

## Attachment 1 - Summary of submissions and officer response

Number	Change No.	Submission	Officer's Response	Recommendation
1	13, 15	<p>Objection.</p> <ul style="list-style-type: none"> <li>○ Concern 531 Hobbs Road, Bullengarook (Old landfill site) will permit public open space on contaminated land. The EPA advise that further controls are likely needed to control or prevent sensitive land uses (such as passive outdoor recreation) by applying the Environmental Significance Overlay and/or Specific Controls Overlay.</li> <li>○ The EPA have sought further information regarding former land use of 281 Pipers Creek Road (Bald Hill Bushland Reserve), Kyneton due to its possible contamination and current Environmental Audit Overlay.</li> </ul>	<p>The advice provided by the EPA is in addition to advice received for 12 Stawell Street, Romsey and 40 Smith Street, Riddells Creek being removed as part of C126. It is unclear how additional controls would stop the current use of 531 Hobbs Road, Bullengarook or 281 Pipers Creek Road. Further restrictions would need to be clarified by the EPA on what outcome is sought.</p> <p>Officers are seeking clarification regarding EPA advice. The zoning changes proposed by the amendment are still supported from an officer level.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
2 (Submission was received twice during both rounds of exhibition.)	31	<p>Objection.</p> <ul style="list-style-type: none"> <li>○ Removing priority development site status from area southern Riddells Creek area will result in extra costs to rezone a second time, need to develop both sites together to address bushfire risk, lower density accommodation addresses spread of disease.</li> </ul>	<p>The area's status is not being changed as part of this amendment but rather ensuring the insert map is consistent with the overall strategic framework map under clause 21.13-5. The intent as authorised by the Minister for Planning was the insert map included a noted future investigation area – it is unclear why 1 of 2 of the adopted maps were not altered at the time the amendment was gazetted. Bushfire risk will be further investigated as part of any future strategic planning work seeking to change the area's status or zoning.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>

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3	4	<p>Objection.</p> <ul style="list-style-type: none"> <li>○ Objects to an increase of traffic and noises that will accompany any development of 51 Aitken St, Gisborne. They further object to the land having been sold in an off-market deal and that the land is now privately held. They believe the rezoning is a foregone conclusion and that an objection will have no impact on the outcome.</li> </ul>	<p>The objection takes issue with amenity impacts arising from the approved planning permit for the ALDI supermarket development and the sale of 51 Aitken Street to a private land holder. They subsequently have an issue with the exhibition of the subsequent rezoning in the feeling that an objection will not change the outcome.</p> <p>The subject land at 51 Aitken Street, Gisborne will be utilised as a public carpark for public use. The rezoning of the site will have no impact itself on noise or traffic outcomes. The rezoning is fulfilling Council's agreement as part of the land sale to rezone the land to Commercial 1 zone.</p>	<p>No change to the amendment.</p> <p>Submission to be referred to planning panel.</p>
4	14	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports rezoning of Mount Gisborne Bushland Reserve.</li> </ul>	Noted.	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
5	Numerous	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports the rezoning of bushland reserves throughout Shire to PCRZ.</li> </ul>	Noted.	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
6	14	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports the rezoning of Mount Gisborne Bushland Reserve.</li> </ul>	Noted.	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>

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7	29	<p>No Objection.</p> <ul style="list-style-type: none"> <li>○ The submission raises concern about a blackberry infestation along the creek/drain to the rear of the submitter's property.</li> </ul>	<p>Noted. The concern raised in the submission does not relate to change 29 proposed by the amendment and does not seek a change to the amendment.</p> <p>The concern raised is outside the scope of planning scheme amendment.</p>	<p>No change to the amendment</p>
8	24	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports removal of ESO2.</li> </ul>	<p>Noted.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
9	Numerous	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul>	<p>Noted.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
10	Numerous	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul>	<p>Noted.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>

