



Amendment C124

Submissions received during exhibition from 1 December 2020 until 15 January 2021

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Contents

Submission 1	4
Submission 2	5
Submission 3	7
Submission 4	8
Submission 5	9
Submission 6	10
Submission 7	18
Submission 8	19
Submission 9	23
Submission 10	24
Submission 11	25
Submission 12	28
Submission 13	30
Submission 14	32
Submission 15	33
Submission 16	34
Submission 17	35
Submission 18	36
Submission 19	37
Submission 20	38
Submission 21	39
Submission 22	40
Submission 23	41
Submission 24	42
Submission 25	43
Submission 26	44
Submission 27	45
Submission 28	46
Submission 29	47
Submission 30	48
Submission 31	49
Submission 32	50
Submission 33	51
Submission 34	52
Submission 35	53

Submission 36.....	54
Submission 37.....	55
Submission 38.....	56
Submission 39.....	57
Submission 40.....	58
Submission 41.....	59
Submission 42.....	61
Submission 43.....	62
Submission 44.....	63
Submission 45.....	64

Submission 1

Submitter Name	Suellen Lee
Date Received	23 November 2020
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

Good afternoon,

My name is Suellen Lee and I am a resident of Fish Creek and owner of the local Post Office.

It has recently come to our attention that the blocks of land behind the Fish Creek Hotel are currently zoned Parkland and that the council is considering rezoning them to a residential category.

After having discussion with a large number of the local community we would like to suggest that this land be repurposed as a small bird sanctuary, rather than being developed into even more housing within the inner township.

The number of small birds have decreased markedly, and having consulted with an arborist this morning, we have a plan for plantation to attract indigenous small bird species that are noticeably absent in the township. These would include small honeyeaters, fairy wrens, fantails and many others.

This could be a community project, which alongside the community garden and Oskar composter, would add to this aspect of Fish Creek Community life.

A number of young families have moved into the town who are enthusiastically involved in local projects, and are keen to see this developed for their children and generations to come.

It would seem a shame to see this opportunity missed for the sake of development. As you would be aware, Fish Creek and district thrives on tourism, and this would enhance the tourism experience, as well as providing habitat for native bird and fauna species.

I would be happy to speak with your further about this, and could easily organise a meeting in the town so you could hear the opinions of others on this issue.

I look forward to hearing from you shortly to discuss this further.

Kind regards

Suellen lee

Submission 2

Submitter Name	Anne & Laurie Martin
Date Received	7 December 2020
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

Vera Greeley
 Strategic Planning Officer
 South Gippsland Shire Council
 9 Smith Street
 Leongatha Vic 3953

Dear Vera,

Re: South Gippsland Planning Scheme Amendment C124 – Rezoning of 6A Warralong Court, Leongatha

Thank you for your letter of 1st December, advising of the proposed amendment. We object to this proposal on the grounds that, while an earlier decision may have been made by council to reduce public green space on the basis of simple cost savings, the removal of this space from our local area will continue the undermining of the local residential character and fail to capitalise on the community opportunity that can only be realised if this land stays as public open space.

In recent years, this “green edge” of Leongatha has become more and more urbanised as more and more developments are undertaken. Not so long ago, residential development finished at Louise Simon Court. Now it has been expanded to Tilly Court. There has also been further carving up of blocks in Louise Simon Court leading to, in our own situation, a block once known as 7 Louise Simon Court now being a battle-axe block sandwiched between three smaller blocks (6d, e and f) at its front and our block at 7a to its rear. This all seems to be haphazard development at the whim of developers rather than in accordance with a well-designed town plan.

To lose the green space at 6A Warralong Court possibly because it is considered to be underused by the public lacks town planning vision and misses the point of council’s involvement in providing recreation facilities to meet the community demand set out in the *South Gippsland Recreation Plan, Volume 1. Strategy & Actions*.

In the section headed ***Expressed demand***, *Activities respondents would like to participate in* included –

“More respondents (both male and female) would like to “go to the gym” than any other activity cited as liked but currently undertaken.”

“Respondents who wanted to go to the gym and/ or swim indicated that **having facilities conveniently located**, suitable programs and classes and discounted or **less expensive opportunities** would enable them to do these activities.

Respondents who would like to walk or cycle for recreation seek **facilities conveniently located** and of better quality, along with information about what is available and where.”

We understand that a site visit by council officers determined that 6a Warralong Court appeared to be little used as a public space. We would suggest this lack of use is a direct result of the lack of infrastructure installed in this space.

The main use of this space is currently as a pedestrian walkway (particularly by school children walking to and fro school) which is of little surprise when one considers there are no facilities such as seating and tables or play equipment to attract recreational users.

We would suggest that, rather than permanently removing this public space (and perhaps other such “pocket parks” in the shire), council consider installing Outdoor Exercise Equipment in it and promoting this facility as an opportunity for low cost, healthy exercise. Perhaps it might be tried as a test of public use and appreciation.

Whilst many Melbourne LGA's have such facilities (a useful example may be found at <https://www.knox.vic.gov.au/outdoorgym>) introducing this recreational option in South Gippsland would go a long way to encouraging healthy activity in general while providing a low cost option for those who may not be able to afford gym memberships.

We look forward to discussing the above with you in due course.

Yours faithfully,

Anne & Laurie Martin

Submission 3

Submitter Name	Eileen McLaren
Date Received	7 December 2020
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

Attention

Vera Greeley re No. 15 Old Waratah Rd FISH CREEK. Dec 7th 2020

With regards- to the South Gippsland Planning Scheme amendment C124

As a resident home owner and rate payer residing at [redacted]

I wish to lodge my objection and total disagreement to this shocking proposal of the re-zone from public Park Ground to Township Zone

No.1 I believe every small village such as Fish Creek should have a common paddock especially for children wanting to agist their animals allowing them to feed and exercise this piece of land is the perfect block for this past-time, the ideal area adjacent to the state school also for children adventuring and exploring nature within the Township boundary.

No.2 Old Waratah Rd FISH CREEK is already a built up area with homes close together and heavy local and tourist traffic each summer in particular causing nightmares short cutting to Promontory Road we do not need anymore motorists.

No.3 The land is not suitable for buildings its slopes making the centre prone to flooding. We do not have sewerage and the septic systems cause odours in the heat.

This area cannot sustain three more homes.

This land at 15 Old Waratah Rd FISH CREEK would be suitable as an agistment field or a bird sanctuary with many species already finding food and refuge there perhaps a walled pond a definite beautification of the project area or leave it wild as is

Thanking you

Please consider these proposals and submissions

Yours faithfully

Eileen McLaren

Submission 4

Submitter Name	Kylie Franklin C/O Department of Transport
Date Received	9 December 2020
Method Received	Email
Council Response	Submission acknowledged and no further action required



Department of Transport

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

Ref: DOC/20/382490

Strategic Planning Department
South Gippsland Shire Council
Private Bag 4
LEONGATHA VIC 3953

To the Strategic Planning Department,

SOUTH GIPPSLAND PLANNING SCHEME AMENDMENT C124

I am writing in response to the exhibition of South Gippsland Planning Scheme Amendment C124 which is a combined Planning Permit Application and Planning Scheme Amendment.

