

Attachment 1: Amendment C70moyn – Summary of submissions and officer response

Number	Comment	Response	Recommendation
1	<p>We purchased our property and settled here due to the rural and bucolic nature of the area (Koroit West). 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.</p>	<p>The proposed Rural Living rezonings generally recognise existing development and smaller lots, particularly, to the west and south-west of Koroit. There will be a modest increase in the density of development, however, the minimum lot size of two hectares will ensure that it is consistent with the current character of the area.</p>	<p>Remove the proposed FZ3 from the Amendment.</p> <p>Refer the submission to Panel.</p>
<p>The proposed changes will result in a loss of productive farming land. 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.</p>	<p>A modest loss of agricultural land may occur in the number of the areas proposed to be rezoned to Rural Living. These rezonings generally recognise existing development and smaller lots. However, there are concerns that the proposed lifestyle farming (FZ3) area to the west of Koroit to Kirkstall may affect the ability for commercial farming enterprises to remain in that area.</p>		
<p>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 increased dissatisfaction of ratepayers with our Council services.</p>	<p>The proposed Rural Living rezonings will enable a modest level of development to occur across the Shire, primarily in settlements, which have existing facilities, such as, primary schools, community halls, etc. It is considered that the resultant development will increase the critical mass in these settlements, thus supporting the retention of these critical local facilities.</p>		
<p>Koroit's main street {Commercial Road) 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.</p>	<p>Development facilitated by the Amendment is unlikely to generate additional traffic at a volume, which would be above the capacity of Commercial Road, Koroit. The Department of Transport's submission has not raised any issues in relation to the capacity of the road being exceeded.</p>		

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	<p>The proposed changes will increase the value of the land that is directly impacted by the rezoning; thereby benefiting the few but will decrease the value of the existing residential land in the general area, thereby negatively affecting many because of the increased supply of residential property.</p>	<p>Effects on residential property values are generally not considered to be a planning consideration. There is no evidence from similar rezonings in other municipalities that an increased land supply will cause a decrease in the value of existing residential land.</p>	
	<p>The Moyne Shire Council has an unsatisfactory reputation in regard to regulating development works. 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 Council. Such an increase in demand for approvals will be beyond Council's capability to manage acceptably.</p>	<p>Generally, the rezonings are intended to enable infill development of dwellings on existing lots or small-scale subdivisions. The extent of works required for rural living and lifestyle farming development is unlikely to beyond the capacity of Council to approve and manage.</p>	
	<p>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 our Shire intact.</p>	<p>Council notes the content of this submission.</p>	
2	<p>The Parish is pleased to support this amendment because the church land at Purnim, with diminishing church populations, has become extremely difficult to maintain with a very aging congregation.</p> <p>Processes like these encourage small towns like Purnim to attract much-needed new residents and rebuild the lost vibrancy these small communities once had. The subject land is not valuable farmland and has not been used for farming for decades.</p> <p>It is through 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</p>	<p>Support for the Amendment is noted.</p>	<p>No change required.</p> <p>Refer the submission to Panel.</p>

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	<p>has resulted in a significant loss of the sense of community.</p> <p>The Moyne Shire is commended for preparing this amendment and reiterate the full support from the Parish as the owner of the subject land in Purnim.</p>		
3	<p>A minimum lot size of 5,200 square metres would be more reflective of the Lowery Road, Crossley area.</p>	<p>Planning policy and controls do not support an increased density of development in the Tower Hill environs due to its environmental and significant landscape values, and bushfire risk.</p> <p>Although there is a variety of lot sizes in the Lowery Road, Crossley area, there is no strategic support for a minimum lot size of less than two (2) hectares in either the 2010 RHSS or the Addendum Report.</p> <p>The Addendum Report specified the two-hectare subdivision minimum lot size in the proposed Koroit West/Crossley Rural Living Zone to minimise lot yield and provide an adequate lot size to effectively treat and contain wastewater.</p> <p>Consideration of any reduction in the minimum lot size needs to be based upon a strategic examination and requires investigation beyond that undertaken in the RHSS and Addendum Report.</p> <p>Further strategic work would be required to be undertaken to determine whether reduced lot sizes are appropriate in any part of this area, which is beyond the scope of the Amendment.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>
4	<p>Applying the proposed Budj Bim National Park Environs Rural Conservation Zone to our property is unnecessary, as there are already overlays on the property.</p>	<p>It is considered that the Rural Conservation Zone Schedule 2 is the appropriate Zone for the submitter's property, as it within the Budj Bim National Park environs.</p>	<p>No change proposed.</p>

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		<p>The majority of the landholding is cleared and it is generally within a peninsula of cleared land surrounded by woodland. However, it contains some woodland which forms part of a larger woodland area on adjoining land, and woodland exists on land opposite.</p> <p>The Overlays applying to land only control development, not the use of the land. Applying the Rural Conservation Zone will ensure that both future use and development is sensitive to the environmental values of the Budj Bim National Park Environs.</p>	<p>Refer the submission to Panel.</p>
	<p>The future productivity of the farm may be affected if more regulations are put in place.</p>	<p>One of the purposes of the Rural Conservation Zone is <i>“to provide for agricultural use consistent with the conservation of landscape and environmental values of the area”</i>.</p> <p>In addition, it encourages the use of land, which is consistent with sustainable land management and land capability practices.</p> <p>The Rural Conservation Zone will control land use and it will not introduce regulations, which affect farm management or productivity.</p>	
	<p>Farming has been undertaken responsibly on the land for 113 years and we should be certain of a future unhindered by overbearing rules and restrictions.</p>	<p>Where land is currently used for agricultural purposes, the Rural Conservation Zone will not introduce regulations, which restrict the farming of the land. The existing use provisions under Clause 63 of the Moyne Planning Scheme will apply if the land is rezoned to Rural Conservation Zone.</p>	
	<p>It is concerning that the Moyne Planning Scheme contains policies and provisions, which control land use and development.</p>	<p>Constraints on individual decisions about the use and development of land apply across the State and nation. Land use planning inevitably limits how</p>	

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		<p>people may use and develop their land to achieve the objectives of planning in Victoria.</p> <p>All planning schemes in Victoria are required to contain policies and provisions, which control land use and development.</p> <p>All zones, in both urban and rural areas, constrain how land is used and developed to achieve the purposes of the zone, benefits for the broader community, facilitate economic development, maintain important resources, or to protect neighbours from adverse impacts.</p>	
5	<p>My farm is distant from the Budj Bim National Park and I strongly object to it being rezoned to the Rural Conservation Zone.</p>	<p>The land is distant from the Budj Bim National Park and contains little, if any woodland. It adjoins an area of remnant woodland (approximately 35 hectares), which is isolated from the woodland area surrounding the National Park.</p>	<p>Support the request to remove the submitter's land from the proposed Rural Conservation Zone.</p> <p>Refer the submission to Panel.</p>
	<p>The farm holding is small and in future will need every farming method, which becomes useful.</p>	<p>Refer to response to Submission No. 4.</p>	
	<p>The landowners in the area own the land and do not need the Moyne Shire to have control over it.</p>	<p>Refer to response to Submission No. 4.</p>	
6	<p>Supports a buffer zone around Budj Bim National Park and the rezoning of 'Non-Active Farmed Land' to RCZ2 within the Shire's stated strategy aim of <i>"continued to protect the Shire's valuable agricultural land"</i></p>	<p>Support for the proposed Budj Bim National Park Environs Rural Conservation Zone is noted.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>
	<p>We object to the rezoning of quality diverse productive agriculture land, which is some distance from the Budj Bim National Park boundary to RCZ2.</p>	<p>The subject site is in private ownership and is used for agricultural purposes. However, it contains a substantial area of remnant native vegetation.</p>	

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	<p>It will increase resource and administration costs to the freehold landowners and increases the need of permits and complexities, which is contrary to the strategy's aim of <i>"continued to protect the Shire's valuable agricultural land"</i> and <i>"avoiding the need for unnecessary planning permit applications for land use"</i> stated in the explanatory report.</p>	<p>It is considered that the Rural Conservation Zone Schedule 2 is the appropriate zone for the subject site, as the provisions will ensure that any future use or development is sensitive to the environmental values of the existing vegetation on site.</p> <p>There may be an additional burden on property owners in relation to planning approvals for future development, however, it appropriate to require a higher level of assessment for development on the land, due to its existing environmental and cultural heritage values.</p>	
	<p>Our land, which is included in the proposed amendment, is over approximately 1.2kms and 4.8kms from the National Park's Eastern and Northern boundaries respectively, with both forest and private uncleared woodland between it and the Budj Bim National Park.</p>	<p>The Overlays applying to land only control development, not the use of the land. Applying the Rural Conservation Zone to the land will ensure that its future use and development is sensitive to the cultural and environmental values of the existing vegetation on the site and surrounding land.</p>	
	<p>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 winds and provides dry shelter from the harsh elements. It is greatly beneficial during the hot mid-summer months giving protection from sun exposure and the frontage provides an extended period of green fodder.</p>	<p>Refer to response to Submission No. 4.</p>	
	<p>The land houses our only undercover working fodder storage facility of which is an all-weather access facility, strategic to our agriculture primary production.</p>	<p>Refer to response to Submission No. 4.</p>	

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	<p>Regarding the far Eastern side of the Budj Bim National Park, the rezoning of non-primary agricultural unproductive uncleared woodland (all land directly West and South-West of us) to RCZ2 should proceed, thus ensuring a sizable buffer for the National Park and maintain the current FZ zone on productive strategic land including our lot.</p>	<p>Support for the application of the Rural Conservation Zone to the remainder of land on the eastern side of the Budj Bim National Park is noted.</p>	
7	<p>We 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.</p> <p>The Amendment 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.</p> <p>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.</p>	<p>Council notes the content of this submission.</p> <p>Council has limited resources to fund planning and infrastructure to develop areas for residential and rural living purposes, and cannot support growth in all settlements in the Shire.</p> <p>Given the limited availability of services available in Purnim, neither the RHSS nor the Addendum Report recommended any expansion of the settlement beyond rezoning the land included in Amendment C70moyn.</p> <p>Consideration of any expansion of the settlement needs to be based upon a strategic examination and requires investigation beyond that undertaken in the RHSS and Addendum Report.</p> <p>Further strategic work would be required to determine whether Purnim should be identified for further growth before consideration could be given to identifying additional land for residential/rural</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

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		living development in the settlement. This work is beyond the scope of the Amendment.	
	We 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, 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.	<p>The submitter recognises that there are significant issues in relation to the availability of housing in regional areas. There are many matters, which would need to be considered, not only proximity to Warrnambool, to determine whether increased development is appropriate in this location.</p> <p>Consideration of these issues would require further strategic work to be undertaken, which is beyond the scope of the Amendment.</p>	
8	The Rural Housing and Settlement Strategy and its Addendum Report 2015 indicated that the submitter's land would be included in a Rural Living Zone, as well as, selected surrounding land that already contains substantial rural living development. C70 is not consistent with the recommendations of the Addendum Report.	<p>Prior to the public exhibition of a planning scheme amendment, the planning authority (Council) must obtain authorisation to proceed with its preparation from the Minister for Planning. After considerable negotiation, conditional authorisation was granted by the Department of Environment, Land, Water and Planning (DELWP), under delegation from the Minister for Planning.</p> <p>The authorisation conditions required a reduction in the extents of the proposed Rural Living Zone at Hawkesdale, Koroit West, and Woolsthorpe. In addition, Council was required to remove the proposed Rural Living Zone at Bushfield/Wangoom, Illowa East and Yarpturk, and increase the minimum lot size in the proposed Rural Living area at Southern Cross.</p>	<p>Support the request to remove the proposed FZ3 from the Amendment.</p> <p>Refer the submission to Panel.</p>
	The strategic basis of the Rural Housing and Settlement Strategy Addendum Report was to limit rural living areas to protect immediate adjoining agricultural land uses west and south of the subject	The Rural Housing and Settlement Strategy Addendum Report 2015 recommended that the area beyond the proposed Rural Living area to the west and south of Koroit be designated as a	

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	<p>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.</p>	<p>'lifestyle farming area' with a 10-hectare minimum lot size for a dwelling.</p> <p>Redefining the 'line' between those larger farming uses and the existing rural living areas, would require further strategic work, which is beyond the scope of the Amendment.</p>	
	<p>The expansive use of the Farming Zone 3 west and south of Koroit, with a 10 hectare 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.</p>	<p>The Farming Zone 3 is intended to facilitate opportunities for the establishment of small-scale farming enterprises. However, it will not guarantee that the agricultural use of land in the area will not be compromised. There is a risk that the area will become a de-facto rural living zone, as it would provide opportunities for lifestyle housing.</p> <p>As more rural residential development occurs in an area, greater pressure on farming operations is likely as the prevailing character of the area and expectations of residents' change.</p>	
	<p>The Farming Zone 3 should not be applied to the west and south of Koroit. The Farming Zone controls should remain unaltered to effectively protect those existing agricultural businesses.</p>	<p>The Farming Zone Schedule 3 (FZ3) is intended to foster small-scale agricultural uses, which complement the surrounding broad scale dairy and grazing operations in the subject area. Therefore, it is anticipated that the Farming Zone Schedule 3 (FZ3) will lead to the conversion of some of the land to small scale/hobby farms over time, at the expense of commercial farming enterprises.</p>	

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	<p>The subject land and some of the immediate surrounds have been substantially converted for rural living purposes. It is more appropriate to have the subject land and those selected surrounds located in the Rural Living Zone to reflect the existing land use.</p>	<p>According to <i>Planning Practice Note 42 - Applying the Rural Zones</i>, “the existing size or pattern of lots in an area should not be the sole basis for deciding to apply a particular 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.”</p> <p>Rezoning of additional land to the Rural Living Zone would lead to further fragmentation and alienation of agricultural land and potential land use conflicts, which is contrary to State planning policies.</p> <p>In addition, a rural development pattern where dwellings on small rural lots are common can create lifestyle expectations which conflict with continued agricultural activity, inflate the value of surrounding farmland, and reduce the viability of continued farming.</p>	
	<p>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.</p>	<p>If the land is rezoned, existing agricultural uses can continue under the provisions of Clause 63 of the Moyne Planning Scheme. The submitter seeks a rezoning to the Rural Living Zone, which does not prohibit use of land for agricultural purposes.</p>	
	<p>C70 should be consistent with the Koroit Structure Plan, which 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 Peshurst-Warrnambool Road.</p>	<p>The Koroit Structure Plan reflects the recommendations of the Rural Housing and Settlement Strategy Addendum Report 2015, which pre-dates the authorisation of Amendment C70moyn. It did not provide additional strategic justification for the Rural Living rezonings in proximity to Koroit.</p>	

