

Submission Table – Amendment C173 to the Melton Planning Scheme

Submitter	Matters in Submission	Council Response
1.	<p>1. Previous submissions to the strategy were not adequately addressed.</p> <p>2. No justification as to why the ESO and SLO provisions are inadequate.</p> <p>3. Council has previously advised that no expansion of the SLO would occur.</p>	<p>A significant part of the subject site referred to in the submission is already subject to the SLO and the ESO2.</p> <p>The other property referenced in the strategy remains unaffected by the SLO changes. Part of the western end of the site is already subject to the ESO2 which covers the Kororoit Ck.</p> <p>No change to the amendment recommended. Refer to Panel.</p>
2.	<p>1. Strategy process was inadequate.</p> <p>2. Methodology is deficient.</p> <p>3. Independent evidence does not support the extension of the SLO.</p> <p>4. Existing controls are adequate.</p> <p>5. Impact on landowner is un fair.</p> <p>6. Council has not actioned other recommendations from the strategy which are less drastic than the amendment changes.</p> <p>7. Council has taken no steps to address radio tower infrastructure on Mt Cottrell.</p>	<p>Council conducted extensive consultation through the development of the Significant Landscape Strategy including, drop in sessions, advertisements in local papers and via social media.</p> <p>The methodology has been applied to other landscapes across Victoria, including volcanos and craters in the south west.</p> <p>The existing SLO was applied in 1999 with some errors and does not provide sufficient guidance to assess planning applications.</p> <p>Other actions from the strategy both in and outside of the planning scheme are being progressed through relevant departments of Council.</p> <p>Existing radio infrastructure on Mt Cottrell was exempt from planning requirements.</p> <p>No change to the amendment recommended. Refer to Panel.</p>
3.	<p>1. Water flows from the top of Mt Cottrell should be flowing into Skeleton Ck.</p> <p>2. Public consultation was inadequate, the WPGWSMP should be completed before C173.</p> <p>3. Western Grasslands Reserves are a deception and causing land owners to suffer loss.</p>	<p>The Catchment Management Authority is the appropriate agency that oversees general river health for the Skeleton Creek.</p> <p>C173 is not dependant on the outcomes of the WPGWSMP.</p> <p>Extensive consultation was undertaken in developing the Significant Landscape Features Strategy in addition to the Exhibition of Amendment C173.</p> <p>Issues concerning compensation for landholders in grassland areas is a matter for the State Government.</p> <p>No change to the amendment recommended. Refer to Panel.</p>
4.	<p>1. The expanded SLO will trigger unnecessary permits for fences and buildings associated with residential</p>	<p>While this issue is acknowledged, the strategy was referred to the VPA and considered during the Mt Atkinson PSP process. The PSP was based on the existing SLO and it was agreed that proposed</p>