The Planning Scheme Amendment seeks to rezone land at 6A Warralong Court, Leongatha from Public Park and Recreation Zone to General Residential Zone and land at 15 Old Waratah Road, Fish Creek from Public Park and Recreation Zone to Township Zone.

The Planning Permit Application seeks to remove the public open space reserve affecting the land at 6A Warralong Court, Leongatha and create easements for existing infrastructure on this land.

The Department of Transport has no objection to the proposal.

Yours sincerely

Sara Rhodes-Ward
Director Gippsland Region

9 / 12 / 2020



Submission 5

Submitter Name	Pearly Christoffersen
Date Received	4 January 2021
Method Received	Post
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

Your Ref. C-124

Vera Greeley
Strategic Planning Officer
South Gippsland Shire Council
9 Smith Street
Leongatha Vic 3953

Pearl
Christoffersen
[address redacted]

Dear Vera,

Planning Scheme Amendment C124 — rezoning 6A Warralong Court

I, Pearl Christoffersen, of [address redacted] Leongatha, formally object to the rezoning of 6A Warralong Court from public park and recreation zone to township zone.

The reasons for my objection are:

1. It removes a place of reserved recreation space from my street, lessening the amenity of residents.
2. It removes a safe place for the children of the street to play in.
3. It removes land that was reserved as part of the original land subdivision that was reserved as open space.
4. It does all this without compensation to the street's residents and without an alternative space within the street.
5. The reserve also is used by students as a safe thoroughfare to the education precinct on Nerrena Road.
6. Furthermore, if the reserve had a connecting footpath, serviced play and exercise equipment and some tree planting/landscaping its amenity would be greatly enhanced.
7. The residents of this street want more green space not less.

So please give my submission your earnest consideration.

Pearl Christoffersen

Submission 6

Submitter Name	David and Pauline John
Date Received	5 January 2021
Method Received	Post
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i> Propose additional conditions for the draft planning permit to address the location of easements and access constraints of the lot.

3rd January 2020

Vera Greeley

Strategic Planning Officer

South Gippsland Shire Council

9 Smith Street

Leongatha Vic 3953

Dear Vera,

David and Pauline John

Re: South Gippsland Planning Scheme Amendment C124 - Rezoning of 6A Warralong Court, Leongatha

In response to your letter dated 1st December, concerning the above proposed amendment C124 - rezoning of 6A Warralong Court we object to this proposal on the following grounds.

1. Environmental Issue

This open green space is an asset to this court, and on environmental grounds should remain as a natural corridor. The Council's website shows that there are only 6 parks in town - this seems somewhat inadequate for a town which is growing. We bought the house at [REDACTED] because there was a nice green space at the end of the street, which enabled us to utilise this as an access to a walking route to Noel Court and beyond. Since then we have established friendships with those surrounding the reserve which enables easy access to their properties when socialising. The council has never invested in any infrastructure in this park, and as a result there are no facilities to encourage residents, like us to spend time and socialise in what could become a very nice space.

2. Services to the proposed re-zoning (6A Warralong Court)

William Beveridge - Shire Council request states and I quote "Purpose of plan: removal by South Gippsland Shire Council of the reservation from the whole of reserve No.1 on LP145738 shown as Lot 1 hereon. Additional purpose of the plan: Removal of the drainage & sewerage easement and removal of easement: South Gippsland Shire Council Planning Permit No. CP2020/214". Beveridge Williams dated 20th July 2020 states on this schematic "Notations - This plan is NOT based on survey" (see Attachment 1)

This is certainly the case as the majority of PS800528V is at odds with Attachment 2 - Shire Council Storm Water plan for Warralong Court other than E 2 drainage, E 4 drainage, and Shire Council storm water plans (see Attachment 3)

South Gippsland Water -a more extensive schematic shows the actual sewerage lines, whereas Beveridge's schematic shows a sewerage line down the Eastern boundary (E2) and Gippsland Water only shows a sewerage line running along the Western boundary (Beveridge plan E-3).

Both South Gippsland Water and the Beveridge Schematic show the sewer line where it crosses under the road to Number No.9 Warralong Court.

This sewerage line where it exits the reserve is a point of contention (photo attached)

Access and development of 6A from the court is problematic where the sewerage exits the reserve, and the storm water drain enters from No. 4 then runs along the boundary of the reserve and No. 7 Warralong then down the easement boundary of No 7. Also there is currently a street light situated where access to development of the property would be necessary from Warralong Court. This situation appears to have been recognised by the Sire Council and is the purpose of the requested Beveridge Williams survey.

Considering the abundance of vital services which run across and beneath this block, it would not be an obvious choice for citing a domestic dwelling, and any removal of the storm water and sewerage points would be disruptive to the existing residences in Warralong Court.

Also as the block is an irregular shape due to all these services, the fall of the land and the location of the sewer lines could well prove problematic in that any reasonable sized house would more than likely need to pump sewerage up to the sewer line.

Conclusions:

1. Cost to council for relocating the main water pipe and the sewer line at the entrance, before any development could occur.
2. Difficult site for any builder taking on a housing project because of the points above concerning the multiplicity of services on this site.
3. Taking into consideration all the points above, we consider as residents in Warralong Court that the re-zoning proposal for this site is ill conceived and not appropriate.

It is for the reasons set out above that the residents of [REDACTED] object to the re-zoning proposal.

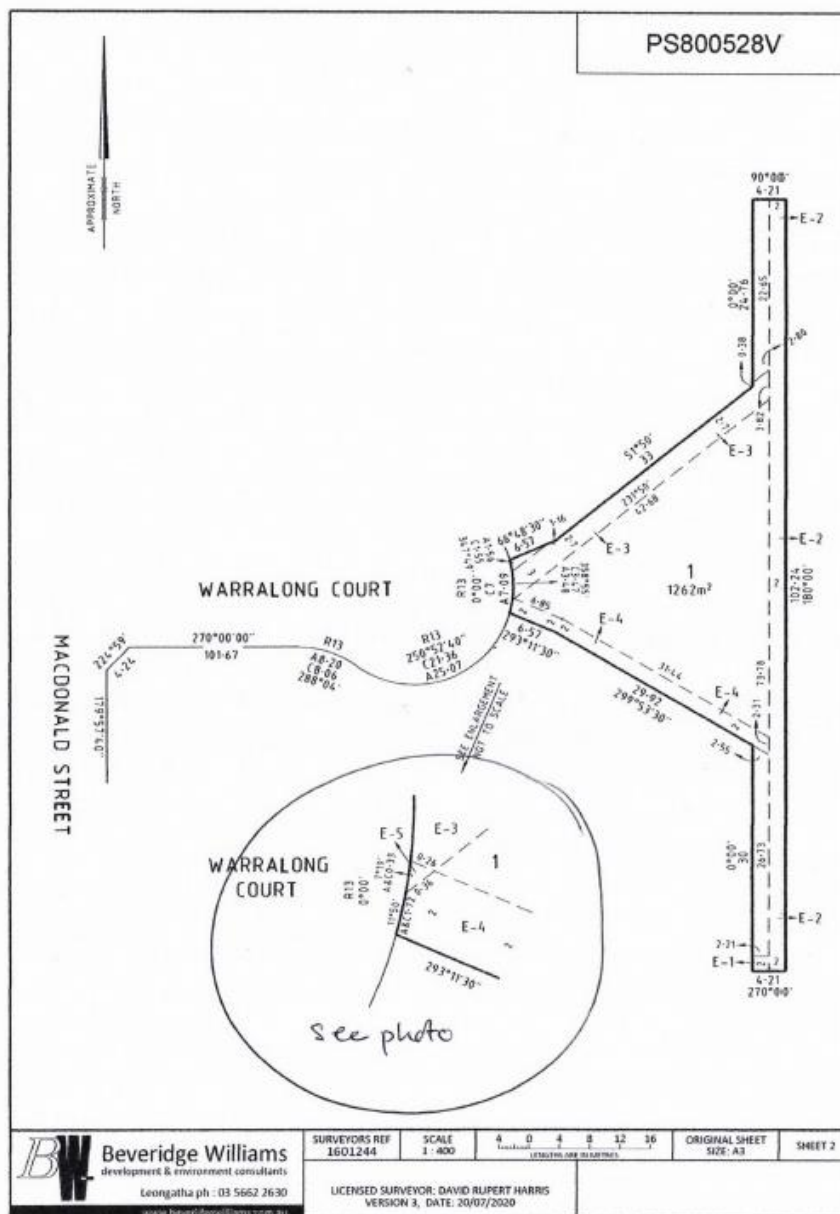
Suggested Recommendations for an alternative solution could be:

1. status quo
2. install utilities for public use e.g. table and chairs path etc.
3. propose a joint venture with a local service club, or business partner to provide utilities for public use.
4. Give the residents of Warralong Court the opportunity to consider a community project to enhance the park.

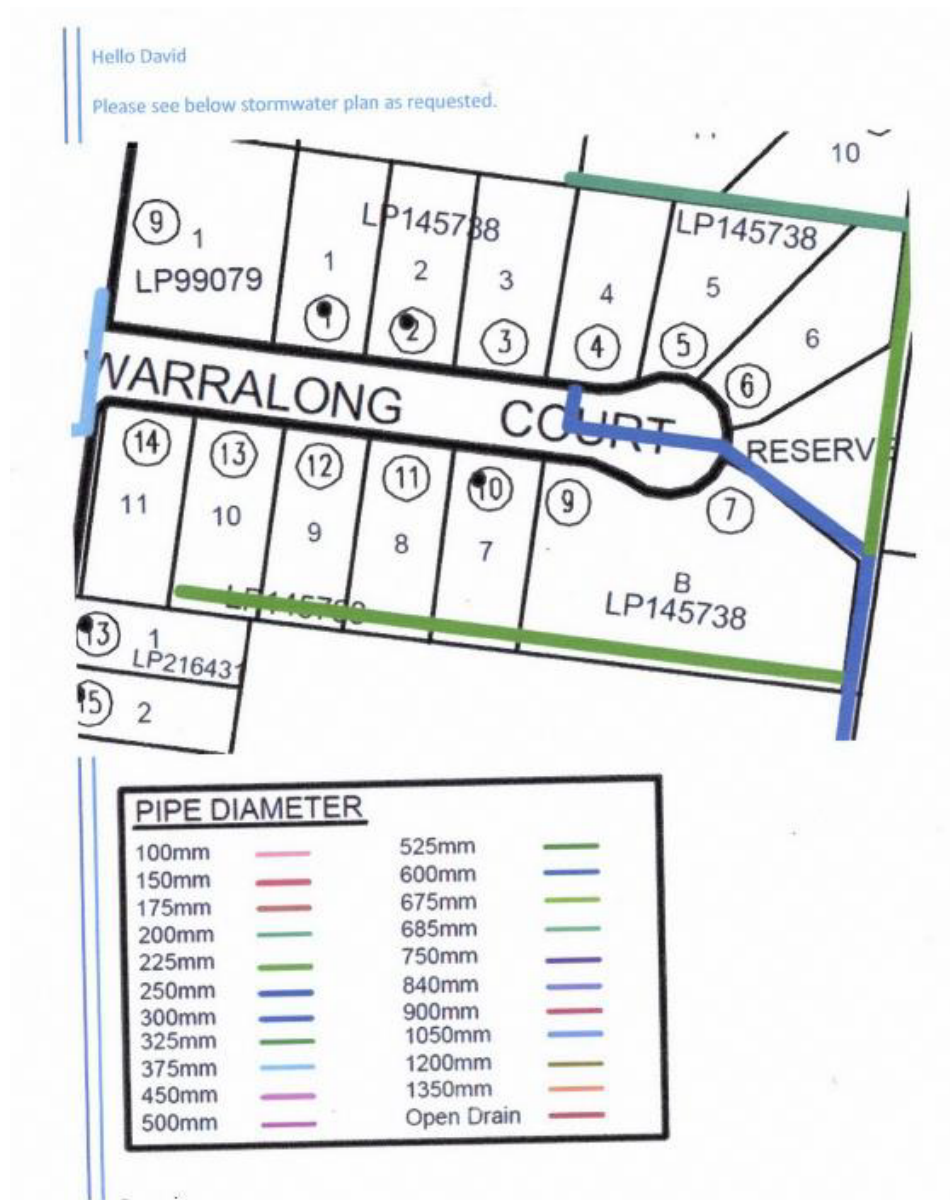
Yours sincerely David and Pauline John.

Attachment 1

PLAN UNDER SECTION 24A OF THE SUBDIVISION ACT 1988		EDITION 1	PS800528V	
LOCATION OF LAND PARISH: LEONGATHA TOWNSHIP: — SECTION: — CROWN ALLOTMENT: 12F (PART) CROWN PORTION: — TITLE REFERENCE: VOL.9583 FOL. 578 LAST PLAN REFERENCE: LP145723 (RESERVE No.1) POSTAL ADDRESS: 6A WARRALONG COURT (at time of subdivision) LEONGATHA VIC 3953 MGA CO-ORDINATES: E: 409 150 ZONE: 55 (of approx centre of land in plan) N: 5 740 250 GDA 94		COUNCIL NAME: SOUTH GIPPSLAND SHIRE COUNCIL		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON	PURPOSE OF THE PLAN: REMOVAL BY SOUTH GIPPSLAND SHIRE COUNCIL OF THE RESERVATION FROM THE WHOLE OF RESERVE No. 1 ON LP145738 SHOWN AS LOT 1 HEREON. ADDITIONAL PURPOSE OF THE PLAN: REMOVAL OF THE DRAINAGE & SEWERAGE EASEMENT CREATED BY AND SHOWN AS E-5 ON LP145738. GROUNDS FOR REMOVAL OF RESERVE STATUS & REMOVAL OF EASEMENT: SOUTH GIPPSLAND SHIRE COUNCIL PLANNING PERMIT No. CP2020/214		
NIL	NIL			
NOTATIONS				
DEPTH LIMITATION: DOES NOT APPLY				
SURVEY: This plan is not based on survey. STAGING: This is not a staged subdivision. This survey has been connected to permanent marks No(s): — in Proclaimed Survey Area No. 107				
EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefitted/in Favour Of
E-1	DRAINAGE & SEWERAGE	SEE DIAG	LP145738	LOTS ON LP145738
E-2	DRAINAGE	SEE DIAG	LP139962	LOTS ON LP139962
E-2	DRAINAGE & SEWERAGE	SEE DIAG	LP145738	LOTS ON LP145738
E-3	SEWERAGE	SEE DIAG	THIS PLAN	SOUTH GIPPSLAND REGION WATER CORPORATION
E-4	DRAINAGE	SEE DIAG	THIS PLAN	SOUTH GIPPSLAND SHIRE COUNCIL
E-5	SEWERAGE	SEE DIAG	THIS PLAN	SOUTH GIPPSLAND REGION WATER CORPORATION
E-5	DRAINAGE	SEE DIAG	THIS PLAN	SOUTH GIPPSLAND SHIRE COUNCIL
 Beveridge Williams development & environment consultants Leongatha ph : 03 5662 2630 www.beveridgewilliams.com.au		SURVEYORS FILE REF: 1801244 SEC24A.dwg LICENSED SURVEYOR: DAVID RUPERT HARRIS VERSION 3, DATE: 20/07/2020		ORIGINAL SHEET SIZE: A3 SHEET 1 OF 2