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	<p>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:</p> <ul style="list-style-type: none"> – 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 allowing for some limited growth of rural living uses within that area. – Aligning the boundary of the two zones generally along road boundaries, rather than lot boundaries to limit split zoning issues in the future. 	<p>It is noted that the authorisation conditions required a reduction to the extent of the Rural Living rezonings at Koroit West, which were proposed in the Addendum Report. Therefore, the extent of the rezonings proposed in the Addendum Report could not be included in the exhibited Amendment.</p> <p>In addition, there is clear State planning policy to limit new housing development in rural areas and direct housing growth into existing settlements.</p> <p>As the additional land has not been exhibited for Rural Living rezoning under the current Amendment, it is unlikely to be able to be rezoned via a change to C70moyn.</p>	
9	<p>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, which is proposed directly adjacent to the land.</p> <p>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.</p> <p>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.</p> <p>The land is best served being 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.</p>	<p>Refer to response to Submission No.8.</p> <p>Refer to response to Submission No.8.</p> <p>The land does not appear to have any constraints for use for agricultural purposes. Land adjoining to the south is used for commercial farming purposes. Therefore, there is potential for the land to be acquired by an adjoining commercial farming business.</p> <p>Many farms comprise a number of lots, including relatively small lots. Sometimes lots in farm holdings are contiguous, but often they are separated. Existing lots can be bought and sold as</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

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		farmers seek to increase or decrease the size of their holdings.	
	A planning permit application has been submitted to Council to develop the subject land with 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 use is complementary with the adjoining rural living development that is prevalent along Lumsdens Lane.	Noted, a decision is yet to be made on the planning permit application.	
	The proposed land use will act as a buffer to the rural living development. The subject land will only be capable of containing limited lower levels of agricultural outputs. Therefore, it will lessen potential for land use conflicts and be more complementary to more sensitive land uses.	There is no guarantee that the proposed land use will be established or whether it will provide a buffer to rural living development. In addition, Amendment C70moyn does not propose to rezone the adjoining land for rural living purposes and the subject land and adjoining land can still be used for agricultural purposes.	
10	We oppose the C70 Amendment, which is proposing to rezone private land to the north and east of the Budj Bim National Park from Farming Zone to Rural Conservation Zone Schedule 2.	Council notes the content of this submission.	Support the request to remove the title on the northern side of Sparrows Road owned by the submitters from the proposed Rural Conservation Zone. Refer the submission to Panel.
	On the eastern side of the National Park, the Traditional Owners own a large area of land and there is a Native Vegetation Off Set site. This land provides a more than adequate buffer to protect the biodiversity values of the National Park.	The remnant woodland area on the eastern side of the National Park extends beyond the Traditional Owners land and the Native Vegetation Off Set site. It is appropriate to include the full extent of the remnant woodland in the Rural Conservation Zone to ensure that any future use or development is sensitive to its environmental values.	

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	Our block is not near the National Park – there is Sparrows Road and Mount Eccles Road between the National Park and the private land, which is all cleared, and contains improved pastures.	The land is some distance from the Budj Bim National Park and does not appear to contain any woodland. It is not contiguous with any areas of remnant woodland surrounding the National Park.	
	The Land Capability and Biodiversity Studies Project (Project) states: “Application of the RCZ should be considered only for areas of uncleared remnant vegetation adjacent to Mt Eccles National Park”.	The extent of the proposed RCZ generally accords with the mapping shown in the Land Capability and Biodiversity Study. However, that mapping appears to include a wider extent than the areas of uncleared remnant vegetation, described in the document.	
	The land has and is being used for agriculture – it has been used for over 100 years as farming land both within wooded areas and open land. Within the Park itself there are many stonewalls, 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.	As above.	
	This rezoning is an unnecessary change, which will negatively affect the ability to flexibly farm our land and devalue the land in circumstances where the environmental significance can continue to be protected in other, less onerous ways.	Refer to response to Submission No. 4. Potential devaluation of property values resulting from Amendment C70moyn is not a relevant planning matter. This position has been clearly expressed in numerous planning panel reports.	
11	A change from Farming Zone, which is strongly focussed on protecting and promoting farming and agriculture, to a Rural Conservation Zone, must consider the environmental characteristics of the area and this has not been done.	The extent of the proposed RCZ generally accords with the mapping shown in the Land Capability and Biodiversity Study. This Study was prepared in consultation with the former Department of Sustainability and Environment and did consider the environmental characteristics of the area.	Support the request to remove the title on the northern side of Sparrows Road owned by the submitters from the

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	<p>While Rural Conservation Zone contemplates the use of the land for agriculture, 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, have been incorrectly defined by Council. Council has failed to identify any alternative and less onerous means of managing any perceived risk in this area.</p>	<p>Some of the land in the submitters' ownership adjoins the Budj Bim Cultural Landscape World Heritage area and National Park. The landowners would be aware of their responsibility to ensure that farming activity on the land takes into account the conservation and cultural values, and environmental sensitivity of the locality.</p> <p>The Land Capability and Biodiversity Study found that the Rural Conservation Zone is the most appropriate Zone to control land use and protect the conservation, cultural and environmental values of the Budj Bim National Park Environs. The Rural Conservation Zone will provide an appropriate balance between enabling agricultural production to occur in the area and the need to protect its significant conservation, cultural and environmental values.</p>	<p>proposed Rural Conservation Zone.</p> <p>Refer the submission to Panel.</p>
	<p>On the eastern side of the National 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 800 acres of this area. This provides more than an adequate buffer to protect the biodiversity values of the National Park.</p>	<p>Refer to response to Submission No.10.</p>	
	<p>Our other block is distant from the National Park – there is Sparrows Road and Mount Eccles Road between the National Park and the land, which has been cleared and contains improved pastures. It should not be included as a “buffer” it is not adjacent to the park, and any native pastures no longer exist, and it should be removed from the rezoning schedule.</p>	<p>Refer to response to Submission No.10.</p>	

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	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 lend as much against the land, limiting our borrowing capacity.	Refer to response to Submission No.10.	
	This rezoning is an unnecessary change, which will negatively affect the ability to flexibly farm our land and devalue the land in circumstances where the environmental significance can continue to be protected in other, less onerous ways.	Refer to response to Submission No. 4.	
12	Supports the Rural Living Zone Schedule 1 (RLZ1) proposed to be applied to land at Princes Highway, Port Fairy.	Council notes the content of this submission.	No change proposed. Refer the submission to Panel.
	Requests a revision of the Schedule to the Low Density Residential Zone (LDRZ) to support sewered development of LDRZ land with 2000sq.m minimum lot sizes.	The requested change is beyond the scope of the Amendment. Amendment C70moyn does not include any material change to the Planning Scheme Schedules applying to land at Port Fairy. Planning Scheme Amendment C69moyn considers the future growth and development of Port Fairy and includes zoning changes.	
	Requests that the LDRZ be applied to the entire site, as an alternative to the application of RLZ1.	As above.	
	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.	This strategic work is beyond the scope of the Amendment and would have to be undertaken separately, if it was determined to be required.	
13	The current Farming Zone 1 (FZ1) controls extend across the entirety of the subject land, while Amendment C70 proposes that the land will be in two Zones, one being the FZ1 and the other being FZ2.	The subject land is within the current Farming Zone 1 (FZ1), however, it subject to two minimum lot sizes specified in the current Schedule to the Zone. SLO5 applies to part of the land, which the FZ	Support the request to include the entirety of the submitter's land

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		<p>Schedule specifies a 10-hectare minimum lot size. The remainder of the land is within SLO6 where the FZ Schedule specifies the default 40-hectare minimum lot size. It was intended that the inclusion of FZ2 in the Scheme would be a 'policy neutral' or administrative change as part of the Amendment, to improve the transparency of the planning scheme.</p>	<p>within the proposed Farming Zone Schedule 2 to resolve the identified planning scheme anomaly.</p>
	<p>It appears that the boundary between the two Zones has been aligned based on the SLO5 and the SLO6 boundaries, which intersect across the land, and former lot boundaries that have now been consolidated into a single title.</p>	<p>Amendment C70moyn does not include any material change to the Planning Scheme in this location. The boundary between FZ1 and proposed FZ2 has been aligned on the boundary between SLO5 and SLO6. It reflects the current Schedule to the Farming Zone, as only land within SLO5 has the 10-hectare minimum lot size.</p> <p>It appears that the land was consolidated following the gazettal of SLO5, which has led to it being subject to the two FZ Schedules in the proposed Amendment.</p>	<p>Refer the submission to Panel.</p>
	<p>We consider this to be a drafting/administrative matter as a Zone boundary should not be proposed that intersects through the middle of a title. A Zone boundary is better to be located along a title boundary or ideally along a road boundary to avoid procedural difficulties in the future.</p>	<p>The Planning Scheme specifies that the boundary between SLO5 and SLO6 determines the areas subject to the two minimum lot sizes south of the Princes Highway, rather than road or title boundaries. However, the submission has identified an anomaly arising from the consolidation of the land. It correctly identifies that it would be more appropriate in this location for the Zone boundary to accord with the title boundaries of the property.</p>	
	<p>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. From that</p>	<p>The requested change would not materially affect the development rights in relation to this property and could be viewed as a planning scheme anomaly.</p>	

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	<p>perspective, the change that is being requested is consistent with the current zoning of the land. The only variation requested in this submission is to correct a Zone boundary that is currently drafted inaccurately.</p>		
14	<p>Council is commended in seeking to support small township growth and coordinated rural-residential development across the Shire.</p>	<p>Council notes the content of this submission.</p>	<p>No change proposed. Refer the submission to Panel.</p>
<p>There is concern that the Amendment presents a poor planning outcome and relies on outdated land supply data no more current than 2014, which 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.</p>	<p>Kirkstall was not identified as a location for additional rural living development or short-term growth in the strategic work, which forms the basis of the Amendment. Regardless of changing circumstances and the age of the strategic work, which forms the basis of the Amendment, it cannot be assumed that future strategic work would identify Kirkstall as location for future growth.</p>		
<p>Council’s review and consideration is sought 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. According to the submission, the proposal is strategically supported and consistent with the vision and direction of the RHSS and Amendment.</p>	<p>Consideration of any expansion of Kirkstall needs to be based upon a strategic examination and requires investigation beyond that undertaken in the RHSS and Addendum Report. Further strategic work would be required to determine whether Kirkstall should be identified for further growth before consideration could be given to identifying additional land for residential/rural living development in the settlement. This work is beyond the scope of the Amendment.</p>		
<p>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 Report, a better planning outcome would be to provide a clearly designated rural-residential</p>	<p>As above.</p>		

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	<p>growth area for Kirkstall and seek to protect existing productive and high-quality farmland.</p>		
	<p>Given the elapse of time since the Addendum was adopted by Council before preparing the Amendment, both the RHSS and Addendum Report should have been reviewed to 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.</p>	<p>Although the strategic work was completed some time ago, it cannot be assumed that additional work and/or community consultation would support the outcome being sought by this submission.</p>	
	<p>The subject land is elevated and does not present any land capability constraints, whilst providing adequate buffer distances to adjoining productive farmland to manage land use conflict. There is no major agricultural infrastructure nearby the site, which the rezoning and future development would conflict with or affect.</p> <p>The subject land 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.</p> <p>The site does not hold any other landscape significance or ecological value, and the area of the proposed rezoning is not included within an area of</p>	<p>The site may have some attributes suitable for further development. However, determining whether development is appropriate would require a broader assessment, rather than a site-specific assessment of the suitability of the subject land. That work is beyond the scope of the Amendment.</p>	

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	cultural heritage sensitivity in accordance with the <i>Aboriginal Heritage Regulations 2018</i> .		
	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.	Further strategic work would be required to determine whether Kirkstall should be identified for further growth before consideration could be given to identifying additional land for residential/rural living development in the settlement. This work is beyond the scope of the Amendment.	
15	The Moyne Shire should lobby and work towards returning to the town boundaries to what they previously were.	<p>Council's request for authorisation sought to rezone a significant proportion of land within the 'former town boundaries'. When considering the authorisation request, DELWP did not consider the strategic justification to be adequate to justify the extent of rezoning proposed by Council.</p> <p>No information regarding the zoning history has been provided to demonstrate whether there was a historical change to the zoning boundaries at Hawkesdale.</p> <p>Further strategic work would be required to determine whether Hawkesdale has capacity and should be identified for further growth before consideration could be given to identifying additional land for residential/rural living development in the settlement. This work has been commenced, however, it is beyond the scope of the Amendment and would have to be undertaken as a separate planning process.</p>	No change proposed. Refer the submission to Panel.
	We wish to slightly amend our submission re the proposed siting of the Rural Living Zone from the	At the request of residents of Hawkesdale, Council resolved in August 2018 to remove the south-eastern area from the proposed Amendment, due	

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	<p>south-western corner to the south end adjoining Dawson Street.</p> <p>It is noted that there are two farming paddocks included in the proposed Rural Living Zone and yet the section of town in the south-eastern corner with lots set up from when they were previously in the town have again been ignored. It appears that a simple line has been drawn with no understanding of the current land use. We do not want farming use compromised.</p>	<p>to its proximity to the proposed windfarm. Therefore, it could not be included in Council's request for authorisation of the Amendment.</p> <p>Consideration of any change of the location of the land to be rezoned at Hawkesdale needs to be based upon a strategic examination and requires investigation beyond that undertaken in the RHSS and Addendum Report.</p>	
	<p>The relevant lots currently used for stock should be removed from the Rural Living Zone and the area of land heading south along Dawson Street, beginning at the corner of Church Street and Dawson Street be included.</p>	<p>Council has not received submissions from the affected landowners requesting that their land be removed from the proposed Rural Living rezoning. Therefore, it is considered that the landowners have no objection to the rezoning of their land.</p>	
	<p>The best chance is wanted 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.</p>	<p>There is no guarantee that rezoning the land suggested in the submission will ensure the town's economic survival. Issues in relation to the survival of small towns are complex and land use planning is only one of those issues.</p> <p>Amendment C70 does not preclude the sale of land in the town or the consideration of planning permit applications for the development of those lots.</p>	
	<p>The proposal to be presented in a forthcoming submission (Submission No.60) is supported.</p>	<p>Refer to the response to Submission No.60.</p>	
16	<p>Several residents of Curdievale are concerned that their village does not appear to have been considered as part of the C70 Amendment process. The explanatory report names 22 small to medium sized townships within the Moyne Shire where rezoning is recommended to provide improved guidance and</p>	<p>Curdievale was not identified as a settlement in the strategic work, which forms the basis of the Amendment.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

