09/2021
Mark	Australia	22/09/2021
Maureen	Australia	22/09/2021
Nyomie	Australia	22/09/2021
Rob	Australia	22/09/2021
Ross	Australia	22/09/2021
Angela	Australia	22/09/2021
Liz N	Australia	22/09/2021
Noah	Australia	22/09/2021
Chris	Australia	22/09/2021
Simon	Australia	22/09/2021
Peter	Australia	22/09/2021
Gail B	Australia	22/09/2021
Simon	Australia	22/09/2021
Corinna	Australia	22/09/2021
Grace	Australia	22/09/2021
Matthew	Australia	22/09/2021
Mary-An	Australia	22/09/2021
Knox	Australia	22/09/2021
Lee	Australia	22/09/2021
Corey	Australia	22/09/2021
Natalie	Australia	22/09/2021
Ayla	Australia	22/09/2021
Jack	Australia	22/09/2021
fawzi	Australia	22/09/2021
Aaron	Australia	22/09/2021
Jarred	Australia	22/09/2021
Emma	Australia	22/09/2021
Kerrilee	Australia	22/09/2021
Zane	Australia	22/09/2021

Trevor	Australia	22/09/2021
Ashlee	Australia	22/09/2021
Brett C	Australia	22/09/2021
Jonathan	Australia	22/09/2021
Anna F	Australia	22/09/2021
Terry	Australia	22/09/2021
Sarah	Australia	22/09/2021
Susan	Australia	22/09/2021
Jennifer	Australia	22/09/2021
James M	Australia	22/09/2021
Georgina	Australia	22/09/2021
Kate H	Australia	22/09/2021
Jesse S	Australia	22/09/2021
Jessica	Australia	22/09/2021
Patrick	Australia	22/09/2021
Vian V	Australia	22/09/2021
Angus	Australia	22/09/2021
Archie F	Australia	22/09/2021
Christopher	Australia	22/09/2021
Lisa	Australia	22/09/2021
Skye	Australia	22/09/2021
Camilla	Australia	22/09/2021
Dasha	Australia	22/09/2021
Steven	Australia	22/09/2021
ken	Australia	22/09/2021
Lisa	Australia	22/09/2021
Lisa	Australia	22/09/2021
Peter	Australia	23/09/2021
Julie	Australia	23/09/2021
Julie	Australia	23/09/2021
Dorothy	Australia	23/09/2021
Denise	Australia	23/09/2021
Jason F	Australia	23/09/2021
Lizzie	Australia	23/09/2021
Sam	Australia	23/09/2021
Neil	Australia	23/09/2021
Brett B	Australia	23/09/2021
Joanne	Australia	23/09/2021
Jenni	Australia	23/09/2021
Alistair	Australia	23/09/2021
Mal D	Australia	23/09/2021
bob	Australia	23/09/2021
Mark	Australia	23/09/2021
Samara	New Zeala	23/09/2021
wayne	Australia	23/09/2021
Stephen	Australia	23/09/2021
Narelle	Australia	23/09/2021
Rosie	Australia	23/09/2021
Maddy	Australia	23/09/2021
Richard	Australia	23/09/2021
Stewart	Australia	23/09/2021
Anne	Australia	23/09/2021
Will	Australia	23/09/2021
Scott	Australia	23/09/2021
Fleur	Australia	23/09/2021
Skyla	Australia	23/09/2021
Fiona	Australia	23/09/2021



Kamani	Australia	23/09/2021
Liza	Australia	23/09/2021
Deb	Australia	23/09/2021
Mitzi	Australia	23/09/2021
Kit	Australia	23/09/2021
James	Australia	23/09/2021
william	Australia	23/09/2021
Johnny	Australia	23/09/2021
Bryce	Australia	23/09/2021
Nikki	Australia	23/09/2021
Adan	Australia	23/09/2021
Lee	Australia	23/09/2021
Glynis	Australia	23/09/2021
Suzi	Australia	23/09/2021
Lou	Australia	23/09/2021
Michael	Australia	23/09/2021
Aggie	Australia	23/09/2021
Robyn	Australia	23/09/2021
Scott	Australia	23/09/2021
Trevor	Australia	23/09/2021
Tom	Australia	23/09/2021
Amelia	Australia	23/09/2021
Katrina	Australia	23/09/2021
Joy	Australia	23/09/2021
paul	Australia	23/09/2021
Will	Australia	23/09/2021
Matt	Australia	23/09/2021
Kerry	Australia	23/09/2021
Patrick	Australia	23/09/2021
Dear	Australia	23/09/2021
Lacy	Australia	23/09/2021
April	Australia	23/09/2021
Harry	Australia	23/09/2021
Dallas	Australia	23/09/2021
Lynette	Australia	23/09/2021
Keri	Australia	23/09/2021
Sherrie	Australia	23/09/2021
Belinda	Australia	23/09/2021
Angela	Australia	23/09/2021
trish	Australia	23/09/2021
Lucy	Australia	23/09/2021
Paul	Australia	23/09/2021
Megan	Australia	23/09/2021
Angus	Australia	23/09/2021
sue se	Australia	23/09/2021
James	Australia	23/09/2021
Cass	Australia	23/09/2021
Jodie F	Australia	23/09/2021
Elly	Australia	23/09/2021
Lyn	Australia	23/09/2021
Sally J	Australia	23/09/2021
Netsane	Australia	23/09/2021
Chris	Australia	23/09/2021
Susan	Australia	23/09/2021
yvonne	Australia	23/09/2021
Vivienne	Australia	23/09/2021
Sally	Australia	23/09/2021