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	<p>development located on the edge of the Mt Atkinson PSP.</p> <ol style="list-style-type: none"> 2. The policy at clause 22.16 does not identify how viewing corridors are defined. 3. Request that the SLO not be applied to land beyond the boundary of the Mt Atkinson reserve as defined in the PSP. 	<p>changes to the SLO would be considered through the Amendment C173. Council will further consider the interaction between the Mt Atkinson PSP and the proposed controls.</p> <p>The strategy does discuss viewing corridors and states that the volcanoes including Mt Atkinson form part of a large open plain which can be viewed from long distances. Therefore, future development proposals need to be considered in this context. No change to the amendment recommended. Refer to Panel.</p>
5.	<ol style="list-style-type: none"> 1. Discourage and Inappropriate will be used to stifle development. 2. Inadequate justification to expand the SLO. 3. Land is not part of a significant viewing corridor. 4. Clause 22.16 Guidelines will impact on our ability to farm and use land for related residential purposes. 5. Objects to Clause 2 of SLO1 which discourages development above the 180m contour. 6. Decision Guidelines are too general and imprecise. 7. Reverse view shed from Mt Kororoit has not been acknowledged in documents. 8. The SLO and clause 22.16 will create uncertainty for landholders. 	<p>Discourage and inappropriate relates to proposed development on the highest part of the cone area that requires proper consideration through a planning application.</p> <p>The strategy outlines the significance of the volcanos within the broader context of Meltons Western Volcanic Plain and the surrounding flat land that supports long views to these features. Clause 22.16 does not impose any restrictions in relation to the use of the land, this is only determined under the relevant zone.</p> <p>The Decision Guidelines were authorised by DELWP for exhibition which are based on form and content requirements set by DELWP. The Victorian Planning Provisions deliberately limit references to prescriptive outcomes in favour of 'performance' based references. No change to the amendment recommended. Refer to Panel.</p>
6.	<ol style="list-style-type: none"> 1. Concerns that the amendment will create confusion when assessing applications relating to EPD land. 2. Requests that the amendment be amended to ensure existing planning controls at Eynesbury would take precedence over proposed C173. 	<p>Proposed changes from C173 do not impact on Eynesbury Township. The MUZ is not affected by Clause 22.16 and updates to the ESO2 only relate to the existing schedule.</p> <p>No change to the amendment recommended. Refer to Panel.</p>
7.	<ol style="list-style-type: none"> 1. The Rural Landscape Character Policy is unnecessary as the Melton Planning Scheme already provides a range of tools required to assess relevant proposals. 2. Landscape Management Guidelines are unclear and will lead to uncertainty. Too much discretion for Council. Policy could be used to refuse non-agricultural uses. 	<p>There are no local landscape policies that currently exist in the Melton planning scheme. Only an overlay which is specific to a location with clear objectives can require landscape and design objectives to be properly addressed in a planning application. The Landscape Management Guidelines provide examples of design outcomes that are encouraged and ones that should be avoided,</p>

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8.	<ol style="list-style-type: none"> 1. Why is the expanded SLO necessary? 2. Why is the existing SLO and Green Wedge Zone inadequate? 3. Requests property by property analysis to explain why proposed extension of SLO doubles in areas. 4. How will the views from the cones be enjoyed by the community under C173 and provide future tourism and employment? 	<p>these guidelines assist applicants in meeting relevant objectives. Refusal of non-agricultural or discretionary uses can only be justified under a zone. DELWP sets the level of discretion a planning control can include through the authorisation process. No change to the amendment recommended. Refer to Panel.</p> <p>The existing SLO is outdated and does not provide sufficient direction to assess planning applications affecting the cone area. The GWZ is not being changed through C173.</p> <p>The methodology explained in the strategy determined the extent of the updated SLO coverage.</p> <p>The Strategy recognises the importance of protecting the landscape and supporting improved access and links to these areas. Some of these opportunities can be provided through tourism initiatives. No change to the amendment recommended. Refer to Panel.</p>
9.	<ol style="list-style-type: none"> 1. It is inappropriate to extend the SLO over Mt Atkinson which will affect 370 residential lots. 2. Clause 22.16 fails to allow for future development that will occupy the upper areas of Mt Atkinson and be viewed. 3. Requests Council to maintain SLO to the existing coverage. 	<p>While this issue is acknowledged, the strategy was referred to the VPA and considered during the Mt Atkinson PSP process. The PSP was based on the existing SLO and it was agreed that proposed changes to the SLO would be considered through Amendment C173. Council should further consider the interaction between the Mt Atkinson PSP and the proposed controls. No change to the amendment recommended. Refer to Panel.</p>
10.	<ol style="list-style-type: none"> 1. The assessment of the SLO coverage does not recognise the use of a cadastral boundary in relation to the eastern and western sides of Leakes Road which offer distinctly different view lines. 2. The expansion of the SLO relates to both property frontages and will impact on future use and development activities. 3. The justification for expanding the SLO has failed to consider the attributes of the landscape surrounding Mt Kororoit. 	<p>Mt Kororoit has long views from all directions around the cone area. The methodology considers all sides of the cone and was not intended to favour a particular property boundary over another. Future development is not prohibited under the SLO, but will be require design and siting issues to be addressed.</p> <p>The GWZ is limited in protecting landscape values, only an overlay which is specific to a location can require landscape and design objectives to be properly addressed in a planning application. Most buildings and works applications will trigger a planning application under the zone. Applications triggered under the SLO would therefore be included under the one application.</p>