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	direction for rural residential and rural living development.	Rezoning to facilitate additional rural living development are not recommended or occurring in 22 settlements as part of Amendment C70moyn.	
	Curdievale currently includes over 20 residences and a functioning hotel, and may be the only settlement of this size, which has not been considered for rezoning. Consequently, the residents feel disadvantaged and unfairly treated.	There are numerous settlements in the Shire and one of the purposes of the Amendment is to have a targeted approach in relation to future growth. Council does not have the resources to support growth in all settlements in the Shire.	
	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.	As above.	
	There appears to be no planning reason why Curdievale should have been ignored during the C70 process and Council is urged to give serious consideration to Curdievale's future by examining the current zoning in a similar manner that other settlements have been reviewed throughout the Shire.	As above.	
17	Supports the introduction of multiple schedules to the Rural Living Zone.	Council notes the content of this submission.	No change proposed.
	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.	The development of a new Schedule to the Rural Living Zone to facilitate diverse lot sizes as requested is beyond the scope of the Amendment and may not be supported by DELWP or the Minister for Planning.	Refer the submission to Panel.
	Requests that the land be included in the RLZ1 not the RLZ3.	The application of the RLZ3 is an administrative change and changing the zoning to RLZ1 would require further assessment to determine whether a reduction in lot size from four hectares to one	

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		hectare is appropriate. This work is beyond the scope of the Amendment.	
	Requests the preparation of a local planning policy or strategy to guide subdivision of smaller lots in the Rural Living Zone utilising the second dot point of Clause 35.03-3.	The need to provide a local planning policy to guide subdivision of smaller lots in the Rural Living Zone was not identified in the strategic work, which forms the basis of the Amendment.	
	Undertake new strategic planning studies as the original RHSS reports are now 10-11 years old.	Undertaking further studies in relation to the Rural Living Zone 3 would delay the Amendment and are beyond its scope. The project has created strong community and developer expectations in relation to the development potential of land in parts of the Shire. Given these expectations, it is essential to receive the recommendations of a Panel in relation to the overall strategic justification of the Amendment, at the earliest opportunity.	
18	Opposes the RLZ2 proposed to be applied to the land to the south-west of Koroit.	Council notes the content of this submission.	No change proposed.
	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.	Refer to the response to Submission No.3. A Low Density Residential Zone to the south-west of Koroit is not supported due to the area's environmental and servicing constraints, and its rural setting. In addition, further strategic work would be required to be undertaken to determine whether reduced lot sizes are appropriate in any part of this area, which is beyond the scope of the Amendment.	Refer the submission to Panel.
	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.	Additional controls to guide future development in these areas were not considered necessary given that it would predominantly be infill development. The Significant Landscape Overlay provides	

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		guidance for development on some of the land to the south of Koroit.	
	Requests revisions to the Schedule to the Low Density Residential Zone to support sewered development of LDRZ land with 2000m ² minimum lot sizes.	Changes to the Schedule to the Low Density Residential Zone are beyond the scope of the Amendment.	
	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.	This strategic work is beyond the scope of the Amendment and would have to be undertaken separately, if it was determined to be required. Further delays to the Amendment would add to the uncertainty for affected landowners and the community regarding the future planning of the Shire's smaller settlements.	
	Undertake new strategic planning studies as the original RHSS reports are now 10-11 years old.	Refer to the response to Submission No.17.	
	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.	Preparation of a new RHSS would be an expensive and time consuming process and is not part of Council's current work program. Refer to the response to Submission No.17.	
19	Our submission does not seek further amendments to re-zone our property but rather, broadly supports the overall strategy and amendments proposed.	Council notes the content of this submission.	No change proposed.
	There should be 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.	The proposed planning policies included in the Amendment recognise that farming enterprises of varying sizes exist within the municipality.	Refer the submission to Panel.

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	Further investment (time and money) to increase farm productivity and generate higher returns can only be sensibly made based on being able to construct a dwelling and live permanently on-farm.	A planning permit application for a dwelling on the land can be made under the current Farming Zone provisions. The effect of a dwelling on farm productivity can be assessed as part of the planning permit application process.	
	The Moyne Shire Council should flexibly apply the Planning Policy Framework in assessing the best sustainable options for highly productive agricultural land on stranded small-scale farm blocks.	Council notes the content of this submission.	
20	We wish to express our objection to the proposed changes to the Hawkesdale Town Boundary from Farming Zone (FZ) to Rural Living Zone (RLZ).	Council notes the content of this submission.	No change proposed. Refer the submission to Panel.
	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.	The purpose of the Rural Living Zone is to provide for residential use in a rural environment and agricultural land uses, which do not adversely affect the amenity of surrounding land uses. It does not allow for as wide a range of land uses as the Farming Zone.	
	The RLZ allows for the removal of planning permits to erect a dwelling, but the building requirements seem to be much stricter. 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. This situation would not be ideal for our business, as we may need to build further machinery sheds in the future.	Whether planning approval is required for sheds or outbuildings depends on their size and use of those buildings. There are some variations between the provisions of the Rural Living Zone and the Farming Zone. Regardless of the zoning, the proximity of land to the Township Zone at Hawkesdale would require careful consideration of buildings proposed for business purposes.	
	The RLZ may restrict our ability to bring more stock on to the property to clear grass quickly during the fire danger period. In addition, if the change proceeds it is unclear if we will be able to continue to burn fallen trees and branches on the property (subject to CFA	If the land is rezoned to the Rural Living Zone, the prescriptions for the keeping of animals on the land will change under the Moyne Shire General Local Law No. 1 – 2015 from those specified in Column C	

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	compliance), which will make it difficult to clear the property of debris.	to those specified in Column B of Table 1: Keeping of Animals, Birds and Reptiles. It is not anticipated that the rezoning will inhibit a landowner from undertaking fire prevention works on their property.	
	Currently under local laws, the 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 affect 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.	The preferred Locals Laws approach would be to maintain the status quo, unless it was clear that detriment was occurring to the animals, land or neighbouring property owners.	
	It is unclear whether it will be a requirement to have Council kerbside garbage collection. We do not wish to have this service as it is an added cost and prefer to deliver personally to the transfer station.	The kerbside waste collection service is compulsory for residents in the Township Zone. At present, the submitters are eligible to join the service on an 'opt-in' basis. The zoning change to Rural Living Zone would not compel the landowners to have the kerbside collection service. If the policy regarding the compulsory service areas were to change, it would be subject to a community consultation process and would consider any issues raised by residents.	
	We understand that we will have existing use rights if the land is rezoned to RLZ. However, there is always a possibility that as the zoning and possibly local laws change, objections could be expressed with no guarantee that the objection would be dismissed.	Any complaints or objections are carefully considered by Council and other authorities regardless of the zoning of the land. The Rural Living Zone may create higher amenity expectations for residents, however, that has to be balanced with the rights of existing land uses.	
	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	While the landowners object to the rezoning of the land, this view needs to be balanced with the net community benefit of the Amendment. It is considered that the planning scheme will provide	

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	proceed, we strongly request that our property be excluded from any change from the current Farming Zone to Rural Living Zone.	appropriate protections for the existing use, if the rezoning is approved.	
21	EPA supports the steps identified to protect existing agricultural land	Council notes the content of this submission.	No change proposed.
	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.	The strategies forming the basis to the Amendment were completed prior to the current protocols for consultation with the EPA. Council will liaise with the EPA as the amendment progresses.	Refer the submission to Panel.
	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. EPA highlights 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 on 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.	Changes have occurred to the planning framework since the adoption of the RHSS and Addendum Report. However, Council's budget for the project did not allow for additional background work to be undertaken prior to the exhibition of the Amendment. In general, the Rural Living rezonings recognise existing development densities and footprints, and allow for modest infill development, rather than facilitating broad-scale expansion. Therefore, it is considered that the conditions of the land proposed to be rezoned are suitable 'in principle' for sensitive land uses In addition, given the expectations created by the project, it is essential to receive the recommendations of a Panel in relation to the overall strategic justification of the Amendment, at the earliest opportunity.	
	EPA advises of the need to consider the presence of existing agricultural activities, including the need for the establishment and maintenance of separation distances to both minimise the potential for offsite	The Rural Living rezonings generally recognise existing development densities and footprints, and allow for modest infill development, rather than facilitating broad-scale expansion. Therefore, there	

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	<p>human health and amenity impacts, such as, odour, dust and noise, and protect the farming industry from encroachment of sensitive land uses.</p>	<p>is unlikely to be any significant effects on separation distances.</p>	
	<p>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).</p>	<p>The rezoning at Illowa West recognises the existing development, which has occurred in that location. Development of dwellings has already occurred on the majority of the existing small lots proposed to be rezoned within 500 metres of the quarry.</p> <p>The proposed two hectare minimum lot size will limit the number of additional dwellings permissible and prevent the creation of additional lots in the Rural Living Zone at Illowa/Tower Hill. Thus, it will limit the potential for additional land use conflict in proximity to the quarry.</p> <p>In addition, the gazettal of Planning Scheme Amendment VC219 has included provisions in the Farming and Rural Living Zones requiring planning approval for accommodation within 500 metres of an applied for or approved Work Authority.</p>	
	<p>EPA supports the ‘settlement boundaries’ approach, which will assist in addressing encroachment issues on existing agricultural activities and minimise land use conflicts, which may arise from locating future sensitive uses within proximity to agricultural land.</p>	<p>Council notes the content of this submission.</p>	
	<p>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.</p> <p>Additionally, EPA highlights that the reports and/or strategies included in this amendment are outdated,</p>	<p>As above.</p>	

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	<p>noting that the strategic review and Addendum Report were 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.</p>		
22	<p>Objects to the re-zoning of their land to RCZ2 for the following reasons:</p> <p>The land in question does not qualify as described and stated in the Land Capability and Biodiversity Studies Project Final Report 30 October 2009. The document states – Page 3 -Zone description: 'The Rural Conservation Zone is proposed for uncleared remnant woodland areas adjacent to Mt Eccles National Park'.</p> <p>Our land is cleared, and it is not adjacent to the Budj Bim National Park.</p> <p>The Rural Conservation Zone will limit the use of our land.</p>	<p>Council notes the objection to the proposed Rural Conservation Zone.</p> <p>As noted in the submission, the subject land does not contain woodland and is distant from the Budj Bim National Park.</p> <p>However, it contains part of the course of the Eumeralla River and wetlands within the Eumeralla Drainage Area. Areas affected by rural drainage, including the Eumeralla River, continue to provide modified habitats for some species.</p> <p>The existing use of the land can continue if it is rezoned to the Rural Conservation Zone. Under existing use right provisions, a use may be intensified over time, even with a change in activities within the use, without changing the purpose of use.</p> <p>In relation to new land uses, the Rural Conservation Zone is more restrictive than the Farming Zone, as it prohibits industrial uses and intensive animal enterprises, such as, abattoirs, sawmills and feedlots.</p> <p>While a wider range of uses are permissible in the Farming Zone, it does not imply that a permit should or will be granted for a use. The responsible authority must decide whether the proposal will</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

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		produce acceptable outcomes in accordance with the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone, and any of the other decision guidelines in Clause 65.	
	<p>We strongly object to this change in Zoning from FZ to RCZ because of the numerous discrepancies in the Council study, which shows that our land does not have any of the requirements for the Council to rezone it to RCZ.</p> <p>In addition, if we were consulted when this report was commissioned these details would have been more accurate.</p>	Refer to the response to Submission No.10.	
	The report states 'that the current landowners have protected the conservation and biodiversity values of the land over time' - why change the zoning when the Council report is seeking to protect the land adjacent to Budj Bim, and it states that the owners are currently protecting the land.	<p>Current and past practice is not necessarily an indicator of what will occur in the future. Future owners may not be as sympathetic to the environmental values of the land as the current owners.</p> <p>The proposed Rural Conservation Zone is intended to provide clear direction for the future use of the land and ensure that it is consistent with the conservation and environmental values of the land.</p> <p>Land ownership changes over time and it is important that planning requirements are transparent for current owners, prospective purchasers and the community.</p>	
	We farm our land with the utmost consideration for the environment and biodiversity. If changes need to be accepted by landowners, Council needs to produce a report, which is factually correct and has no	In general, it appears that farmers in the affected area are managing their land in a sustainable and sympathetic manner.	

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	discrepancies. These contradicting statements make the reason for change invalid.	<p>However, the application of the Rural Conservation Zone is seeking to ensure that future land use is appropriate in the locality.</p> <p>Referral of the submission to a Planning Panel will enable further consideration of whether the values of the land justify the application of the Rural Conservation Zone.</p>	
23	<p>The rezoning of Hawkesdale to Residential should take our landholding into consideration.</p> <p>It comprises three lots in the old zoned Hawkesdale Township with an area of 3.779HA.</p> <p>The land was bought with the intention of building upon it in the future and as an investment.</p> <p>We undertook a plan to build in the early nineties, but due to interest rates and limited income this was not possible.</p> <p>We were not aware of the changing of the zoning in the township of Hawkesdale, which moved the boundaries.</p> <p>We would like to live on the property in the future and have the option of selling two lots to finance this if needed.</p> <p>The implications of the rezoning will greatly affect our plans for forthcoming retirement and our future wellbeing.</p> <p>Having the land zoned for agricultural production is not viable or a consideration as it was never intended</p>	<p>Council notes the content of this submission.</p> <p>Information has not been provided to support the view that the land was in the 'old zoned Hawkesdale Township' or if there was a change to the zoning boundaries in the past.</p> <p>A planning permit application for a dwelling on the land can be considered under the current zoning of the land, the Farming Zone.</p> <p>Planning schemes change over time and development proposals are considered under the planning controls in place at the time.</p> <p>The current zoning of land at Hawkesdale has been in place since 6 January 2000.</p> <p>The planning scheme does not prevent the sale of land, however, its provisions will be considered by prospective purchasers.</p> <p>Planning grounds, rather than personal circumstances, are the basis upon which planning policies and controls are developed and incorporated into the planning scheme.</p> <p>According to <i>Planning Practice Note 42 - Applying the Rural Zones</i>, "the existing size or pattern of lots in an area should not be the sole basis for deciding</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

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	<p>for that purpose. Such a smallholding would not be a consideration for mainstream agricultural purposes.</p>	<p><i>to apply a particular 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.</i></p> <p>The north-western area of land (north of Nardoo Creek and west of Dawson Street) may not be appropriate for rezoning. It is separated from the town by the Creek and appears to be used for small-scale farming purposes.</p>	
	<p>The argument that there has been little demand on land for housing constitutes a reason to implement the policy as mooted is false. People cannot acquire land if it is not 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.</p>	<p>Land supply and demand is a key consideration in decisions to rezone land for rural living purposes under the Victorian planning system. Building approvals for new dwellings in Hawkesdale have remained low for several years and do not justify significant rezonings in the town.</p>	
	<p>After consideration of the documents vision for Hawkesdale, it can be greatly enhanced if the whole of the township as was planned (Boundaries of Cemetery Road, De Grandis Road, Irving Street, Noremac Road, Warwillah Road and Ryans Road) be reinstated.</p>	<p>Refer to the response to Submission No.15.</p>	
	<p>With the demand, and prices for land and housing in the larger towns of Warrnambool, Port Fairy and Koroit Hawkesdale represents a viable option to acquire cheaper land for building.</p> <p>A township cannot grow if you minimise the amount of land available.</p>	<p>The majority of residential building activity in the Shire generally occurs in the areas in proximity to the larger towns of Warrnambool, Port Fairy and Koroit. Hawkesdale may provide options for affordable land, however, the building approval data does not support a large expansion of zoned land in the town.</p>	
24	<p>The proposed changes are viewed with concern, namely the alteration to the Farming Zone area FZ3.</p>	<p>Refer to the response to Submission No.8.</p>	<p>Support the request to remove the</p>