Kate	Australia	23/09/2021
Douglas	Australia	23/09/2021
marie-anne	Australia	23/09/2021
Brad	Australia	23/09/2021
Stuart	Australia	23/09/2021
Daniel	Australia	23/09/2021
Jordan	Australia	23/09/2021
Edwina	Australia	23/09/2021
Sam	Australia	23/09/2021
Di	Australia	23/09/2021
Jane	Australia	23/09/2021
Bonnie	Australia	23/09/2021
Lance	Australia	23/09/2021
Lusia	Australia	23/09/2021
Mozatti	Australia	23/09/2021
Hayley	Australia	23/09/2021
Jacqui	Australia	23/09/2021
Debbie	Australia	23/09/2021
aroha	Australia	23/09/2021
Paul	Australia	23/09/2021
Leanne	Australia	23/09/2021
Clint	Australia	23/09/2021
Dylan	Australia	23/09/2021
Daniel	Australia	23/09/2021
Michael	Australia	23/09/2021
Georgie	Australia	23/09/2021
Sel	Australia	23/09/2021
Noah	Australia	23/09/2021
Charles	Australia	23/09/2021
Paul	Australia	23/09/2021
Ric	Australia	23/09/2021
Daniel	Australia	23/09/2021
James	Australia	23/09/2021
Phillip	Australia	23/09/2021
Peter	Australia	23/09/2021
Paul	Australia	23/09/2021
Caitlin	Australia	23/09/2021
Matthew	Australia	23/09/2021
Malachi	Australia	23/09/2021
Noel	Australia	23/09/2021
Judy	Australia	23/09/2021
Loris	Australia	23/09/2021
Georgina	Australia	23/09/2021
Linda	Australia	23/09/2021
Kaye	Australia	23/09/2021
Deborah	Australia	23/09/2021
Dominic	Australia	24/09/2021
Jen	Australia	24/09/2021
Margaret	Australia	24/09/2021
Viva-Lyn	Australia	24/09/2021
Rebecca	Australia	24/09/2021
Julian	Australia	24/09/2021
Tracey and Peter	Australia	24/09/2021
J H	Australia	24/09/2021
Pam	Australia	24/09/2021
Joëlle	Australia	24/09/2021
Pammie	Australia	24/09/2021



Cate	8 Australia	24/09/2021
Carlie	7 Australia	24/09/2021
neilo	4 Australia	24/09/2021
Portia	0 Australia	24/09/2021
Ros	4 Australia	24/09/2021
James	6 Australia	24/09/2021
Lochlan	6 Australia	24/09/2021
Katy	0 Australia	24/09/2021
tom	8 Australia	24/09/2021
Samantha	5 Australia	24/09/2021
Jocelyn	7 Australia	24/09/2021
Frank	Australia	24/09/2021
Logan	Australia	24/09/2021
Vicki	2 Australia	24/09/2021
geoff	Australia	24/09/2021
Katherine	0 Australia	24/09/2021
Cassandra	6 Australia	24/09/2021
Joanne	Australia	24/09/2021
Linda	0 Australia	24/09/2021
Tracy I	9 Australia	24/09/2021
Ray	0 Australia	24/09/2021
Tracey	6 Australia	24/09/2021
Tess	6 Australia	24/09/2021
Shirley	Australia	24/09/2021
Reilly	9 Australia	24/09/2021
James	Australia	24/09/2021
Skye	8 Australia	24/09/2021
Michelle S	2 Australia	24/09/2021
Alex	0 Australia	24/09/2021
Kathy	Australia	24/09/2021
Hutchins	2 Australia	24/09/2021
Elyse	0 Australia	25/09/2021
Sue	Australia	25/09/2021
Shane	0 Australia	25/09/2021
Austin	0 Australia	25/09/2021
Sarah Jane	0 Australia	25/09/2021
Ashlyn	Australia	26/09/2021
Rob	Australia	26/09/2021
tamara	6 Australia	26/09/2021
Jo	Australia	26/09/2021
Gary	Australia	27/09/2021
Rebecca	8 Australia	27/09/2021
Leonie	0 Australia	27/09/2021
Judy	0 Australia	27/09/2021
Adrian	6 Australia	28/09/2021
Julianne	Australia	29/09/2021
Julie Stev	6 Australia	29/09/2021
Louise	6 Australia	29/09/2021
Pat	Australia	29/09/2021
Hendrina	Australia	29/09/2021
Tony	Australia	29/09/2021
davena	0 Australia	29/09/2021
Jennifer	Australia	29/09/2021
Cameron	Australia	29/09/2021
Heidi	Australia	29/09/2021
taylah	Australia	29/09/2021
Troy	Australia	29/09/2021



Amy	Australia	29/09/2021
Kim	Australia	29/09/2021
Nessa	Australia	29/09/2021
Gyorgy	Australia	29/09/2021
Steven	Australia	29/09/2021
Shelby	Australia	29/09/2021
brooke	Australia	29/09/2021
Amira	Australia	29/09/2021
Heather	Australia	29/09/2021
Darren E	Australia	30/09/2021
Abz Ake	Australia	30/09/2021
Neil Jose	Australia	30/09/2021
Grant Be	Australia	30/09/2021
Lachlan	Australia	30/09/2021
Jordan H	Australia	30/09/2021
Yussef E	Australia	30/09/2021
shansha	Australia	30/09/2021
Dan Liu	Australia	30/09/2021
Allison V	New Zeala	6/10/2021
Belinda V	Australia	10/10/2021