INDEX – SOUTH GIPPSLAND WATER

Water Assets		Sewer Assets	
Water Main		Sewer Main	
Main-Out of service		Main-Out of service	
Emergency Trunk Main		Main-Relined	
Stop Valve		Main-Rising	
Hydrant		Manhole	
Meter		Service Line	
Service Line		Pump Station	
Backflow		Pressure Sewer System	

The location of underground services are approximate only and their exact position should be proven on site prior to works commencing. No guarantee is given that all existing services are as shown on this plan.

Tegan Wain

Customer Service Officer – Plumbing Department

South Gippsland Water

14 - 18 Pioneer Street, Foster VIC 3960 | P.O. Box 102 Foster VIC 3960

P 03 5682 0497 | F 03 5682 1199 | E plumbing@sgwater.com.au

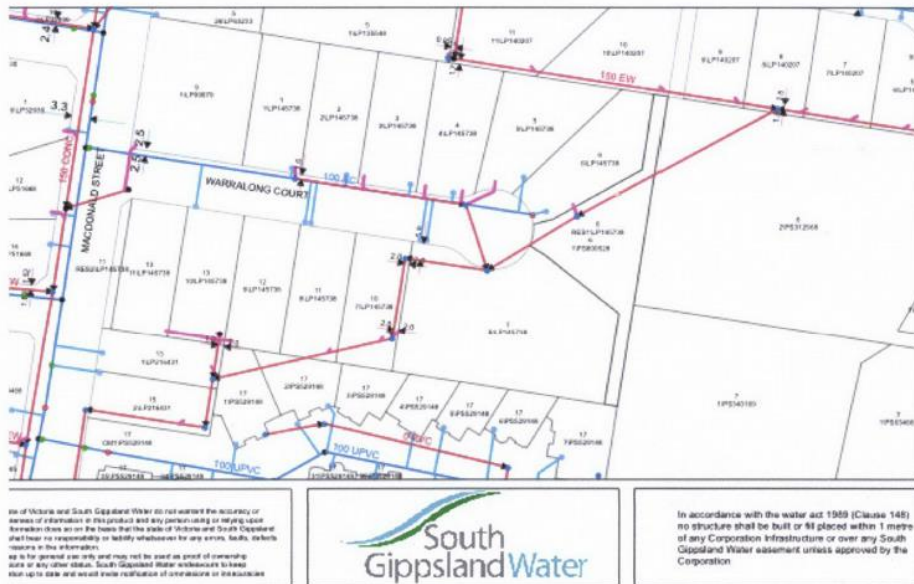
www.sgwater.com.au



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Submission 7

Submitter Name	Bev Cowan
Date Received	8 January 2021
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

To whom it may concern,

Hello,

I would like to place an objection to the above Planning Permit - South Gippsland Planning Scheme Amendment C124sgip.

I believe re-zoning it from Public Park and recreation zone to Township zone would be a bad mistake. There are several reasons:

- * septic systems are a real problem in Fish Creek
- * this block is steep, sloping, wet and boggy as you have noted, but it does not bode well for any dwelling/s that may go there
- * during these Covid times (and possibly many more to come) it has the potential to be used as an extra 'distancing' space for the cafe and hotel nearby. That is, an undercover space could be erected for people to wait and sit at, and enjoy their coffee, etc.
- * open, public spaces are really vital for the health and connection of people - and again in Covid times these spaces are vital
- * more trees should be planted there to provide shade and to help with climate change
- * there are probably plenty of other reason for this permit to be rejected but I've gone blank at the moment. Hopefully other people will cover them.

I think for the future protection of our environment and health we need to save this space.

Kind regards,

Bev Cowan

Submission 8

Submitter Name	Grant and Cynthia Roberts
Date Received	11 January 2021
Method Received	Post
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i> Propose additional conditions for the draft planning permit to address the access constraints of the lot and sewer and water upgrade requirements.

Grant and Cynthia Roberts

6 January 2021
Vera Greeley
Strategic Planning Officer
South Gippsland Shire Council
9 Smith Street Leongatha Vic 3953

Dear Vera,

Re: South Gippsland Planning Scheme Amendment C124 - Rezoning of 6A Warralong Court, Leongatha Your reference: C-124

Thank you for your letter of 1 December 2020.

The Council's explanatory report states;

"Council considers it appropriate to remove 6A Warralong Court from its public open spaces reserves due to the shape of the parcel making it unsuitable to be developed into a park. The park receives limited community use and the narrow areas, including the pedestrian connection, pose a safety risk to park users and pedestrians as they create long unlit areas with poor passive surveillance where unsociable behaviour may occur."

and....

"The sale of the land will result in savings to Council's ongoing maintenance costs, allowing funding to be allocated to maintain and improve established parks and public recreation areas."¹

We oppose the proposed planning permit application to rezone this public space on the following grounds:

This public space is used constantly and on an ongoing basis by school children moving from Warralong Court through to Noel Court and then onto the education precinct. This of course occurs in both the morning and afternoon. THE CHILDREN ARE AT NO RISK. Being daytime there are no lighting issues. "Passive surveillance" most certainly does occur. In the alley connecting to Noel Court are two residences with very protective dogs (#9 Noel Court and [REDACTED]). Both dogs are behind fences and both dogs are small. [REDACTED]
[REDACTED]

██████ The residents of #9, #10 Noel Court, and #8 Louise Simon Court █████ spend considerable time in their gardens. They █████ passively monitor the coming and going of people. That alley has a sight line directly into Noel Court. There is not a "dog leg" as is incorrectly drawn on your survey maps. (Part of Planning Scheme Map 16) The passage of pedestrians along the northern 1 side of the park (E-3), is of course, in a sight line to Warralong Court. That part of the pedestrian way is also closely monitored by our dog. The children who use that path all know our dog.

This public space is used not just by children. There is considerable movement of people walking dogs and very often (mostly at weekends), people moving through that area late at night - around about midnight. █████, █████ certainly not antisocial in any respect. These are not children, nor are they drunken louts.

So, yes, the park gets used more than the Council apparently thinks.