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	<p>It is understood that the Farming Zone was to protect high quality farmland from urban sprawl, while towns will have to grow to cater for increased population, the growth should happen adjacent to the town.</p>		<p>proposed FZ3 from the Amendment.</p> <p>Refer the submission to Panel.</p>
	<p>The proposal will fragment the Farming Zone in a way that would make it extremely difficult for a commercial farm to grow.</p> <p>People who want to be hobby farmers do not value land as a commercial farmer does, re: price per ha/acre, and are willing to pay a price well above what a commercial farmer is able to afford.</p>	Refer to the response to Submission No.8.	
	To alter the Farming Zone, as proposed in the C70 amendment, will kill off farming progress in a reliable, sound, fertile, farming area.	Council notes the content of this submission.	
25	<p>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.</p>	Council notes the content of this submission.	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>
	<p>Any subdivision with lots less than one hectare (10,000m²) will have greater requirements for water and sewer services. As lot density increases, the cumulative environmental impacts will need to be considered, including wastewater impacts, drinking water supply and groundwater extraction for private use. Septic tank effluent contamination of groundwater and waterways needs to be considered for towns within Moyne Shire.</p>	<p>The majority of land proposed to be rezoned as part of the Amendment will have a minimum lot size of at least one hectare. It is proposed to rezone small areas of land at Garvoc, Nullawarre and Purnim to the Township Zone, which has a lot size of less than one hectare. Therefore, impacts of wastewater disposal will be minimal in these locations, as there will only be a limited increase in development density.</p>	

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	<p>Wannon Water are concerned that the Township Zone rezonings at Garvoc, Nullawarre and Purnim will increase densities of domestic wastewater systems on lots that cannot contain the load. Land Capability Assessments should be completed for all new developments in this Zone that are not connected to reticulated sewerage systems.</p> <p>Examples of areas where this development has occurred is around Mailors Flat, 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.</p>	<p>The land proposed for rezoning at Garvoc contains existing development. Only modest increases in density will occur at Nullawarre and Purnim. Land Capability Assessments will be required to be undertaken to ensure that the future development of this land can cater for wastewater disposal.</p> <p>No increase is proposed to the permissible development density at Mailors Flat, as part of the Amendment.</p>	
	<p>Wannon Water would prefer that increasing development within the Moyne Shire occur where there is the infrastructure to support the appropriate level of density.</p>	<p>Council notes the content of this submission.</p>	
26	<p>Hawkesdale needs 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 has not been offered for sale.</p>	<p>Council notes the content of this submission.</p> <p>The Amendment proposes to rezone land in Hawkesdale to accommodate additional residents.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>
	<p>The new proposals for the subdivision feature rural land that is tightly held by a couple of families who wish to leave the land to their children and grandchildren. Therefore, they do not want to sell the vacant blocks.</p>	<p>While there may issues with the current tenure of land in Hawkesdale, personal circumstances can change over time and should not form the basis of determining the long term future growth of Hawkesdale.</p>	
	<p>There are holdings of land both south and north of Hawkesdale whose retiring owners are looking to and</p>	<p>Refer to the response to Submission No.15.</p>	

Number	Comment	Response	Recommendation
	willing to subdivide and sell in the near future, but it cannot be due to its current zoning.		
	We own three of these blocks, which were originally part of the Hawkesdale township, but the boundaries were shifted to the other side of Church Street. They are classified as Farming Zone and a buffer zone, and are on separate titles. They are 1ha in size, and too small to be farmed, yet are suited to being lifestyle blocks. There has been interest from prospective buyers in purchasing the blocks to build homes on them.	Refer to the response to Submission No.23.	
27	How was the land proposed to be zoned Rural Living at Hawkesdale determined?	Refer to the response to Submission No.15.	No change proposed.
	The area proposed RLZ1 would only have one or two blocks that might become available for sale. Two owners within the Zone have given an indication that they have no intention of selling their land.	Refer to the response to Submission No.26.	Refer the submission to Panel.
	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 provide a greater area for development. This is being done in many of the other small towns in the Moyne Shire.	Refer to the response to Submission No.15.	
	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 that Hawkesdale offers, and soaring land prices to the south, it would be attractive for development and new residents.	Refer to the response to Submission No.23.	
28	Our lots have been included in the proposed wind farm buffer zone, which means no development can be undertaken. These lots are outside the criteria set	The zoning of the subject land has not changed since 6 January 2000 and it is not proposed to be changed by this Amendment. Therefore, the	No change proposed.

Number	Comment	Response	Recommendation
	out for the buffer zone, as they are about 2 kilometres from the nearest wind towers and about 1.3 kilometres from the property hosting the towers. We will incur a major financial loss if they can be only sold as horse paddocks, may not recoup what was paid for them in 2007.	Amendment would not be the cause of any potential financial loss incurred from the sale of any land purchased in 2007.	Refer the submission to Panel.
	If amended to Rural Living, these lots would be readily taken up as Hawkesdale offers opportunities for employment in local education and rural enterprises. Koroit, Warrnambool, Hamilton and Port Fairy are easily travelled to if necessary.	Refer to the response to Submission No.15.	
	We want to sell our three lots. These lots would easily fit 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, must be considered for inclusion in the Rural Living Zone area for Hawkesdale.	Refer to the response to Submission No.23.	
29	<p>The 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.</p> <p>In many cases, the proposed rezonings and schedules do not match the recommendations of the strategic documents.</p>	Refer to the response to Submission No.8.	<p>Support the request to remove the proposed FZ3 from the Amendment.</p> <p>Refer the submission to Panel.</p>
	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.	Amendment C70moyn implements the objectives of planning in Victoria by providing for the orderly and sustainable use and development of land for agricultural and rural living purposes, and to strengthen smaller settlements in the Shire. In general, it responds to relevant matters having	

Number	Comment	Response	Recommendation
		<p>regard to Ministerial Directions, Planning Practice Notes, and the Moyne Planning Scheme.</p> <p>There were some limitations to the background work undertaken, due to the limited resources available for the project.</p>	
	<p>The Amendment is opposed 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 effects on agricultural land and the economy.</p>	<p>In general, the Rural Living rezonings recognise existing development densities and footprints, and allow for modest infill development, rather than facilitating broad-scale expansion. The areas proposed to be rezoned are of least risk in relation to bushfire and other hazards in the Shire.</p> <p>It is considered that the proposed Farming Zone Schedule 3 may have negative effects on farming operations and the agricultural economy. It may lead to the conversion of agricultural land to hobby/lifestyle farms at the expense of commercial farming enterprises.</p>	
	<p>Further, the Amendment is likely to compromise the future orderly planning of towns in the Moyne Shire, specifically Koroit.</p>	<p>It is considered that the Amendment will not compromise the future orderly planning of towns in the Moyne Shire, specifically Koroit. The Koroit Structure Plan has been prepared in the knowledge of the strategic work forming the basis of this Amendment. In addition, it is unlikely that the areas proposed to be rezoned to the Rural Living Zone will be required for the long-term urban expansion of Koroit.</p>	
	<p>The Amendment may result in the unplanned diversion of community and infrastructure priorities in a manner that could affect existing residents.</p>	<p>Population growth in the small towns facilitated by this Amendment is intended to strengthen the viability of local facilities and services.</p> <p>The proposed Rural Living rezonings primarily recognise existing development densities and</p>	

Number	Comment	Response	Recommendation
		<p>footprints, and allow for modest infill development, rather than facilitating broad-scale expansion.</p> <p>Therefore, it considered that there is unlikely to be a significant increase in demand on community and physical infrastructure or negative effects on existing residents.</p>	
	<p>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 not adequately addressed, particularly in relation to character and visual amenity.</p>	<p>It appears that the basis to this change is to adopt the default setback of 50 metres specified in Clause 35.07-4 Buildings and works.</p>	
30	<p>Opposes 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.</p> <p>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.</p> <p>When land is available, it gives investors choices and potential for future growth. The current C70 Amendment for Hawkesdale does not address these issues.</p> <p>The majority of land proposed to be rezoned by the current amendment will never be available for purchase. The landowners do not intend to make their land available for potential growth. As with other blocks in the Hawkesdale living zone, these have been landlocked for years as lifestyle blocks, and never come up for sale.</p>	<p>Council notes the content of this submission. Refer to the response to Submission No. 26.</p> <p>Refer to the response to Submission No.26.</p> <p>Refer to the response to Submission No.26.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

Number	Comment	Response	Recommendation
	<p>The current rezoning for Hawkesdale should be extended southwards along Dawson Street as far as Noremac Road and Warwillah Road.</p> <p>This rezoning should either be zoned Light Commercial/ Business to allow businesses to start up with less hassles of zoning issues.</p>	<p>Refer to the response to Submission No.15.</p> <p>The existing Township Zone at Hawkesdale allows for the establishment of business uses, where appropriate. It is desirable that businesses, which service the town, are located in the heart of the town.</p> <p>It is unlikely that there is strategic justification for the provision of Commercial Zones at Hawkesdale.</p>	
	<p>Alternatively, this land could 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.</p>	<p>Refer to the response to Submission No.15.</p>	
31	<p>Some of the land within the planning scheme amendment is regarded as being the most productive soil in a reliable climate found anywhere in the country.</p> <p>Prime land is required for potato production and much of this land has already been lost to housing. We must protect what is left and focus Rural Living within the established towns and small localities, not on land in between.</p>	<p>The Amendment intends to improve the management of rural living development in the Shire and better protect agricultural land from 'ad hoc' development of dwellings.</p>	<p>Support the request to remove the proposed FZ3 from the Amendment.</p> <p>Refer the submission to Panel.</p>
	<p>Issues which could arise from farming operations close to Rural Living Zone landowners are noise from operating farm equipment; in particular, early in the morning or late at night; dust; smell; spray drift; livestock; increased heavy vehicle traffic, etc.</p>	<p>It is recognised that land use conflicts can occur between farming operations and Rural Living Zone landowners. In general, the Rural Living rezonings recognise areas of existing development and allow for modest infill development, which is unlikely to significantly increase the risk of land use conflict.</p>	

Number	Comment	Response	Recommendation
	<p>No dwelling should be constructed on Rural Living Zone land within 50 metres of any boundary with Farming Zone land. 50 metres is the recommended safe distance for spraying near a dwelling and this distance would help to reduce the probability of other above-mentioned issues.</p>	<p>Land use conflicts between agricultural activities and the amenity expectations of rural residential dwellers should be minimised. There is merit in specifying setbacks for dwellings in the Rural Living Zone from land in the Farming Zone to enable existing farming operations to continue. However, it appears that recommended safe distances for spraying vary depending on the type of chemical being used. This issue was not addressed in the exhibited Amendment and should be reviewed by a Planning Panel.</p>	
	<p>The Rural Living Zone proposed for Southern Cross should not be extended any further than indicated in the proposed amendment to preserve very productive farming land.</p>	<p>Noted.</p>	
	<p>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 it has already been lost, further housing development should be focused on Kirkstall and Koroit townships.</p>	<p>Refer to the response to Submission No.8.</p>	
	<p>Land in my ownership at Tower Hill should remain Farming Zone 1 rather than being included in Farming Zone 3.</p>	<p>The retention of this land in the FZ1, instead of applying the exhibited FZ3, would preserve its ongoing use for agricultural production.</p>	
	<p>Land south of the Princes Highway from Mahoneys Road, Killarney through to the Warrnambool City boundary, should remain Farming Zone 1.</p>	<p>The proposed Farming Zone Schedule 2 is an administrative/policy neutral change, which reflects the existing planning controls on land south of the Princes Highway.</p>	
<p>32</p>	<p>The proposed overlay (Rural Conservation Zone) will drastically alter the ongoing use of our land, including continuation of its current farming usage.</p>	<p>Refer to the response to Submission No.4.</p>	<p>No change proposed.</p>

Number	Comment	Response	Recommendation
	<p>It is anticipated that the proposed RCZ2 C70 Moyne conservation overlay will include 'creep' and that the result will be that agricultural use will be significantly diminished/not permitted in its entirety on this land.</p>	<p>If the land is rezoned to RCZ, existing use rights will apply under the provisions of Clause 63 of the Moyne Planning Scheme. These rights only expire if either:</p> <ul style="list-style-type: none"> - The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years. - In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession. 	<p>Refer the submission to Panel.</p>
	<p>The proposed application of the RCZ to cleared (unwooded) land is inappropriate and does not adhere to the guidelines of the RCZ C70. This concern is based on the information outlining that the RCZ C70 overlay is a tool for use for wooded/uncleared land. This is not applicable to the land, which has been cleared and used for agricultural purposes for well over 50 years.</p>	<p>It is considered that the Rural Conservation Zone Schedule 2 is the appropriate zone for the submitter's property, as it within the Budj Bim National Park environs. The land is within an 'island' of cleared land generally surrounded by woodland and woodland exists on adjoining land.</p>	
	<p>Our income will be negatively impacted if the zoning disallows/diminishes our ability to continue agricultural use of this land.</p>	<p>As above.</p>	
	<p>To maintain fire safety of this land, agricultural use is an important component. There is a concern that if agricultural use of this land cannot be continued, fire risk will be elevated due to growth of exotic (i.e., non-protected, non-indigenous) grasses.</p>	<p>As above.</p>	
<p>33</p>	<p>Opposes the application of a Rural Conservation Zone 2 (RCZ2) on existing, long held farming land around Budj Bim National Park.</p>	<p>Council notes the content of this submission.</p>	<p>Support the submission by removing fully</p>

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	<p>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.</p>	<p>Refer to the response to Submission No.10.</p>	<p>cleared farming land titles to the north-east of the extended Budj Bim Environs woodland area from the proposed Rural Conservation Zone.</p> <p>Refer the submission to Panel.</p>
	<p>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 farmland 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.</p>	<p>The land within the Budj Bim National Park Environs has conservation value, evidenced by the existing woodland, and the area of cultural heritage sensitivity. Therefore, it is appropriate to include some areas of cleared land in proximity to the woodland, particularly to the south of Sparrows Road and Patons Road.</p>	
	<p>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.</p>	<p>Refer to the response to Submission No.32.</p>	
	<p>The RCZ should be applied only where there is justification 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 NP is significantly biodiverse. This area is where the RCZ could provide more long-term surety over the ecological values of that land to sustain an ecological buffer to the Park.</p>	<p>The Rural Conservation Zone does not preclude agricultural activity and can be applied to land used for those purposes. It is being applied to the land containing uncleared woodland in the Budj Bim National Park environs as suggested by the submitter.</p>	
	<p>It would be 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.</p>	<p>Retaining the biodiversity of land is one objective of the proposed Rural Conservation Zone. In addition, it is intended to ensure that future land use does not compromise the integrity of the Budj Bim National Park Environs and World Heritage area.</p>	

Number	Comment	Response	Recommendation
34	The southern side of Lumsdens Lane, Koroit should remain in the Farming Zone, as this land is operational agricultural land.	Council notes the content of this submission. The exhibited Amendment retains the land on the southern side of Lumsdens Lane, Koroit in the Farming Zone	Note the submission and refer it to Panel.
	Supports the amendment for a building permit going from 40 ha to 10 ha in our Farming Zone. We might have intentions down the track to live on our farm property.	Support for the proposed Farming Zone Schedule 3 is noted. However, in reviewing other submissions, it is considered that the Farming Zone Schedule 3 is likely to have a detrimental effect on the agricultural economy. Therefore, it is being recommended that the proposed Farming Zone 3 should be removed from the Amendment. If this rezoning is removed from the Amendment, it will not preclude the ability for consideration of a planning permit application for a dwelling on the submitter's land.	
35	The Amendment for the township of Hawkesdale has been done with very little consultation with the property owners of the land in question, as well as little consideration for the possible commercial and/or residential potential of our town.	Refer to the response to Submission No.15.	No change proposed. Refer the submission to Panel.
	The proposed Amendment does not cater for the operation of businesses or building of residences near the main road (Dawson Street). This area is particularly important for businesses as they rely on exposure and the passing traffic.	Refer to the response to Submission No.30.	
	The proposed Amendment offers land on the western side of the town, which can become waterlogged, causing drainage and septic issues. At present, the	Refer to the response to Submission No.15.	