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11	31	<p>Objection.</p> <ul style="list-style-type: none"> <li>○ The submitter is the owner of land designated as “Future Investigation Area” land south of the train line in Riddells Creek. The submitter objects to their land being placed in the future investigation area rather than priority residential area.</li> </ul>	<p>The area’s status is not being changed as part of this amendment but rather ensuring the insert map is consistent with the overall strategic framework map under clause 21.13-5. The intent as authorised by the Minister for Planning was the insert map included a noted future investigation area – it is unclear why 1 of 2 of the adopted maps were not altered at the time the amendment was gazetted.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
12	Numerous	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul>	<p>Noted.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
13	Numerous	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul>	<p>Noted.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
14	Numerous	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul>	<p>Noted.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
15	Numerous	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul>	<p>Noted.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>

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16	Numerous	Support. <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul>	Noted.	No change to the amendment  Submission to be referred to planning panel.
17	Numerous	Support. <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul>	Noted.	No change to the amendment  Submission to be referred to planning panel.
18 (Submitted in two parts)	Numerous	Support. <ul style="list-style-type: none"> <li>○ Supports rezoning of bushland reserves to PCRZ.</li> </ul> Objection. <ul style="list-style-type: none"> <li>○ Objects to the rezoning of 51 Aitken Street, Gisborne from PUZ6 to C1Z.</li> </ul>	Support is noted.  The objection relates to the officer report from the Ordinary Council Meeting on 22 June 2016 regarding the sale of 51 Aitken Street, Gisborne. It is unclear what aspect of the report highlighted by the submitter is applicable to the rezoning of the subject land as it relates to the sale of the site. It is considered by officers that the land is currently no longer owned by Council and is private property which therefore should not be zoned Public Use Zone but rather Commercial 1 Zone to reflect the approved use and development of the site for a supermarket and publically accessible carpark.	No change to the amendment.  Submission to be referred to planning panel.
19	Whole amendment	No objection, <ul style="list-style-type: none"> <li>○ No objection to rezoning 705 Bacchus Marsh Road, Bullengarook.</li> <li>○ No objection to other changes.</li> </ul>	Noted.	No change to the amendment.  Submission to be referred to planning panel.

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20	4, 14	<p>One objection – 51 Aitken Street, Gisborne.</p> <ul style="list-style-type: none"> <li>○ Objects rezoning from Public Open Space to Commercial. Concern loss of value by selling prior to rezoning and that site should remain zoned for public use.</li> </ul> <p>One support – 198 Mount Gisborne Road, Gisborne.</p> <ul style="list-style-type: none"> <li>○ Supports rezoning of this site and other bushland reserves in Macedon Ranges Shire.</li> </ul>	<p>Support is noted regarding Bushland Reserves.</p> <p>There may be some confusion regarding the rezoning of 51 Aitken Street as site will remain available for public use via a Section 173 Agreement and this was a requirement of sale. The land will be developed by ALDI for a supermarket on the understanding the carpark is not exclusively for its customers but also the general public. The land has also been sold and is no longer in public ownership, which is why rezoning is proposed.</p>	<p>No change to the amendment.</p> <p>Submission to be referred to planning panel.</p>
21	27	<p>Objection.</p> <ul style="list-style-type: none"> <li>○ There is insufficient justification to expand the HO89 over the property.</li> <li>○ Inconsistent with Planning Practice Note No 1.</li> <li>○ No pre-exhibition consultation was undertaken.</li> <li>○ No physical inspection was undertaken on the site.</li> <li>○ Mapping is inaccurate.</li> <li>○ The proposed change would result in:</li> <li>○ reduced aggregated land value <ul style="list-style-type: none"> <li>▪ restrictions on the proposed development which benefit the visitor economy</li> <li>▪ increased costs associated with consultant reports</li> <li>▪ additional applicant costs in relation to development</li> </ul> </li> </ul>	<p>It is agreed there was no pre-exhibition consultation or site visit undertaken with landholders under planning scheme amendment C126. This is not required as part of the statutory planning scheme amendment process.</p> <p>The proposed change is considered to be consistent with the Planning Practice Note No. 1 – Applying the Heritage Overlay. The HO89 applies to High Street, Kyneton. Where a property is partly covered by the existing control, it is maintained this control applies to the whole site to make decision making clear regarding heritage matters. Development to the rear of a site could impact High Street and the application of the heritage control over the whole site therefore should be applied. Officers maintain that the proposed Heritage Overlay polygon extension is appropriate.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>