If the council succeeds in rezoning this parcel of land the school children who currently use it will have to find an alternative way to and from school. All of those alternatives would mean children having to cross more roads, the most dangerous crossing point being at the top of Macdonald Street, near the intersection with Ogilvy Street. Most children who use Macdonald Street as their way to/from school jaywalk across that street. Vehicles move at considerable speed in Macdonald Street before they reach the school speed zone. Most children cross over diagonally between #6 and #1 Macdonald. This section of Macdonald is the most hazardous part of the street.

Is the Council prepared to accept responsibility for the extra road crossing that would occur if the zoning of 6A Warralong Court were to change?

Whilst the council appears to have done a risk assessment on the dangers of 6A Warralong Court, has it likewise, done one on the increased pedestrian flow on the area around the intersection of Macdonald and Ogilvy Streets? We would suggest that the risk levels are very different.

We request a copy of the Risk Assessment on either or both locations.

The council states "The park receives limited community use". There is a very good reason why the park is not used more often. There is not one single addition to the park to make it more user friendly. There is not one seat or bench in the park. That is why people don't use it as often as the council thinks it should be used. In these COVID times of partial lock downs and the need for social distancing, a few seats could be installed in the park which would be a great help to many people in the area. A place to go where people's vision could stretch further than the four walls surrounding them in their homes.

The Council states "due to the shape of the parcel making it unsuitable to be developed into a park". Might we suggest that it is even less suitable to be used for housing. The ingress to the site will be via Warralong Court. The area from the kerb to the site will have to be over the existing storm water kerb inlet, which will have to be replaced and or modified extensively both during any construction and at completion of construction. This cost would need to be included in any sale price of the block. The current street lighting will probably have to be altered because the existing light post would be considered too close to any new driveway. Again this cost would need to be included in any sale price. A new sewer line would somehow have to be constructed. There is no gravity fed sewer line access for any future building on the block, as numerous builders have confirmed in the past. If, however it is decided that pumped sewerage can be used, then that will come at a cost of about \$25K to either the council or the developer.

We would hope that the Council operates on a "total costing" basis, and even though any developer would be expected to do these changes at their cost, it would still cause considerable cost to the Council for proper procedures to be followed, such as engineering reports, inspections, changes to survey maps etc.

The Council states "a safety risk to park users where unsociable behaviour may occur." The Council seems to have little respect for the behaviour of its residents. Antisocial behaviour is generally a direct result of poor governance, overcrowding/dwelling density and lack of infrastructure. The Council is responsible for all these matters. It is a poor reflection on the Council's belief in itself, and its inability to control such matters. Behavioural problems are less likely to occur where there is adequate green public space.²

It would appear that the Council desires higher density housing, suburban sprawl and less parks/public places, so it does run the risk of antisocial behaviour within the community - a situation for which it only has itself to blame.

The Council's belief that danger exists in corners and long unlit areas is unfounded. People lurking around corners can easily be fixed by erecting a convex mirror (at direct resident cost) on the property of #8 Louise Simon Court, adjacent to the intersection of E-2 and E-3. Regarding light levels, lighting is more than adequate to see outlines of people along the alley between Noel Court and the junction of E-2 and E-3 even on a very dark night, and the path from that junction to Warralong Court is more than adequately lit by street lighting.

We request a copy of the light level readings.

It should be noted that the Council appears to have conducted a risk assessment and come to the conclusion that dangers/risks are present.

What has the Council done to ameliorate the risks, apart from selling off the land? The council has an obligation to act upon these matters immediately regardless of any rezoning.

The Council currently lists only six parks and public playgrounds in the township. For a township with the current growth rate of Leongatha, this is unacceptable. The council admits that it has every intention to expand 3 and it has little choice in that matter anyway. Post COVID there will be an influx of people moving from the cities and the demographics will change markedly, bringing into the town many more families with children. The population in the immediate vicinity of 6A Warralong Court (say a 400m radius) is mostly an ageing population. This will change drastically over the next 10- 15 years. The nearest listed public park or playground to the land in question is over 100m away. We would suggest that inner city Melbourne does better than that.⁴

Finally, "The sale of the land will result in savings to Council's ongoing maintenance costs, allowing funding to be allocated to maintain and improve established parks and public recreation areas."

What are the savings? The only work the Council does in ongoing maintenance is mowing the grass about every 2 weeks, taking no more than 15 minutes a total of 13 hours per year... using a mower that is passing by on Macdonald Street anyway. Weed killer is sprayed about every 2 to 3 years.

Failures of previous Council(s) is not a reason to sacrifice parks and playgrounds. The long-term liveability of the town and its residents is better served by keeping all such areas.

We would expect the final return from the sale of 6A Warralong Court would be less than \$100K after total costing is taken into account. Short term income, long term loss.

We are rather surprised at the Council's inept excuses to cash in on the sale of the park.

Yours sincerely,

Cynthia and Grant Roberts

¹SOUTH GIPPSLAND PLANNING SCHEME AMENDMENT C124sgip PLANNING PERMIT APPLICATION CP2020/214 EXPLANATORY REPORT

²Key issues in antisocial behaviour: McAtamney A & Morgan A 2009. *Key issues in antisocial behaviour*. Canberra: Australian Institute of Criminology.

³Your Clause 16.01-1S Integrated housing - to promote a housing market that meets community needs. ⁴

⁴Carlton council has 8 registered parks in 1.8Km²This township has 6 registered parks in a township area of approximately 5Km². ⁴

Submission 9

Submitter Name	Fish Creek Tea Cosy Festival Committee
Date Received	12 January 2021
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

Fish Creek Tea Cosy Festival
www.teacosyfestival.com.au

12 January 2021

To South Gippsland Shire Administrators:
 Julie Eisenbise, Rick Brown and Christian Zara
 Private Bag 4
 Leongatha VIC 3953

Dear Julie, Rick and Christian,

15 Old Waratah Rd, Fish Creek

I write to you on behalf of the Fish Creek Tea Cosy Festival Committee and the broader Fish Creek Community to request that Council delay its intentions to rezone 15 Old Waratah Road, Fish Creek (PC376797Q) from Public Park and Recreation Zone to Township Zone.

Fish Creek has changed considerably in recent times, with new businesses, new families and new ideas. School enrolments are up; parking is challenging during weekends, holidays and town events & special occasions. Our community garden/farm and ABC Backroads showcase has turned Fish Creek into a must go destination for tourists and those looking to 'escape to the country'. What worked several years ago for Fish Creek is no longer relevant.

The popularity of the Rail Trail, Tea Cosy Festival, Children's Literature Festival and now the instigation of the Fish Creek Circus, sees visitations to Fish Creek continuing to rise, creating demand for parking and passive recreation spaces.

The original town planners zoned this land a public park and recreation space for good reasons and we should not change that zoning until our community has had the opportunity to come together to identify our town challenges, opportunities and future goals.

(I understand the Fish Creek Community Development Group had intended to facilitate a new community plan during 2020. This was yet another victim of COVID19).

I urge you most strongly to work with the community to undertake further planning, before any commitment to rezoning 15 Old Waratah proceeds.