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	roads are unused, and the area is prone to noise from the Macarthur Windfarm.		
	Hawkesdale needs more opportunity for businesses and opening the area suggested in the Amendment does not provide the opportunities that Dawson Street would give to potential buyers. The southern and northern ends of Dawson Street should be considered instead of the area suggested in the Amendment.	Refer to the response to Submission No.15.	
	Providing for expansion of a small town is essential for growth. This Amendment does not offer the chance for growth, as owners of the land in question have no intention of selling and the distance from the main road would discourage any business potential.	Refer to the response to Submission No.30.	
36	The underlying strategic planning documents, which this Amendment has been based upon, are of significant age.	Refer to the response to Submission No.17.	No change proposed.
	In addition to the date of preparation of these documents, being between 6 – 12 years old, the underlying data, which 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.	Refer to the response to Submission No.18.	Refer the submission to Panel.
	Before this Amendment is progressed, the underlying strategic planning documents be reviewed, updated and opened to further public consultation.	Refer to the response to Submission No.18.	
	The intent 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.	Council notes the content of this submission.	

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	<p>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 new generations of farming families. The support of land values is a significant driver in the wealth of the 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.</p>	<p>The Amendment is seeking to achieve a balance between the need to protect agricultural land and to provide land for rural living purposes. Ad hoc approval of dwellings in the Farming Zone has been demonstrated to increase the value of land above its agricultural value. Increasing land values can have a detrimental effect on existing farming operations and the agricultural economy, by restricting farm expansion.</p>	
	<p>Historic settlement patterns have created a diverse range of settlements with special character across the Shire, including small clusters of dwellings within wider agricultural settings (e.g., Illowa and Tower Hill) and older settlements, (e.g., Grassmere Junction, Wangoom, and Toolong). While there is potential for land-use conflict, these settlements provide links to the agricultural base of the Shire, maintain links to the historic settlements and support the community services and infrastructure within this Region. Potential development of new dwellings and/or subdivision within such settlements should not be discouraged where it fits the settlement context.</p>	<p>The Amendment is seeking to facilitate the development of new dwellings in several settlements in the Shire, where there is capacity in existing infrastructure and services.</p>	
	<p>The strategy to encourage population growth within all areas of the Shire should be retained.</p>	<p>Refer to the response to Submission No.16.</p>	
	<p>The recognition that small-lot subdivision can be undertaken to assist farm consolidation and agricultural viability is supported. Development of clusters of small lots from farm re-structuring can be beneficial to the community and provide a positive outcome for both agricultural properties and the rural population. There are significant hurdles, which impede development of dwellings in the Farming Zone, and the proposed local</p>	<p>This view is contrary to State planning policy and is unlikely to be supported by DELWP or the Minister for Planning.</p>	

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	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. House lot excisions can 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.	Refer to the response to Submission No.18.	
37	The subject lots at Port Fairy appear to have been created through historic planning decisions and have general characteristics of the urban fabric of Port Fairy. This appearance of being urban sized lots on the outskirts of Port Fairy indicates that these properties were intended to form part of the town and not the Rural Living Zone.	Refer to the response to Submission No.12.	No change proposed. Refer the submission to Panel.
	The rezoning of this land to RLZ3 is opposed and it is requested that the zoning of the subject properties 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.	The rezoning of the land to RLZ3 is an administrative/policy neutral change to the Planning Scheme, which reflects the current planning controls. It was included in the Amendment as a requirement of DELWP's authorisation conditions. Rezoning the land to General Residential Zone 1 is beyond the scope of the Amendment.	
	Although this Amendment is not considering the rezoning of land to General Residential Zone, and it may be more relevant to Amendment C69 (Port Fairy Structure Plan), it is a relatively simple consideration to the appropriate application of the Rural Living Zone. This request would facilitate a relatively	The submission is more relevant to Amendment C69moyn. While it appears to be a relatively simple consideration, the requested change was not included in the exhibited Amendment C69moyn.	

Number	Comment	Response	Recommendation
	straightforward development of potentially 8-10 lots to add to the limited housing opportunities in Port Fairy.		
38	<p data-bbox="333 328 1046 392">Opposes the re-zoning of the land at Grassmere to the Rural Living Zone Schedule 1.</p> <p data-bbox="333 411 1046 612">Requests that the Low Density Residential Zone (LDRZ) be applied to the settlement to assist its growth and to support the community services provided within this settlement. Additional infill development could make use of existing infrastructure while maintaining the character of the area.</p> <p data-bbox="333 632 1046 970">Requests that Council commissions updated planning strategies to guide this Amendment. The RHSS and Land Capability Study are already between 6-12 years old, and the underlying data is even older (for example, ABS data utilised from 1996-97 and 2000-2001 in the Moyne Land Capability and Biodiversity Study). Basing this significant Amendment on outdated studies, is poor planning practice and not an orderly planning process for a significant proportion of the municipality.</p> <p data-bbox="333 989 1046 1321">The timeframe for any future review of the changes implemented by this Amendment is generally expected to be 15 - 20 years. Planning of development to 2040 using underlying data, which would be 50 years old, is poor planning practice. It would be an abrogation of the duty of Council to <i>'provide sound, strategic and co-ordinated planning of the use and development of land in its area'</i> as required by section 12 of the <i>Planning and Environment Act 1987</i>.</p>	<p data-bbox="1068 328 1742 360">Council notes the content of this submission.</p> <p data-bbox="1068 411 1742 513">A Low Density Residential Zone at Grassmere is not supported due to the area's servicing constraints and its rural setting.</p> <p data-bbox="1068 632 1742 813">Refer to the response to Submission No.18. The RHSS was intended to be a long-term planning strategy. However, if trends were to change significantly during that period, Council would need to undertake a review.</p>	<p data-bbox="1765 328 1955 392">No change proposed.</p> <p data-bbox="1765 411 1955 507">Refer the submission to Panel.</p>

Number	Comment	Response	Recommendation
39	<p>Objects to the proposed Budj Bim Environs Rural Conservation Zone on grounds that a large portion of the family property will be affected. These lots are all used for primary production. Some are wooded, but most are cleared, and all are sustainably managed.</p>	<p>Council notes the objection to the proposed Rural Conservation Zone.</p> <p>The submitter has a large landholding in the Budj Bim Environs, comprising land to the north-east, east, south and west of Lake Surprise. Parts of the landholding adjoins the National Park and it extends some distance to the north of the National Park.</p> <p>As outlined in the submission, the landholding comprises lots which are heavily wooded, lots which are partly wooded and partly cleared, and lots which have been cleared of all woodland. A number of the cleared lots are beyond the extended woodland in the Budj Bim Environs, generally to the north of the Ardonachie Fire Station.</p>	<p>Support the submission by removing fully cleared farming land titles to the north-east of the extended Budj Bim Environs woodland area from the proposed Rural Conservation Zone.</p> <p>Refer the submission to Panel.</p>
	<p>The buffer zone to protect and enhance natural environment and natural processes, enhance the cultural significance, protect and enhance natural resources and biodiversity will require the obtaining of permits, which Council will not issue because of the allotment locations.</p>	<p>All planning permit applications are considered on their merits. The planning process enables an independent review of Council's decision-making on permit applications via VCAT. Regardless of the zoning, it may be problematic to obtain planning approval for the removal, destruction or lopping of native vegetation on the subject land.</p>	
	<p>The 16-year rule picks up three paddocks that are not currently farmed. Maybe this started with saving trees, but it now looks more like a land grab. Other reasons to object would be mental health, a myriad of rules, overlays, permits, etc.</p>	<p>The three paddocks identified in the submission are heavily vegetated and could only be used 'as of right' for grazing under the Farming Zone provisions, due to the native vegetation requirements under Clause 52.17. If the land is rezoned to Rural Conservation, planning approval can be sought to use the land for agricultural purposes.</p>	

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	Please consider abandoning this proposal 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.	The intent of the Rural Conservation Zone is intended to ensure that new land use activities are compatible with the conservation, cultural and environmental values of the Budj Bim National Park and World Heritage Area. It will not and cannot require any revegetation of land to be undertaken as part of the existing land use activities.	
40	The main part of the submitters' farming enterprise (that are contiguous parcels of land), generally bounded by Sheehans Road, the Peshurst-Port Fairy Road and the Peshurst-Warrnambool Road, are proposed by C70 to be rezoned to the Farming Zone Schedule 3 (FZ3).	Council notes the content of this submission.	Support the request to remove the proposed FZ3 from the Amendment. Refer the submission to Panel.
The expansive use of the Farming Zone 3, to the west and south of Koroit, allowing a dwelling without planning approval on land of 10ha or more, will compromise the local agricultural economy. It will substantially and cumulatively, convert agricultural land that is being farmed by not only the submitters, but by at least four (4) other larger commercial farming enterprises, to hobby farms.	Refer to the response to Submission No.8.		
The proposed FZ3 will severely compromise the ongoing viability of the submitters' farming enterprise, as the leased portion of the farm could potentially be sold, rather than leased back to the farming enterprise. This is likely to occur due to the appeal of selling land for lifestyle properties, which are attracting very high prices in the current real estate market.	Refer to the response to Submission No.8.		
If the current lease is not renewed and the land is sold, a dwelling could be constructed on any 10-hectare parcel of land in that area. That would divide	Council does not have control over the leasing of private land. However, including the land in the FZ3 'lifestyle farming' area may increase the likelihood of it being sold for that purpose.		

Number	Comment	Response	Recommendation
	<p>the farm into two pieces and the contiguous nature of the farm will be lost.</p>		
	<p>If the current lease was not renewed, and the land is sold for lifestyle lots at residential market prices, it is highly likely to remove the viability for farm expansion. The consolidation of lots can occur without planning permission, and there is an opportunity that 10 ha lots could easily be created within this leased land area.</p> <p>If the consolidation of lots was undertaken, five (5) dwellings could be constructed without a planning permit within the leased area. This will create a substantial impact on the current farming enterprise and other surrounding farms through land fragmentation and land use conflicts.</p>	<p>Refer to the response to Submission No.8.</p>	
	<p>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.</p>	<p>Council expects that the landowners in the lifestyle farming area will be undertaking small-scale agricultural activities and will be cognisant of farming practices.</p>	
	<p>The ability for additional land resources for the expansion of commercial farming enterprises will be severely compromised as the land resource will be consumed by smaller hobby farm uses and not able to be returned to larger farming enterprises principally because of economic viability.</p>	<p>The Addendum Report recognises that incremental development of dwellings, change in agricultural uses and a reduction in broad scale farming has occurred in this area. According to the Addendum Report, the locality can foster small-scale agricultural uses complementing the surrounding broad scale dairy and grazing operations, without becoming an ad hoc rural residential area.</p>	
	<p>The introduction of smaller hobby farm uses due to the 10ha minimum lot size for a dwelling will artificially increase the median land price for agricultural land, which could make farm expansion unviable. The effect</p>	<p>Refer to the response to Submission No.36.</p>	

Number	Comment	Response	Recommendation
	of this economic shift will compromise the growth and viability of dairy farms in this area to compete with larger farms in agricultural markets.		
	There is a risk of agricultural operators ceasing and selling/altering their land for small hobby farms across the proposed FZ3 area to the west and south of Koroit. The potential land use change which will be caused by the introduction of the FZ3 may and is likely to cause a downturn in milk supply to the local Bega dairy plant.	A reduction in local milk supply to the Bega dairy processing plant at Koroit could be possible, if the dairy farms in the FZ3 area cease operating. However, it is not known whether all of the dairy farmers in this area are Bega suppliers or what quantity of milk is supplied.	
	The Farming Zone controls should remain unaltered to provide effective protection to existing agricultural businesses.	Refer to the response to Submission No.8.	
	Any perceived need in the market for lifestyle properties should be accommodated within the Rural Living Zone 2 area proposed by C70, and where necessary this area could provide some additional infill lots to satisfy the perceived demand for this type of land.	The RHSS Addendum Report determined that changes should be made to the planning controls affecting land to the west and south-west of Koroit to facilitate Rural Living development and lifestyle farming. Amendment C70moyn was prepared in accordance with those recommendations.	
	The extent of the Rural Living Zone 2 area should not extend beyond the areas shown on Figure 3 of the submission, to maintain the viability of existing farming enterprises and importantly, provide protection and a future for our farming business for current and future generations.	The extent of the Rural Living Zone 2 area suggested in the submission is greater than the extent of that Zone, to the west and south-west of Koroit, proposed in the exhibited Amendment.	
	Extend the proposed Rural Living Zone 2 area west and south of Koroit as exhibited to include land as detailed in Figure 3 of the submission.	Refer to the response to Submission No.8.	
	A previous VCAT decision has highlighted that this area has high agricultural quality land, additional dwellings would increase land use conflicts between	Council notes the content of this submission.	