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		<ul style="list-style-type: none"> <li>▪ additional and onerous obligations in facilitating development applications</li> <li>▪ increased negative sentiment on the part of potential buyers given Council's reputation for being difficult and problematic in relation to development matters</li> </ul>		
22	20	<p>Support.</p> <ul style="list-style-type: none"> <li>○ Supports the rezoning of Sandy Creek Bushland Reserve from PUZ6 to PCRZ.</li> </ul>	Noted.	<p>No change to the amendment.</p> <p>Submission to be referred to planning panel.</p>
23	2	<p>No objection.</p> <ul style="list-style-type: none"> <li>○ Raises concern regarding overflowing mail boxes at the site subject to a change in management.</li> </ul>	<p>Noted.</p> <p>Raised the matter with Local Laws Unit to follow up regarding litter.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
24	All	<p>No objection.</p> <ul style="list-style-type: none"> <li>○ DELWP (outside of the Planning Group) and Parks Victoria raise no objection to the proposed amendment.</li> </ul>	Noted.	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
25	4	<p>Objection.</p> <ul style="list-style-type: none"> <li>○ Objects to the rezoning and subsequent loss of a public carpark area with is badly needed for Gisborne. They argue the zoning it is not an</li> </ul>	The rezoning of the 51 Aitken Street site will remain available for public use via a Section 173 Agreement which the owners have entered into and this was a requirement of the land sale. The land will be developed by ALDI for a supermarket on the understanding the carpark is not exclusively for its customers but also the	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>

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		<p>anomaly and should remain available for public use.</p> <ul style="list-style-type: none"> <li>○ Council should be developing walking tracks along the creek from Mt Gisborne to the centre of Gisborne. Land should be reclaimed to facilitate this and the rezoning would make this impossible.</li> </ul>	<p>general public. The land has also been sold and is no longer in public ownership, which is why rezoning is proposed. The anomalous zoning is due to the land being now privately owned but zoned PUZ.</p> <p>It is noted the comments regarding the facilitation of walking tracks along the creek. It is not something that can be facilitated as part of this amendment but possibly something to note for Gisborne Futures. The reserve to the rear of the site (14A Fisher Street) that contains Bunjil Creek is not impacted by this amendment.</p>	
26	16	<p>Objection.</p> <ul style="list-style-type: none"> <li>○ Objects to the closure of a laneway due to the rezoning of the Malmsbury Common.</li> <li>○ Notes Council did not communicate to the submitter that the rezoning of the Malmsbury Common would result in an adjoining laneway closure.</li> <li>○ Relies on the laneway for their bushfire survival plan.</li> </ul>	<p>Amendment C126macr and the proposed rezoning of the Malmsbury Common does not result or propose to close any road access. Council is unable to restrict public access to road reserves without going through a road discontinuance process as outlined in Council's Road Discontinuance Policy.</p> <p>The ongoing management of the road is a separate matter and process from this amendment.</p> <p>Any proposed road closures or changes to roads are not related or influenced by proposed rezoning the Malmsbury Common.</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>
27	16	<p>Objection.</p> <ul style="list-style-type: none"> <li>○ Objects to the closure of a laneway due to the rezoning of the Malmsbury Common.</li> <li>○ Notes that Amendment C126macr has not followed the</li> </ul>	<p>Amendment C126macr and the proposed rezoning of the Malmsbury Common does not result or propose to close any road access. Council is unable to restrict public access to road reserves without going through a</p>	<p>No change to the amendment</p> <p>Submission to be referred to planning panel.</p>



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		<p>correct procedure for road closures.</p> <ul style="list-style-type: none"><li>○ The closure of a road would result in an impact on their farming operation.</li></ul>	<p>road discontinuance process as outlined in Council's Road Discontinuance Policy.</p> <p>The ongoing management of the road is a separate matter and process from this amendment.</p> <p>Any road closures or changes to roads are not related to and influenced by rezoning the Malmsbury Common.</p>	
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