Thank you,
 Marge Arnup

Submission 10

Submitter Name	James Dowson
Date Received	12 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

South Gippsland Shire Council
Private Bag 4
Leongatha 3953

Attention Vera Greeley
Strategic Planning Officer
12th January 2021

Dear Vera Greeley,

Re Sth Gipps Planning Scheme Amendment C124 - Rezoning of 6A Warralong Crt Leongatha

I support the council in its proposal to rezone 6A Warralong Court, Leongatha. For over 16 years, I have felt that the land in question is underutilised by the council and the public. The land is referred to as a reserve or park, however in reality, it is a vacant, unused space with no amenities (e.g. barbecue area/shelter) and no play equipment.

Local people and children have never used or played in the park. It appears that the only people using the area are teenagers at night-time. Countless times, I have picked up or removed stubbies, cans, bottles, and boxes from this area.

If the land was rezoned and sold, the council would no longer be required to continually maintain it. Further, the proceeds of any sale could be applied to infrastructure or projects that could benefit and be better utilised by the community.

If you have any queries, please do not hesitate to contact me.

Yours faithfully,

James (Jim) Dowson

Submission 11

Submitter Name	Bridget Crowe
Date Received	13 January 2021
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

28 December 2020

To: South Gippsland Shire Council

This is a submission on **Planning Scheme Amendment C124** (the proposal) where it relates to proposed rezoning of **15 Old Waratah Road, Fish Creek** (the land).

Council resolved to rezone and sell 15 Old Waratah Road, Fish Creek based on an analysis of landholdings, The Strategic Review of Landholding Project (SRLP), a review that was initiated in 2010 and completed in 2014.

Growth since 2014

It is important to note that since 2014 Fish Creek has changed and grown significantly as a tourist destination. Since 2014 the following businesses have opened and proved popular with locals and tourists: Gibsons, Gecko HQ cafe, Long John Pickles Cafe and Food-store, People Places and Things, The Handmakers Store, PO Retail Mob & Flock, Alison Lester Bookshop, Roland Harvey Bookshop, Swim Like A Fish Swim School, Smolders Revegetation Old Waratah Road, Fish Creek Pharmacy (within General Store).

In addition, since 2014 there are six new self-contained holiday accommodations within the township, three of which are on Old Waratah Road, the Community Farm was established, a tennis coaching program at tennis courts offered, yoga in the hall and in Centennial park, and a quarterly Makers Market established, most recently a community based commercial scale composting system, OSKA, has been installed. A well informed council today would not likely seek to sell off public land in a town which punches above its weight in tourism offerings and sustainability focus.

Impact of COVID

Council's resolve to rezone the land is dated and not informed by the effects on community well-being of COVID 19. As the COVID-19 period has demonstrated, access to quality public space is central to community, individual health and mental health, along with affording social cohesion and interaction in a time of social distancing requirements. High-quality public and open spaces provide a lasting community benefit; and contribute to making communities attractive, healthy and liveable. The COVID-19 pandemic has made communities realise how valuable these places are as placed for passive exercise, eating and socialising outdoors. Where there is an opportunity to create an exemplary parklet, a quality public open space from a currently council owned and suitably located and appropriately zoned parcel of land - it would be against community interest to rezone and sell off as a private lot.

Potential for this particular site as a Public Open Space

The size, topography, and location near the town centre make it an exceptional location for a parklet. It has the advantage of a long street frontage for parking, and has a shared boundary with the primary school. The topography makes it appropriate for a range of planting types and densities, and together with meandering paths, small footbridges, small social spaces, outdoor eating spaces and seating it can become a dynamic space. It has the advantage of a borrowed canopy of mature trees to the east boundary and one or two mature trees on the site to give it a more park like feel. Mains water is available to the site. In addition, the traffic calming measures budgeted for Old Waratah Rd will make the road more pedestrian friendly, as would paving the street (budgeted for then withdrawn).

Risks as a development site.

Should the land be sold and rezoned, a developer could face considerable difficulty in developing the land due a lack of sewerage in Fish Creek. The topography, existing easements and setback requirements are likely to make the siting of a commercial building or residence and associated effluent field very limiting. Hence the risk exists that the land remains undeveloped, or alternatively a buyer 'land-banks' in speculation of sub-dividing if sewerage comes. This is not in the communities best interest.

Regional Growth.

Any decision with regard the land must take into account the increase in tourism which will come about as a result of the recently announced \$23 million injection into Wilsons Promontory NP and future status as a Wildlife Sanctuary. Regional Tourism VIC projects an **additional** 200,000 tourists per annum to the Prom, most whom will travel through Fish Creek. It is vital to Fish Creek's economic prosperity that we are able to offer as many attractions as possible to encourage longer visits and overnight stays in the village, and that we do not rely primarily on the major natural attractions of the region. Closures of the Prom due to flooding, bush-fires and even deer culling have heavily affected visitor numbers to Fish Creek in the past and can be anticipated to do so again in the future. The more we have to offer as an attractive village the less we are reliant solely on the nearby natural attractions.

\$149 million has been allocated to building new tourism infrastructure in regional towns. Council can assist the Fish Creek Community Development Group in seeking funding to create an exemplary Public Open Space at 15 Old Waratah Rd. The Visitor Economy Strategy which was initiated in the second half of 2020 and is ongoing, may identify particular growth strategies for particular villages in South Gippsland. For this reason, council should not have resolved in June 2020 to rezone the land but to await this Strategies publication.

Other Public Open Spaces in Fish Creek

I disagree with councils assertion that Fish Creek is currently well served with public open spaces. That assertion is based on the Open Spaces Strategy Report 2007 report. While on the face of it this might appear so, each of Fish Creek's existing public open spaces have their own limitations:

Terrell Park has a Flood Inundation Overlay. It has been identified as the preferred location for recreational vehicle (RV) overnight camping, which will be of benefit to Fish Creek when it comes to fruition, however this will increase large vehicle movements and make it less safe as a passive

recreational space. During the Football Netball season match days it is a pay to enter open space, which affects free access by visitors and residents.

Buckley Park, while greatly valued and regularly used as a Community Farm and Community Picnic Day venue and for other events, lacks the safe pedestrian access and location advantage that 15 Old Waratah Rd does. It is better suited to organised events accessed by car.

Centennial Park is well used and is well sited with regard to public toilets and the shops, cafes and playground. However the number of picnic tables is limited, and the mature trees limit the satisfactory siting of additional tables due to bird poop from above.

The Great Southern Rail Trail passes through Fish Creek township, and its old train platform is well used as the site of the Fish Creek Community Organic Garden. However much of the grassy area along the rail trail within the township has very poor drainage and sodden underfoot in winter and spring. It is important to note that the Rail Trail land is not owned by council.

Further Council Engagement Sought

Council's assertion that 'most people in Fish Creek wouldn't even know it was PPRZ land'* is unfounded and reflects a lack of meaningful engagement on the part of council with our community about the future use of 15 Old Waratah Rd. I personally have had many conversations with other residents, Fish Creek Community Development Group and Community Garden members over many years about the potential of the land as a vibrant public open space. Councillors were present at at least one meeting when the zoning status and the desire to retain its PPRZ zoning was discussed. Council received 9 objections to Planning Amendment C100 to rezone the land. In my own submission at the time I explicitly invited council to have a discussion about the lands potential as a public open space, to which I received no acceptance.

I seek the following decision from council: To **not proceed** with the proposal to rezone 15 Old Waratah Road, and to engage with the community in determining a desired and appropriate use for it as a public open space.