Submission Table – Amendment C173 to the Melton Planning Scheme

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	<ol style="list-style-type: none"> 4. The proposed expansion of the SLO is not required as protection is afforded under the GWZ. 5. The proposed changes are onerous and costly. 	<p>No change to the amendment recommended. Refer to Panel.</p>
11.	<ol style="list-style-type: none"> 1. The existing SLO is appropriate and further expansion of the SLO over Mt Cottrell is unnecessary. 	<p>The existing SLO is outdated and does not provide sufficient direction to assess planning applications from inappropriate development over the entire cone area. No change to the amendment recommended. Refer to Panel.</p>
12.	<ol style="list-style-type: none"> 1. What supporting material justifies the amendment, who authorised it and who will benefit? 2. What are the grounds for the amendment? What benefits will the changed SLO on Mt Cottrell bring to the community and myself? 	<p>The Strategy justifies the Amendment which was adopted by Council in May 2016. Amendment C173 includes recommendations from the strategy. The updated SLO will provide clear guidance for the assessment of planning applications and the ability for Council to defend decisions at VCAT. Councils have an obligation to update their Planning Scheme and protect important landscapes which benefit all of the community in to the future. No change to the amendment recommended. Refer to Panel.</p>
13.	<ol style="list-style-type: none"> 1. Strategy process was inadequate. 2. Methodology is deficient. 3. Independent evidence does not support the extension of the SLO. 4. Existing controls are adequate. 5. Impact on landowner is unfair. 6. Council has not actioned other recommendations from the strategy which are less drastic than the amendment changes. 7. Council has taken no steps to address radio tower infrastructure on Mt Cottrell. 	<p>Council conducted extensive consultation through the development of the Significant Landscape Features Strategy including, drop in sessions, advertisements in local papers and the use of social media. Council was briefed on several occasions during the development of the Strategy. The methodology used to justify the extension of the SLO has been applied to other landscapes across Victoria, including volcanos and craters in the south west. The existing SLO was applied in 1999, it does not provide sufficient guidance to assess planning applications. Existing radio infrastructure on Mt Cottrell was previously exempt from planning approval. The updating of the SLO and introduction of a local policy will strengthen Councils ability to limit impacts from future infrastructure proposals on the cone area. No change to the amendment recommended. Refer to Panel.</p>

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14.	<p>1. Western Water requests that reference to existing and approved water tanks located on Mount Kororoit, Mt Cottrell and the recently purchased land at Mt Atkinson be included in relevant documentation. .</p>	<p>Impacts from inappropriate development are acknowledged in the updated SLO and local policy. It is not necessary to specify or single out water infrastructure.</p> <p>No change to the amendment recommended. Refer to Panel.</p>
15	<p>1. Objects to the extension of the SLO at Mt Cottrell and requests that the subject property be removed from the overlay.</p> <p>2. Amendment is not justified.</p> <p>3. Concerns about large subdivisions at Mt Atkinson, Greigs Rd, Paynes Rd and Mt Cottrell.</p>	<p>The extension of the SLO over Mt Cottrell is based on a methodology that considers the features holistically and does not target specific properties. The removal of a specific property is not justified.</p> <p>The Amendment is justified through the development and adoption of the strategy.</p> <p>The future growth of the city within the UGB was recognised in the development of the significant landscape features strategy.</p> <p>No change to the amendment recommended. Refer to Panel.</p>