Number	Comment	Response	Recommendation
	<p>larger farming enterprises and lifestyle properties, inflate land prices and will make land unviable for the expansion of farming enterprises, and ultimately affect the agricultural economy and agricultural production. A proliferation and concentration of lifestyle properties in agricultural areas will lead to the fragmentation of productive agricultural land.</p>		
41	<p>The current minimum lot size for dwellings and subdivision south of the Princes Highway should remain at 10 Hectares and we oppose any proposed changes on our land to increase to 40 hectares.</p> <p>With good farming practices, sustainable farming applications, this area is capable of any form of future primary production. Ten (10) hectares can still be a very productive farm with potential to create a viable business from that size.</p> <p>Why should we be "Disadvantaged" compared to our neighbours who occupy the same quality and productive land as ours.</p>	<p>Council notes the content of this submission.</p> <p>The Addendum Report identifies that this land is held in large landholdings, still intensively farmed and has not been subject to pressure for small lot linear housing development. Retention of this land in the Farming Zone with a higher minimum lot size recognises that it has similar characteristics to the land to the north of the Highway. It is not significantly constrained by the land use pattern of small lots with dwellings (to the west of Mugavins Road) and swampy low-lying land as characterised to the south of Survey Lane.</p> <p>It is noted that the Land Capability and Biodiversity Study recommended that minimum lot size should be increased from 10 hectares to 40 hectares for all land south of the Princes Highway between Port Fairy and Warrnambool.</p> <p>The recommendation of the Addendum Report was to significantly reduce the area to be subject to the increase in the minimum lot size. However, it will not preclude the ability for consideration of planning</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

Number	Comment	Response	Recommendation
		<p>permit applications for dwellings on existing lots in the area.</p> <p>While financial implications for individuals are recognised and acknowledged, the focus of strategic planning is securing positive long-term benefits for the community, and in this case, the agricultural sector.</p>	
	<p>Our land has already been included in a family succession plan.</p>	<p>Personal circumstances, such as, hardship, the effect of planning controls on the value of a property, the effect of economic competition and similar considerations are not valid planning considerations.</p> <p>Planning grounds rather than personal circumstances are the basis upon which planning policies and controls are developed and incorporated into the planning scheme.</p>	
	<p>Rural Living/Farming should be a legitimate lifestyle/business option, with appropriate Council controls in place.</p>	<p>The land is within the area subject to Clause 22.01-8 - The Belfast Rural Area of the Moyne Planning Scheme. This planning policy seeks to maintain the rural character of the Killarney area, and discourage subdivision or development that is not compatible with, or may compromise the use of the land for farming or primary production.</p> <p>In addition, the policy seeks to protect the area's fertile soils by maintaining large lots, encourage the consolidation of lots through restructure of old subdivisions, discourage small lot subdivision, and align land use and development to land capability.</p>	
42	<p>The Amendment is flawed as it is inconsistent with the planning objectives in section 4 of the Planning and Environment Act 1987 (the Act), the State Planning</p>	<p>The submitter appears to have a large landholding located on the northern side of the Budj Bim National Park. It is proposed to rezone parts, but</p>	<p>Support the submission by removing fully</p>

Number	Comment	Response	Recommendation
	<p>Policy Framework (SPFF), the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS).</p> <p>Applying the RCZ to cleared open county is contrary to good planning practices.</p>	<p>not all, of the landholding to the Rural Conservation Zone.</p> <p>Part of the landholding proposed to be rezoned adjoins the National Park and contains an area of remnant native vegetation contiguous with the native vegetation in the Park.</p> <p>A second part of the landholding, to the north of the Budj Bim National Park Campground, is predominantly cleared of woodland and partly used for cropping, but appears to contain a stony rise and a wetland area.</p> <p>Another part of the landholding proposed to be rezoned is to the north of Patons Road. This land is cleared and appears to be used for grazing purposes.</p> <p>Restricting use or development in a sensitive location is a valid reason for making a change to a planning scheme. In determining the most appropriate zone to apply to rural land, the planning authority (Council) must consider the degree to which it is acceptable for the land to be used for non-farming activities.</p>	<p>cleared farming land titles north of Patons Road/beyond the extended Budj Bim Environs woodland area from the proposed Rural Conservation Zone.</p> <p>Refer the submission to Panel.</p>

Number	Comment	Response	Recommendation
	<p>It is inconsistent with the Moyne C70 Land Capability and Biodiversity Studies Project 2009 (the Capability Project). This document 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.</p> <p>The bush land on the subject land is mostly fragmented and has been substantially altered.</p>	<p>The subject land adjoins the Budj Bim National Park. Native vegetation (bush land) on the land contained within the proposed Rural Conservation Zone is not fragmented and is contiguous with the native vegetation in the National Park.</p> <p>Lots proposed to be included in the Rural Conservation Zone contain both vegetated and cleared areas. <i>A Practitioner's Guide to Victorian Planning Schemes</i> states:</p> <p><i>A zone boundary should align with title boundaries or other clearly defined feature such as a road centreline or watercourse unless there is a deliberate reason not to.</i> Zone boundaries are required to accord with title boundaries under the Victoria Planning Provisions.</p>	
	<p>The purposes of the RCZ are primarily concerned with the natural environment, natural resources and conservation. The majority of the subject land is cleared agricultural land, more suited for the purposes and controls of the FZ.</p>	<p>Due to its proximity to the National Park and Budj Bim World Heritage area, the cleared open country to the south of Patons Road is within a sensitive location. It is not an appropriate location for non-farming uses, such as, abattoirs, intensive animal industries and sawmills, which are permissible in the Farming Zone. Therefore, it is considered that the Rural Conservation Zone is the appropriate Zone for land in the locality.</p> <p>The proposed Rural Conservation Zone is intended to provide clear direction for the future use of the land and ensure that it is consistent with the conservation and environmental values of the land. Land ownership changes over time and it is important that planning requirements are transparent for current owners, prospective purchasers and the community.</p>	

Number	Comment	Response	Recommendation
		The Rural Conservation Zone will clearly define the land uses, which are appropriate in this location in a transparent manner for current and future landowners, and the community.	
	Further, the construction of a building for agricultural feeding purposes may require planning approval.	Planning approval is required for new agricultural buildings in the Rural Conservation Zone. There are exemptions for alterations or extensions to existing buildings used for agriculture, provided the floor area of the alteration or extension does not exceed 100 square metres.	
	While there may be the benefit of existing use rights if the Amendment is approved in its current form, any change to agricultural practices may require a planning permit.	It is considered that agricultural practices, other than intensive animal industries, would be consistent with the existing use rights, which would apply to the land.	
	Applying the RCZ to cleared agricultural land will not encourage or allow for evolving and changing agricultural uses, as planning permission will be required.	Agriculture is allowed in the Rural Conservation Zone, provided it is consistent with the environmental and landscapes values of the area.	
	It does not recognise that historically landowners have protected bushland without planning controls.	Planning controls in relation to native vegetation have applied to all land in Victoria for over 20 years, pursuant to Clause 52.17 – Native vegetation of the Victoria Planning Provisions.	
	There is no evidence that the existing planning controls on the land have resulted in damage to or the removal of bush land.	Although compliance with the existing native vegetation controls has generally been satisfactory in the area, issues occasionally arise. It is noted that these controls apply regardless of the zoning of the land.	

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	<p>An alternative and more appropriate control can be achieved by applying either:</p> <ul style="list-style-type: none"> 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. 	<p>Overlays apply requirements on development rather than land use. In the Budj Bim Environs, it is considered necessary for the planning controls to consider land use and development. Therefore, the Amendment seeks to apply the Rural Conservation Zone to ensure that future changes are not detrimental to sensitivity of land in this area.</p>	
43	<p>Amendment C70moyn is at odds with the planning scheme, as it 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 affect farming practices.</p> <p>This planning amendment could see a dramatic increase in the creation of smaller lots 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 it will have a highly negative impact on the operations of agricultural farms and therefore on the employment and business viability of these operations.</p> <p>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</p>	<p>Refer to the response to Submission No.8.</p> <p>Refer to the response to Submission No.8.</p> <p>The land in this area is identified in the Land Capability and Biodiversity Study as high-quality agricultural land with capacity to cope with rural residential uses.</p> <p>Agricultural land is a finite resource, and as the planning authority, Council seeks to ensure that</p>	<p>Support the request to remove the proposed FZ3 from the Amendment.</p> <p>Refer the submission to Panel.</p>

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	agricultural land, which is highly productive and sought after.	farming is the primary use on land best suited to agriculture.	
	Changing the schedule to the current Farming Zone will dramatically increase the price of land, which will be detrimental to current practices of buying land to expand farming operations.	Refer to the response to Submission No.40.	
	An alternate site for the FZ3 area could be the area on the southern side of the Princes Highway, between Port Fairy and Goose Lagoon. This area is not farmed as intensively and there will be less effect on agricultural land prices.	Further strategic work would need to be undertaken to determine whether this area would be an appropriate alternative to the rural lifestyle area identified between Koroit and Kirkstall. That work is beyond the scope of Amendment C70moyn.	
44	<p>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 lots in Southern Cross is a lifestyle choice for the residents.</p> <p>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.</p> <p>The Victorian State Government is supportive of minimum lot sizes of 2 hectares as covered under PPN42.</p>	<p>Support for the rezoning of land to the Rural Living Zone and minimum lot size of two hectares at Southern Cross is noted.</p> <p>However, in reviewing other submissions, it is considered that there is some merit in reducing the minimum lot size at Southern Cross to one hectare. There are limited environmental constraints and risks affecting the land and it would provide a more efficient use of the land.</p> <p>Therefore, it is being recommended that the minimum lot size at Southern Cross should be reduced to one hectare.</p>	Note the submission and refer it to Panel.
	The Rural Housing and Settlement Strategy Addendum Report states that <i>“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</i>	Council notes the content of this submission.	

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	<p><i>edge of settlements</i>". Therefore, a minimum lot size of less than 2 hectares would be adverse to the area.</p>		
	<p>Opposes any change where existing landowners will be denied the opportunity to be notified by the Moyne Shire of planning permit applications.</p>	<p>If the land is rezoned to the Rural Living Zone, there will be changes to the need for planning permit applications and public notification. For example, planning approval will not be required for a dwelling on a lot of two hectares or greater, and, therefore, there will not be any requirement for public notification.</p>	
	<p>It is not unreasonable for any future planning permit applications to be viewed 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.</p> <p>We encourage the Moyne Shire to enforce:</p> <ul style="list-style-type: none"> - New builds should not negatively affect existing residents' views or land values - Setbacks - Height restrictions encompassing dwellings/outbuildings/vegetation/landscaping 	<p>The proposed Rural Living Zone Schedule 2 does not include any design and siting, or landscaping requirements for new residential development.</p>	
45	<p>I own 71 acres, which consists of 10 titles, at Kirkstall, and am keen to develop it into a Rural Living Zone.</p>	<p>Amendment C70moyn proposes to rezone this land to Farming Zone Schedule 3, however, not to the Rural Living Zone.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>
	<p>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 a lack of availability of Rural Living Zoned land.</p>	<p>Neither the Rural Housing and Settlement Strategy 2010 nor the Addendum Report 2015 recommended that this area should be rezoned to the Rural Living Zone.</p> <p>The strategic basis of the Rural Housing and Settlement Strategy and the Amendment is to limit</p>	

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		<p>ad hoc rural lifestyle development, and to protect agricultural land uses in the Farming Zone.</p> <p>A Rural Living rezoning would create an 'ad hoc' settlement without any services in this location. Creation of such a settlement would be contrary to State Planning Policy and does not have any strategic justification.</p>	
46	<p>Opposes the proposed changes to the zoning area, as allotment sizes in the C70moyn proposal will have a negative impact.</p> <p>The current 40-hectare rule is a safeguard to ensure that farmland is productively used for farming purposes. It stops rural lifestyle blocks being developed on prime agricultural land. Over the last two decades, the amount of farmland for food production has significantly decreased. There is a need to preserve farmland and provide better ways to deal with population overspill from places like Warrnambool.</p> <p>Poor planning is occurring in the Moyne Shire with the approval of small subdivisions on prime farmland. Examples of these are along the Warrnambool-Penshurst Road, Koroit where there are four recently built homes on approx. 3-hectare blocks with another being built. This is an example of prime agricultural land that is no longer being used for agricultural purposes.</p> <p>Changing the size from 40 hectare to 10 hectares is designed for small scale farm/agriculture enterprises, yet criteria has not been provided around this, which means that this could be manipulated for other uses,</p>	<p>Council notes the content of this submission.</p> <p>The strategic basis of the Rural Housing and Settlement Strategy and the Amendment is to limit ad hoc rural lifestyle development, and to protect agricultural land uses in the Farming Zone. Amendment C70moyn seeks to implement those strategic directions by identifying areas for rural living and lifestyle farming, via the application of appropriate zones and lot sizes.</p> <p>As above.</p> <p>There is no mechanism in the Planning Scheme to ensure that dwellings on lots of 10 hectares or greater in the proposed Farming Zone 3 area will be used in conjunction with agricultural purposes.</p>	<p>Support the request to remove the proposed FZ3 from the Amendment.</p> <p>Refer the submission to Panel.</p>

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	as there are not controls in place. Preserving agricultural land should be a priority.		
	Rezoning land to make way for smaller 10-hectare lots will promote an increase in land values, making it harder for everyday people to purchase property.	The Farming Zone Schedule 3 retains the 40-hectare minimum lot size for subdivision and will not enable the creation of additional 10-hectare lots. It is intended to enable the construction of dwellings without the need for planning approval, on existing and consolidated lots of 10 hectares or greater.	
	With overspill from Warrnambool, it would be sensible to look at options for smaller blocks adjoining townships. Prices could be cheaper, and the urban sprawl may be contained. Currently there seems to be no structure to the urban sprawl across the Moyne Shire, which is contributing to the loss of valuable agricultural land.	Council is seeking to manage urban sprawl via the implementation of structure plans for towns in the Shire. For example, the adopted Koroit Structure Plan seeks to provide for urban expansion of the town.	
	Two things will happen with the changes to zonings and reducing the minimum lot size, property prices and rates will rise.	Refer to the response to Submission No.8.	
	The changes to zonings and minimum lot sizes could create more traffic on our roads, more use means more wear and tear on infrastructure.	Given that the proposed rezonings predominantly reflect the development density and only allow for limited infill development, there will be limited increases in traffic volumes and use of existing infrastructure.	
	There are low-lying areas between Koroit and Kirkstall, and there are concerns about the effects that floodwater will have on these small lots. Any new property built will have septic tanks and raw waste may seep out when floodwaters flow over the tanks creating a health issue.	Council's Environmental Health Unit is not aware of any significant issues regarding escape of effluent caused by flooding in this area. All new septic systems would have to be appropriately designed and installed to manage these risks.	