* in a telephone conversation with a male staff member of Statutory Planning Department on 4th December 2020. A similar comment was also made by council staff to another resident.

Sincerely yours,
Bridget Crowe

Submission 12

Submitter Name	Tony Walker
Date Received	13 January 2021
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

[address redacted]

Fish Creek

VIC. 3959.

To the Administrators

South Gippsland Shire Council

**SUBMISSION RE: Planning Scheme Amendment C124 relating to proposed rezoning of
15 Old Waratah Road, Fish Creek**

I am writing to object to the proposed C124 Amendment to rezone 15 Old Waratah Road, Fish Creek from Public Park and Recreation Zone (PPRZ) to Township Zone, and to Council's intention to sell the rezoned land.

My objections are as follows:

- As PPRZ, this land is a public asset strategically located in the centre of Fish Creek.
- Its potential as a community asset or its value as a public open space has not been explored fully.
- Its value to the region more broadly as public open space will increase as visitor and permanent population increase.
- Once the land is rezoned its potential benefit and value to the community is lost.

I ask the Administrators to:

- Withdraw 15 Old Waratah Road, Fish Creek from C124 Amendment.
- Retain 15 Old Waratah Road, Fish Creek as PPRZ.
- To engage with the Fish Creek community, community groups and small business owners to determine the best course for retaining, formalising and funding a high-quality public and open space to provide lasting community benefit.

Finally, I ask the Administrators to consider the broader issue of the ongoing loss of public space and public assets, as privatisation takes more and more of what is public into the market and away from social ownership.

There is no real reason or need for 15 Old Waratah Rd to be rezoned and sold. Unless the town community determines otherwise, the land can be retained as PPRZ. Perhaps consideration will then be given to how else it might be used by and for all - residents and visitors – rather than enclosed and sold off for private benefit, or the town might even prefer to retain it just as is. Either way, retaining the land as PPRZ retains its potential as a public asset. Rezoning and privatising it just further shrinks the communal resource, regardless of how small a part it might be.

Yours sincerely,

Tony Walker.

Submission 13

Submitter Name	Susan Quinn
Date Received	14 January 2021
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

14 January 2021

To South Gippsland Shire Council

**This is a submission on Planning Scheme Amendment C124
where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek**

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons -

As PPRZ this land is a public asset that is well located in the centre of town.

Its potential as a community asset or its value as a public open space hasn't been explored fully.

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

Fish Creek township needs more public space, not less. The value of public space is multi-dimensional. High quality parks and public spaces create social, environmental and economic value.

Public spaces are open to all, regardless of ethnic origin, age or gender, and as such they represent a democratic forum for citizens and society.

The quality of public space - parks, gardens and other open places - has a direct impact on people's lives and on the way they feel. Green public spaces woven through a town can help to improve physical and mental health by providing connection to nature, opportunity for exercise and learning, and fostering social ties.

A good public landscape offers very clear benefits to the local economy in terms of stimulating tourism and business investment.

Public spaces shape the cultural identity of an area, are part of a town's unique character and provide a sense of place for local communities. A community's appreciation of public space is also heightened if that community can participate in the planning and design of public space.

I seek the following from South Gippsland Shire Administrators:

to withdraw 15 Old Waratah Rd from C124 Amendment; to retain Old Waratah Rd as Public Park and Recreation Zone land; to engage with the Fish Creek community, local groups, organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit, and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

Sincerely,

SUSAN QUINN

Submission 14

Submitter Name	Committee of Buckley Park Community Farm Inc
Date Received	14 January 2021
Method Received	Email
Council Response	Refer to panel as per <i>Planning and Environment Act 1987- Sect 23</i>

South Gippsland Shire Council

The committee of Buckley Park Community Farm in Fish Creek, would like to place an objection to the rezoning of 15 Old Waratah Road from Public Park and Recreation Zone to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons :

- * the land is well located in the centre of town and is a public asset
- * the potential as a community asset or its value as a public open space hasn't been explored fully
- * its value to the region more broadly will increase as both visitor and permanent population in the area grows

(If rezoned it loses any potential to benefit the community)

- * this block is steep, sloping, wet and boggy as you have noted, but it does not bode well for any dwelling/s that may go there and for any septic system installed (which are problematic as it is in Fish Creek)
- * during these Covid times (and possibly many more to come) it has the potential to be used as an extra 'distancing' space for the cafe and hotel nearby. That is, an undercover space could be erected for people to wait and sit at, and enjoy their coffee, etc.
- * open, public spaces are really vital for the health and connection of people - and again in Covid times these spaces are vital
- * more trees should be planted there to provide shade and to help with climate change

We would ask South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain it as Public Park & Recreation Zone land; to engage with the Fish Creek community, local groups, organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and, contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

Sincerely,

Committee of Buckley Park Community Farm Inc

Juneen Schulz - President

Margaret Watson - Vice President

Sally Jelbart - Treasurer

Secretary - Bev Cowan

Submission 15

Submitter Name	LP & MJ Bleeser
Date Received	14 January 2021
Method Received	Post
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

LP&MJ Bleeser

14 January 2021

Vera Greeley
Strategic Planning Officer
South Gippsland Shire Council
9 Smith Street
LEONGATHA Vic 3953

Dear Vera,

Re: South Gippsland Planning Scheme Amendment C124 — Rezoning of 6A Warralong Court, Leongatha

In response to your letter dated 1 December 2020 concerning the above proposal, Amendment C124 — the rezoning of 6A Warralong Court, Leongatha, we object strongly to this proposal on the following grounds.

- This park is valued by the residents who use it to run their dogs and as a thoroughfare for walks. If it was equipped with picnic tables and seating it would be used more often and by more residents.
- Our natural environment is more important now than ever and should be preserved. The Shire Council would better serve the residents by creating more parks such as 6A Warralong Court in our area.
- There are obstacles to accessing this piece of land if it were to become a residential block. A large storm water drain and a street light would need to be relocated to allow access, and would be a considerable expense.
- There are a considerable number of underground services in the form of drainage and sewerage in and around the block which would render it an unwise choice for a domestic dwelling.

For these reasons we consider 6A Warralong Court unsuitable for residential zoning, and an asset too valuable as a park to be rezoned. We strongly request that this application be dismissed.

Yours sincerely,
LP MJ Bleeser

Submission 16

Submitter Name	Catherine McGlead
Date Received	15 January 2021
Method Received	Email
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

13 January 2021

To South Gippsland Shire Council.

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Road, Fish Creek from Public Park and Recreation zone (PPRZ) to Township zone.

My understanding is that the land was originally a residential block that was acquired by Council after the owner neglected to pay their rates. The block has therefore been rezoned as PPRZ or similar by a previous cohort of Councillors who thought it was in the best interests of the township.

The character of the town, and similar towns, will be detrimentally affected if we place houses on all of the blocks and neglect to keep some land for public use. In recent memory, the block has been used as a paddock for livestock, and while I don't have an objection to that use, I think there are also other potential uses for the land that would be beneficial.