Number	Comment	Response	Recommendation
	<p>The proposed changes could create more noise pollution in peaceful farming areas due to increased traffic and as it is not known what these small farm/agriculture businesses will be, and there are no controls in place as to how they will operate. New owners could operate at all hours of the day and night, making lots of noise resulting in poor mental health and lifestyle.</p>	<p>Existing agricultural uses have the potential to cause off-site impacts and farming areas are not necessarily 'peaceful'. However, the management of noise and spray issues may present more significant challenges in the Framing Zone 3 area than are confronted by less intensive forms of agriculture, and/or in less fragmented areas where housing is more dispersed. Other intensive 'niche' agriculture, particularly those of a horticultural nature, may raise similar considerations.</p> <p>The submission should be referred to a Planning Panel.</p>	
47	<p>Supports 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.</p>	<p>Support for the rezoning of land to the Rural Living Zone at Illowa/Tower Hill is noted.</p> <p>However, Planning policy does not support a reduced lot size/increased density of development in the Tower Hill environs, due to its significant environmental and landscape values, and bushfire risk.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>
	<p>The majority of the blocks in the Illowa/Tower Hill RLZ2 area are less than two hectares, with some being significantly smaller, including several blocks, which are less than one hectare.</p>	<p>The two-hectare subdivision minimum lot size in the proposed Illowa/Tower Hill Rural Living Zone seeks to minimise lot yield and provide an adequate lot size to effectively treat and contain wastewater. In addition, it is consistent with planning policy, which seeks to minimise the effects of development on the significant Tower Hill landscape.</p> <p>There are additional controls applying to the land, in particular, the Bushfire Management Overlay and Significant Landscape Overlay, which limit its development potential.</p>	

Number	Comment	Response	Recommendation
	<p>Any concerns that further development in this area would affect 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.</p>	<p>Information has not been provided in the submission to demonstrate whether the requested reduction to the minimum lot size would be responsive to the current controls and the characteristics of the site and locality.</p> <p>The current landowner may be aware that off-site amenity impacts are part of a rural land use. However, there is no guarantee that future owners will share the same attitude and not make complaints about the amenity effects of the quarry, even if a caveat exists.</p> <p>In addition, the gazettal of Planning Scheme Amendment VC219 now requires the assessment of the impact and suitability of using or developing land for accommodation in proximity to an applied for or approved Work Authority (extractive industry). It intends to afford protection to the extractive industry from encroachment while considering the potential adverse amenity impacts on accommodation from extractive industry operations.</p> <p>The proposed two hectare minimum lot size will limit the number of additional dwellings permissible and prevent the creation of additional lots in the Rural Living Zone at Illowa/Tower Hill. Thus, it will limit the potential for additional land use conflict in proximity to the quarry.</p>	

Number	Comment	Response	Recommendation
	<p>Under the current planning scheme, bed and breakfast accommodation or tourism accommodation cottages can be built on the land. However, the new zoning will not allow subdivision for one additional residential dwelling. If the intent of the two-hectare minimum lot size is to maintain a lower density, it is not logical. To be economically viable, any tourist accommodation/lodgings would need be substantially larger than a single residential dwelling.</p>	<p>Under the planning scheme, bed and breakfast accommodation can be provided in accordance with the following “<i>a dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</i>” It does not necessarily enable the construction of additional buildings, unless they are considered to form part of the existing dwelling.</p> <p>While group accommodation (tourism cottages) is a discretionary use in the Rural Living Zone, the planning scheme does not imply that a permit should or will be granted for a use.</p>	
	<p>Unlike the current development on the northern side of Tower Hill, an additional dwelling on the land adjacent to the existing house would not break the skyline, as the land is lower than where the current dwelling is located. Therefore, it would not affect the aesthetics of the Tower Hill Reserve.</p>	<p>Concerns regarding additional development in proximity to Tower Hill are not limited to visual effects. Development adjacent to conservation reserves is a key risk to biodiversity values and often leads to land management issues.</p> <p>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, and there can be increases in vermin activity associated with human habitation.</p>	
48	<p>Amendment C70moyn seeks to change the minimum subdivision area and minimum area for which no permit is required for a dwelling to 2 hectares at Southern Cross, rather than 1 hectare as recommended by the RHSS Addendum Report.</p>	<p>Refer to the response to Submission No.8.</p>	<p>Support the request for a minimum lot size of one hectare in the Rural Living</p>

Number	Comment	Response	Recommendation
	<p>A minimum lot size of 2 hectares will result in a significant undersupply of Rural Living Zoned land within Southern Cross (around 4.5 years supply).</p>	<p>It appears that Southern Cross may have capacity to accommodate additional rural living development. However, the demand for small rural lots is only one of many factors to be considered when deciding whether a Rural Living rezoning is appropriate.</p> <p>The policy direction recommended for Southern Cross in the RHSS and Addendum Report is that it will remain as a rural residential settlement with low growth.</p>	<p>Zone at Southern Cross.</p> <p>Refer the submission to Panel.</p>
	<p>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:</p> <ul style="list-style-type: none"> – Plan to accommodate projected population growth over at least a 15-year period (author underline) and provide direction on locations where growth should occur. 	<p>It is considered that the strategies identified in Clause 11.02-1S Supply of Urban Land relate to planning for urban growth. The Rural Living Zone (RLZ) is a ‘rural’ zone and not urban land. Therefore, it is considered that the supply of Rural Living is not guided by this strategy.</p> <p>In addition, Clause 16.01-3S – Rural residential development of the Moyne Planning Scheme does not set any direction for a desired supply of Rural Living land to be provided within a locality or municipality.</p>	
	<p>Supports the recommendation to rezone land at Southern Cross from the Farming Zone to the Rural Living Zone and requests the following changes:</p> <ul style="list-style-type: none"> – Amend the Southern Cross Framework Plan within proposed Clause 21.09-22 Southern Cross to replace the reference to the ‘2-hectare minimum lot size’ 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 	<p>It is considered that there is some strategic support for a minimum lot size of one hectare in the Rural Living Zone at Southern Cross.</p> <p>A one-hectare minimum lot size at Southern Cross will avoid the further expansion of rural residential development footprint of the settlement into adjacent agricultural land.</p> <p>In addition, it would assist in reducing the pressure for dwellings on lots in the Farming Zone around Southern Cross and Koroit. That will support the</p>	

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	Farming Zone (FZ) to Rural Living Zone Schedule 1 (RLZ1).	preservation of productive farmland in the area in accordance with State Planning Policy.	
49	Generally, supports the proposed rezoning of the land identified in C70moyn from the Farming Zone to the Rural Living Zone at Southern Cross, but changes are sought to the exhibited documents to provide for a minimum lot size of 1 hectare.	Support for the rezoning of land to the Rural Living Zone at Southern Cross is noted. Refer to response to Submission No.48.	Support the request for a minimum lot size of one hectare in the Rural Living Zone at Southern Cross.
	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 do not contribute to agriculture and fail to address rural residential housing demand in Moyne Shire.	A higher yield and more efficient use of Rural Living land would be achieved with a minimum lot size of one hectare at Southern Cross.	Refer the submission to Panel.
	The Schedule to the Rural Living Zone for Southern Cross should be revised to allow for a minimum subdivision area of 1 hectare. This would represent a better strategic planning outcome for the land and avoid an undersupply of rural residential land.	Refer to the response to Submission No.48.	
	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.	There is potential for additional pressure for ad hoc dwellings on small and larger lots in the Farming Zone if the supply of rural residential land is inadequate. However, there is existing rural residential land supply in other areas, such as, Port Fairy.	
	Southern Cross has good connections to Warrnambool, Port Fairy and Koroit in terms of proximity and the quality of the road network. The area represents an opportunity to live in a rural environment within short driving time of important services.	Southern Cross is well located in relation to Warrnambool, Port Fairy and Koroit and there is anecdotal evidence of demand for rural living land in similar locations. There are minimal environmental constraints and risks affecting the land proposed to be rezoned,	

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	The land proposed to be rezoned does not contain any significant native vegetation or watercourses, has good soils for wastewater disposal, and has low bushfire risk.	which indicates that it could have capacity for additional development.	
	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 one (1) hectare minimum lot size at Southern Cross would provide for more efficient use of the land intended for rural living purposes.	
50	Several landowners generally support the proposed rezoning of the land identified in C70moyn from the Farming Zone to the Rural Living Zone at Southern Cross, with a minimum lot size of 1 hectare.	Support for the rezoning of land to the Rural Living Zone at Southern Cross is noted.	Support the request for a minimum lot size of one hectare in the Rural Living Zone at Southern Cross. Refer the submission to Panel.
	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.	Refer to the response to Submission No.8.	
	The landowners feel that a 2-hectare minimum subdivision area would represent an inefficient use of the land by providing for lots, which do not contribute to agriculture and fail to address rural residential housing demand.	Refer to the response to Submission No.49.	
	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.	Refer to the response to Submission No.49.	

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Number	Comment	Response	Recommendation
51	DELWP Environment supports the intent of the proposed amendment.	Support for the Amendment is noted.	Support the requested changes to strengthen the Planning Policy Framework of the Moyne Planning Scheme. Refer the submission to Panel.
	DELWP supports the recognition of environmental values through application of the Rural Conservation Zone.	Support for the application of the Rural Conservation Zone is noted.	
	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. There are many 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 and comprehensiveness.	Council has identified additional parcels of Crown Land, which are not within Public Land zones. The zoning of these parcels will be addressed through a subsequent corrections amendment.	
	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.	Amendment C70moyn seeks to limit the effects of development on the interfaces of the Budj Bim National Park by applying the Rural Conservation Zone to surrounding land. The rezoning of land for rural living purposes with interfaces to the Tower Hill State Game Reserve includes a two-hectare minimum lot size to reflect the existing development pattern and to prevent further subdivision of the land.	
	DELWP Environment has identified opportunities for additional information to be included in the Planning Policy Framework, which may strengthen the strategic framework and planning controls, and better guide the use and development of agricultural land, rural living	There is merit to including the additional information suggested by DELWP in the Planning Policy Framework. It would strengthen the guidance provided by the local policy and improve the link between existing policy and local outcomes.	

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Number	Comment	Response	Recommendation
	development, and the growth and development of the Shire's smaller settlements.	However, it would need to be considered in relation to the aims of the Planning Policy Framework translation regarding planning policy content.	
	DELWP encourages the 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 Clause 21.09 Local Areas.	As above.	
	DELWP recommends further consideration be given to how to avoid and minimise the effect of development of areas at Caramut on native vegetation and how it will prevent direct and indirect impacts on areas of significant environmental value.	The exhibited Amendment proposes to reduce the amount of developable land at Caramut. Therefore, significant impacts to native flora or fauna are likely to be limited at Caramut.	
	Aerial imagery and NatureKit mapping indicate intact native vegetation surrounding the Hawkesdale 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 State-wide native vegetation policy and seek to avoid and minimise the removal of this native vegetation.	Future development in the area to be rezoned at Hawkesdale will have to consider the requirements of Clause 52.17 – Native vegetation of the Moyne Planning Scheme.	
	The Victorian Volcanic Plains Linear Reserves Planning Portal indicates that there is high-quality grassland vegetation on the Penshurst-Warrnambool Road to the south of 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 in any future development planning and must be protected from any adverse direct or indirect impacts.	The Amendment proposes the rezoning of a modest area of land to the Rural Living Zone at Hawkesdale, primarily on the western edge of the township.	

Number	Comment	Response	Recommendation
52	<p>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 4000 square metres.</p>	<p>The Amendment proposes to rezone this land to Farming Zone – Schedule 3, with a minimum lot size for a dwelling of ten hectares.</p> <p>Neither the Rural Housing and Settlement Strategy 2010 nor the Addendum Report 2015 recommended that this area should be rezoned to the Low Density Residential Zone.</p> <p>In addition, the area was not recommended for urban expansion in the adopted Koroit Structure Plan.</p> <p>At this time, the requested change does not have strategic justification and is beyond the scope of the Amendment.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>
53	<p>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 additional development opportunities:</p> <ul style="list-style-type: none"> - Inclusion of annotations and wording to the south of the proposed Settlement Boundary and west of Southern Cross Road, to reference 'Potential extension to settlement boundary' (or similar) in a southward direction. <p>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:</p>	<p>Support for the Amendment is noted.</p> <p>Council does not intend to provide any additional services at Southern Cross. It is a settlement where development will need to be limited to avoid the creation of an isolated car dependent community.</p> <p>If a reduction of the exhibited minimum lot size to one hectare occurs sufficient land supply will be provided, and no expansion of the settlement boundary would be warranted.</p> <p>A key justification to support a one-hectare minimum lot size at Southern Cross is that it will avoid the further expansion of rural residential development footprint into agricultural land.</p> <p>Refer to the response to Submission No.48.</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

Number	Comment	Response	Recommendation
	<p>– Plan to accommodate projected population growth over at least a 15-year period and provide direction on locations where growth should occur.</p>		
54	<p>The VFF is generally supportive of changes proposed in the Moyne Planning Scheme Amendment C70moyn. 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.</p>	Support for the Amendment is noted.	<p>No change proposed. Refer the submission to Panel.</p>
<p>The VFF is particularly supportive of Clause 21.07 – Economic Development. The proposed Economic Development clause recognises 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.</p>	Council notes the content of this submission.		
<p>Council recognising that its economy is heavily dependent upon agriculture and that agriculture is the most significant land use within the Shire, is a significant step in 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 value of agriculture when applying for planning permits. This would not normally be a consideration as agriculture is not listed in the PPF economic development clause.</p>	Council notes the content of this submission.		
<p>The VFF wants 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</p>	Council notes the content of this submission.		

Number	Comment	Response	Recommendation
	for small lots in agricultural areas, and the proposed changes will assist the assessment process.		
	Farmers often need to buy more land. Often relatively small lots provide the critical mass needed to maintain a viable farming operation. These lots may be distant from their main holding, and the distance can 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.	Refer to the response to Submission No.36.	
55	Objects to Amendment C70 affecting landowners bounded by Rocks Road to the east of Gormans Road and south of the Princes Highway Killarney.	Council notes the content of this submission.	No change proposed.
	The 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.	Many farm holdings comprise a number of lots, including relatively small lots, as outlined in Submission No.54. Sometimes lots in farm holdings are contiguous, but often they are separated. Existing lots can be bought and sold as farmers seek to increase or decrease the size of their holdings.	Refer the submission to Panel.
	Farming and cropping on 40 hectares are not sustainable and therefore Amendment C70 is impractical.	The economic returns for many agricultural industries tend to be cyclical and have their difficulties. Lack of economic viability of agriculture is not a sound reason for allowing land to be developed/subdivided. Economic viability depends on a range of factors most, if not all, of which are beyond the ability of a planning scheme to influence.	

Number	Comment	Response	Recommendation
56	<p>Supports the extended boundary and rezoning of the land within the new Southern Cross boundary from Farming Zone to Rural Living Zone, however, with a minimum lot size of 1 Hectare, which was previously proposed and supported by Moyne Shire Council, as appropriate in this area.</p>	<p>Support for the rezoning of land to the Rural Living Zone at Southern Cross is noted.</p> <p>Refer to response to Submission No.48.</p>	<p>Support the request for a minimum lot size of one hectare in the Rural Living Zone at Southern Cross.</p>
	<ul style="list-style-type: none"> – 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. – A 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 ratepayer funds and contributions to the local community and economy. – Increasing lots and residents, results in a flow on effect for local business and extra visitors to the area would contribute to increased tourism income. – Nearby towns including Koroit, which provide amenity to the surrounding smaller townships, are experiencing population growth and land is in short supply. These same points are relevant to the 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 increasing prices and creating affordability issues due to a lack of supply. – The proposed settlement boundaries, protect and maintain extensive Farming Zone land for 	<p>It is considered that a one hectare minimum lot size at Southern Cross has some merit and should be considered by a Planning Panel.</p> <p>However, neither the RHSS nor the Addendum Report support a reduction of the two hectare minimum lot sizes at Koroit, Crossley, Illowa and Tower Hill.</p> <p>It appears that a reduced lot size would not be appropriate in many of these areas, particularly in proximity to Tower Hill and at Illowa.</p> <p>Further strategic work would need to be undertaken to determine whether reduced lot sizes are appropriate in any parts of these areas. That work is beyond the scope of Amendment C70moyn.</p>	<p>Refer the submission to Panel.</p>

Number	Comment	Response	Recommendation
	<p>continued agricultural use and recognises the importance of farming in the area.</p> <ul style="list-style-type: none"> - 1 Hectare lots (instead of 2-hectare minimum lot sizes) within the proposed Southern Cross, Koroit, Crossley, Illowa and Tower Hill boundaries would provide fair, economic and sustainable use and development of land. 		
57	<p>The main implications for the Department of Education and Training (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).</p> <p>DET does not have any concerns with Amendment C70moyn as exhibited.</p>	Council notes the content of this submission.	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>
58	<p>The submission objects to the change proposed by Amendment C70 affecting landowners bounded by Rocks Road to the east of Gormans Road and south of the Princes Highway Killarney, i.e., the increase in the minimum lot size from 10 hectares to 40 hectares.</p> <p>We reduced the number of lots in our landholding from 42 lots to 29 lots as part of a previous planning approval. We now find that the expense and rearrangement of title boundaries is of little consequence if the proposed changes occur.</p>	<p>Council notes the content of this submission.</p> <p>It is an important function of the planning system to provide a level of certainty about acceptable forms of use and development to inform both public and private decisions.</p> <p>The landowners have acted in good faith in relation to previous planning approvals for the land.</p> <p>However, core issues for the planning framework are to:</p> <ul style="list-style-type: none"> • Recognise the productive potential of the land. • Promote parcels of a size that enable optimal farming practices. 	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

Number	Comment	Response	Recommendation
		<ul style="list-style-type: none"> • Accommodate anticipated incremental growth of farms. • Establish planning controls to best protect the agricultural capacity and operations on the land. <p>Increasing the minimum lot size to 40 hectares in this area is consistent with these strategic considerations.</p>	
	<p>The original changes to the minimum lot size in the Mahoneys Road to Lynchs Road area were not notified to ratepayers. Many ratepayers would not be aware of the repercussions of this change to their landholdings.</p>	<p>Changes to the Farming Zone Schedule in relation to the 10-hectare minimum lot size on the southern side of the Princes Highway between Warrnambool and Port Fairy were approved by the Minister for Planning in 2009 as part of Planning Scheme Amendment C21. Those changes were not included in the exhibited amendment and were a consequence of the recommendations of the Panel Report.</p>	
	<p>We will be at a major financial disadvantage if the minimum lot size is increased to 40 hectares.</p>	<p>Refer to the response to Submission No.41.</p>	
59	<p>The Department of Transport (DoT) is supportive of the amendment.</p>	<p>Support for the Amendment is noted.</p>	<p>Support the request to include the minimum setback distances from a Transport Zone 2 in Schedule 2 to Clause 35.03 Rural Living Zone similar to that specified in Schedule 2 to</p>
	<p>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 and Transport Planning and Clause 18.01-2S Transport System of the Moyne Planning Scheme.</p>	<p>C70moyn makes little change to local planning policy in relation to tourism. However, traffic and transport effects are key considerations in the assessment of any proposed tourism development in hinterland areas.</p>	

Number	Comment	Response	Recommendation
	<p>The proposed map reference 015znMaps34_35 of the amendment affects an area of the Public Acquisition Overlay (PAO) for a future Port Fairy bypass. This land is to be rezoned to Rural Living Zone – Schedules 1 & 3. Neither schedule specifies a minimum setback distance from a Road Zone Category 1 (now Transport Zone 2) 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.</p>	<p>The rezoning of the land to Rural Living Zone – Schedules 1 & 3 is an administrative/policy neutral change to the Planning Scheme, and thus, reflect the current planning controls.</p> <p>The default setback of 30 metres from a Transport Zone 2 or land in a Public Acquisition Overlay to be acquired for a road in Clause 35.03-4 Buildings and works applies to the subject land.</p> <p>It is considered that these requested changes are beyond the scope of the Amendment.</p>	<p>Clause 35.07 Farming Zone.</p> <p>Refer the submission to Panel.</p>
	<p>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 (now Transport Zone 2) similar to that specified in Schedule 2 to Clause 35.07 Farming Zone.</p>	<p>Consideration could be given to including the minimum setback distances from a Transport Zone 2 similar to that specified in Schedule 2 to Clause 35.07 Farming Zone for land to be zoned Rural Living – Schedule 2. This land is currently in the Farming Zone, which has a setback distance specified in the Schedule.</p> <p>The rezoning at Mortlake is an administrative/policy neutral change to the Planning Scheme, which reflects the current planning controls. The default setback of 30 metres in Clause 35.03-4 Buildings and works applies to this land.</p>	
	<p>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, Penschurst-Warrnambool Road (C183), Koroit-Port Fairy Road (C179) and Mailors Flat-Koroit Road (C183, also known as Commercial Road). Direct access to these roads should be carefully assessed in consultation</p>	<p>Direct access to these roads will be assessed in consultation with the DoT to avoid adverse operational and safety impacts as part of the ongoing planning for the area, in accordance with the Koroit Structure Plan.</p>	

Number	Comment	Response	Recommendation
	with the DoT to avoid adverse operational and safety impacts.		
60	Rezoning land to the west of the current Township Zone (RLZ1) in Hawkesdale from farming to rural residential is a poor option in attempting to reinvigorate the town.	Council notes the content of this submission.	No change proposed. Refer the submission to Panel.
	The proposed RLZ1 currently consists of twenty lots and eight of these currently contain houses. A further five lots are directly associated with house blocks, three other lots are used as lifestyle blocks and the fourth is used as machinery storage and for grazing of animals.	DEWLP was cognisant of the existing development in the area to be rezoned when it determined the authorisation conditions for the Amendment. While there may issues with the current tenure and use of the land, personal circumstances can change over time and should not form the basis of determining land use planning controls.	
	A number of blocks are currently only accessible via unused roads, and Council has indicated that it will not fund the construction of these roads. It appears that none have ready access to power. Therefore, 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.	'User pays' principles for the provision of development infrastructure have been in place for many years. Under these principles it is the responsibility of landowners/developers to provide services to land, including road access, when it is placed on the market. However, the submission suggests that development costs may make the marketing of the lots financially unviable.	
	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	The heart of the Hawkesdale township is within the Township Zone, which offers flexibility for residential, commercial and industrial land uses. It is considered that the Rural Living Zone is appropriate for the land on the fringe of the town. It provides for lifestyle sized lots, which reflect the existing development densities, land capability and anecdotal demand in the town.	

Number	Comment	Response	Recommendation
	<p>The best option would be either side of Dawson Street, along the southern entrance to the town.</p> <p>The owners of six of these blocks have indicated they would like to sell their land, however, this would be difficult while it is in the Farming Zone. It appears that two of the blocks could be subdivided into four and remain above the 1ha minimum. The potential sale for the appropriate use, could and would allow the town to recover from the constrictions it currently endures. This area needs to be zoned residential and light commercial.</p>	<p>Refer to the response to Submission No.15.</p>	
61	<p>Warrnambool City Council commends the 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; and an issue that Warrnambool City Council and our community faces regularly.</p> <p>The Amendment should 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, Southern Cross, etc.) appear to be very conservative.</p> <p>As the residential growth areas in the North of Warrnambool are 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</p>	<p>Council notes the content of this submission.</p> <p>It is considered that undertaking a Community Impact Assessment is an onerous request as the rezonings proposed as part of Amendment C70moyn will only provide for a modest increase in dwellings in the Shire.</p> <p>The estimated yield of dwellings is based on the proposed minimum lot sizes in the areas proposed to be rezoned.</p> <p>It is considered that development in areas already zoned or identified for growth is likely to have a greater effect on services and facilities than the C70moyn rezonings.</p> <p>Residential growth will affect services and facilities in both municipalities, and it would be in the</p>	<p>No change proposed.</p> <p>Refer the submission to Panel.</p>

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Number	Comment	Response	Recommendation
	<p>the advocacy or proposals for further infrastructure developments, in these areas, at this stage.</p> <p>Warrnambool's community services, particularly, early years, sports and recreation, open space and parks and gardens, are experiencing significant pressure from Moyne residents. Any additional stress, whether large or small, can significantly impact the asset management plan for the Warrnambool City Council.</p>	<p>interests of the Warrnambool City Council and Moyne Shire to collaborate on advocacy.</p>	
	<p>The Amendment needs to consider and respond to the strategic directions within the Warrnambool Planning Scheme and the Warrnambool Domestic Wastewater Management Plan {2020-2A251, for Bushfield-Woodford, noting the settlement has reached the threshold for septic tank density, and directions to defer growth pending a wastewater management solution.</p>	<p>Council's Environmental Health Unit considers that wastewater from development at a density of one lot/dwelling per 15 hectares can be managed appropriately on-site without the need for a wider wastewater management solution.</p>	
	<p>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.</p>	<p>The proposed rezoning at Bushfield would provide for the provision of an additional 18 dwellings across a relatively wide area. It is considered that the existing road network should be able to cater for the traffic generated by these dwellings. Thus, a Traffic Impact Assessment for this rezoning would appear to be an unwarranted requirement.</p>	
	<p>Confirmation is requested that all neighbouring properties in proximity to the proposed rezoning at Bushfield in the Warrnambool LGA have been notified.</p>	<p>Notification of the Amendment was not given to all neighbouring properties in proximity to the proposed rezoning at Bushfield in the Warrnambool LGA. It was only given to landowners and occupiers directly affected by the proposed zoning and lot size changes.</p> <p>Notices in local newspapers, individual consultation sessions and media coverage were employed to extend the community awareness of the proposed</p>	

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Number	Comment	Response	Recommendation
		Amendment and the opportunity to make submissions.	
62	My land should not be included in Submission No.52 as there was no consultation from that submitter.	Noted.	No change proposed.
	I have no objection to Submission No.52, however, I want no involvement.	Submission No.52 is requesting a change beyond the scope of the Amendment and is unlikely to be supported by a Planning Panel.	Refer the submission to Panel.
63	The Rural Housing and Settlement Strategy 2010 indicated that the land to the north of Kirkstall would be included in a Township Zone, along with surrounding land that contains substantial rural living development. The Report 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 Addendum Report 2015 suggests that there is no justification to rezone the land to the north-west of Kirkstall to the Township Zone, as it is low lying and subject to seasonal inundation. It recommended that the land should be retained in the Farming Zone, as it is inappropriate to support dwellings, which would have issues with providing onsite wastewater disposal. Therefore, C70moyn did not include the rezoning of land at Kirkstall.	No change proposed. Refer the submission to Panel.
	The subject land and immediate surrounds have been substantially converted for rural lifestyle purposes and it is more appropriate to have the subject land and surrounds located in the Low Density Residential Zone to acknowledge the existing land use, as recommended in the Rural Housing and Settlement Strategy 2010.	While the land has been converted for rural lifestyle purposes, the existing size or pattern of lots in an area should not be the sole basis for deciding to apply a particular 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. The land requested for rezoning to the Low Density Residential Zone on the north-western edge of the town may not be suitable, as it appears that the land gets wet every winter and may not be suitable for residential development	

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Number	Comment	Response	Recommendation
	<p>The strategic basis of the Rural Housing and Settlement Strategy was to limit rural lifestyle areas to protect 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.</p>	<p>Further strategic work would need to be undertaken to determine whether changes are required to better define the 'line' between larger farming areas and the existing rural lifestyle areas. That work is beyond the scope of Amendment C70moyn.</p>	
	<p>The Rural Housing and Settlement Strategy 2010 and the Addendum Report 2015 rely on market demand analysis for rural lifestyle land that is more than 10-15 years old. It suggests that there are sufficient lots available in the Township Zone to satisfy the demand for additional dwellings in Kirkstall. The reports recommend planning tools to regulate lot sizes to effectively manage land capability issues affecting residential wastewater disposal.</p>	<p>The submitter (see below) has provided additional building data. This data suggests that the Land Supply Analysis for Kirkstall contained in the Addendum Report remains accurate.</p>	
	<p>C70 now recommends no Zone or Overlay controls to manage land capability matters within 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.</p>	<p>C70moyn seeks to implement the recommendations of the Rural Housing and Settlement Strategy 2010 and the Addendum Report 2015. The Addendum Report 2015 recommended the retention of the existing zoning pattern at Kirkstall with no additional controls.</p>	
	<p>Setbacks from the existing piggery 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.</p>	<p>Further strategic work would need to be undertaken to determine whether setbacks from the existing piggery are required, which is beyond the scope of Amendment C70moyn.</p>	

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Number	Comment	Response	Recommendation
	<p>Over the last 10 years, approximately 25 dwellings have been constructed or are under construction within the Township Zone or adjoining Peshurst-Warrnambool Road at Kirkstall.</p>	<p>This assessment suggests that the average number of Building Permits for dwellings issued per year in Kirkstall is 2.5. The data is consistent with the Land Supply Analysis for Kirkstall contained in the Addendum Report and suggests that there is 65 years of land supply available in the town.</p>	
	<p>Rezoning the subject land from the Farming Zone and any additional land between the Peshurst-Warrnambool Road, Buntings Road and Atkinson Street, Kirkstall to the Low Density Residential Zone to achieve rational Zone boundaries.</p>	<p>Rezoning the land to Low Density Residential Zone as requested is beyond the scope of the Amendment.</p>	
	<p>Set a minimum lot size in the Schedule to the Low Density Residential Zone of 0.8ha at Kirkstall to address issues regarding land capability and wastewater management.</p>	<p>As above.</p>	
64	<p>Change.org petition which is objecting to the rezoning of improved farming land in the Budj Bim National Park environs from the Farming Zone to the Rural Conservation Zone.</p> <p>It raises concerns in relation to the potential requirements for additional planning approvals and disadvantage to local farmers' businesses and operations by decreasing production, profitability and the value of the land.</p>	<p>Refer to response to Submission No.4.</p>	<p>Support the submission by removing fully cleared farming land titles to the north-east of the extended Budj Bim Environs woodland area from the proposed Rural Conservation Zone.</p> <p>Refer the submission to Panel.</p>