Until recently, a landowner allowed school children access via a driveway to the school from Old Waratah Road. They are taking on risk by allowing this, so I don't object to that no longer happening. However 15 Old Waratah Road would allow local families to access the school without having to walk or drive to the main school entrance on Meeniyan Promontory/Foster Road. As most of the residential population of the Fish Creek township is either on Old Waratah Road, or on that side of town, creating access to the school, including parking from this block would be beneficial for residents.

If used for parking for school access, it would also allow overflow parking in peak visitor times, which Fish Creek is currently lacking.

In general, I am against the rezoning of public land for commercial or residential purposes. I feel that it will be a decision regretted in the future, particularly since there is little strategic planning for Fish Creek, which is desperately crying out for basic infrastructure to support the town's growth including sewerage, parking, resealing of roads (including Old Waratah Road, where the surface is atrocious) and footpaths to support the many pedestrians in town.

Sincerely
Catherine McGlead

Submission 17

Submitter Name	Lyndall Caldwell
Date Received	14 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

As PPRZ, this land is a public asset that is well located in the centre of town.

Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Lyndall Caldwell

Submission 18

Submitter Name	Samantha Hayward-Bannister
Date Received	15 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

15 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

As PPRZ, this land is a public asset that is well located in the centre of town.

Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Samantha Hayward-Bannister

Submission 19

Submitter Name	Michael Brody
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

13 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

As PPRZ, this land is a public asset that is well located in the centre of town.

Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

IT IS AN ATTRACTIVE, OPEN GREEN SPACE RIGHT IN TOWN – A FOCUS FOR THE VISUAL LANDSCAPE

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Michael Brody

Submission 20

Submitter Name	Isabel Whyte
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

13 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

As PPRZ, this land is a public asset that is well located in the centre of town.

Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

If developed it will never be available as public land and open space again.

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Please consider the long-term value of this open land and all its benefits to the community and its potential as public access space within the centre of town.

Sincerely

Isabel White

Submission 21

Submitter Name	Sigrid Kohs
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

18 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

As PPRZ, this land is a public asset that is well located in the centre of town.

Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

Help keep public open spaces in the hands of the community.

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Sigrid Kohs

Submission 22

Submitter Name	Joe Bliss
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

12 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

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Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

Having a large scale of young population of active folk, animal walkers. This space is close to all. Leave this space for community involvements. Please this space well and can be well utilised for all our community.

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Joe Bliss

Submission 23

Submitter Name	Suellen Lee
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

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Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

A central green area improves emotional well being of the community. Retaining this land for the future when fish creek becomes more populated makes sense.

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Suellen lee

Submission 24

Submitter Name	Tina Carter
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

12 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

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Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

Public open spaces are beneficial for the health and mental health of the community.

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Tina Carter

Submission 25

Submitter Name	Helen Ritt
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

18 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

As PPRZ, this land is a public asset that is well located in the centre of town.

Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

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[additional comments]

Where is the septic waste soil to go if you to build? We could have grey water both sides of the road.

Sincerely

Helen Ritt

Submission 26

Submitter Name	Michaela Dempsey
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

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[write additional reasons here for objection here]

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[additional comments]

Sincerely

Michaela Dempsey

Submission 27

Submitter Name	Samara Cunningham
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

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[write additional reasons here for objection here]

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[additional comments]

Sincerely

Samara Cunningham

Submission 28

Submitter Name	Donna Rich
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

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[additional comments]

Sincerely

Donna Rich

Submission 29

Submitter Name	Catherine Gibbs
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

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[additional comments]

Sincerely

Catherine Gibbs

Submission 30

Submitter Name	Robert Vuliermin
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

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[additional comments]

Sincerely

Robert Vuliermin

Submission 31

Submitter Name	Ellen Porter
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

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If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

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[additional comments]

Sincerely

Ellen Porter

Submission 32

Submitter Name	Linda Gibbs
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

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[additional comments]

Sincerely

Linda Gibbs

Submission 33

Submitter Name	Anya Smolders
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

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[additional comments]

Sincerely

Anya Smolders

Submission 34

Submitter Name	Michaela Lein
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

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[additional comments]

Sincerely

Michaela Lein

Submission 35

Submitter Name	Frank Smolders
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

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[additional comments]

Sincerely

Frank Smolders

Submission 36

Submitter Name	K Campbell
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

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[additional comments]

Sincerely

K Campbell

Submission 37

Submitter Name	Angela Holland
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

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[additional comments]

Sincerely

Angela Holland

Submission 38

Submitter Name	Gary Jarvis
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

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[additional comments]

Sincerely

Gary Jarvis

Submission 39

Submitter Name	Alison Newman
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

14 January 2021

To: South Gippsland Shire Council

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[write additional reasons here for objection here]

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[additional comments]

Sincerely

Alison Newman

Submission 40

Submitter Name	Werner Lange
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

January 2021

To: South Gippsland Shire Council

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Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

CURRENTLY IT IS DEMONSTRATED THAT PARKING OF VISITOR VEHICLES IS TOTALLY INADEQUATE AND THE PROPOSED AREA WOULD ALLOW THAT A COMINED PUBLIC SPAEC WOULD ALLOW THAT PROBLEM TO BE ADDRESSED.

THE FOODPATH WHICH WAS CANCELLED BY THE COUNCIL 'ADMINISTRATORS' WAS A TOTAL MISGUIDED DECISION AND A FAILURE TO IMPROVE THE AMENITY AND SAFETY OF THE POPULATION. PLEASE DO NOT LET THE ABOVE INTENT BECOME AN ADDITIONAL CROSS ERROR OF JUDGEMENT.

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Werner Lange

Submission 41

Submitter Name	Fish Creek Community Group
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

Fish Creek Community Development Group

15 January 2021

To South Gippsland Shire Administrators:
 Julie Eisenbise, Rick Brown and Christian Zara
 Private Bag 4 Leongatha VIC 3953
 Dear Julie, Rick and Christian,
 RE: 15 Old Waratah Rd, Fish Creek

I write to you on behalf of the Fish Creek Community Development Group Committee and the broader Fish Creek Community to request that Council delay its intentions to rezone 15 Old Waratah Road, Fish Creek (PC376797Q) from Public Park and Recreation Zone to Township Zone.

Fish Creek has changed considerably since 2014 when the decision was made to sell this land. Our community is growing and seeing a lot of new faces in town. School enrolments are up; parking is still a major challenge in town, and with new Public events being already planned for the town like the Children's Literature Festival and the Fish Creek Carnival and Circus (Tickets for 2021 event SOLD OUT) our community needs all the public space it can get.

Our community garden/farm and ABC Backroads showcase has turned Fish Creek into a must-go destination for tourists and those looking to 'escape to the country'. What once may have made sense in terms of public land re-zoning and development several years ago for Fish Creek no longer seems or feels relevant.

Our Community will come together to help drive the development and use of 15 Old Waratah Rd into a real asset for the community and tourists alike.

One immediately obvious benefit to having this land developed properly into a public space will provide a safer school drop off and pick up zone as this land backs onto the school grounds.

As the newly elected President of the Fish Creek Community Development Group I will consult further with all parts of the community to help facilitate town meetings so we can discuss how we will turn this land into an amazing public space which benefits the entire town and all its visitors.

The original town planners zoned this land a public park and recreation space for good reasons and we should not change that zoning until our community has had the opportunity to come together to identify our town challenges, opportunities and future goals.

Our community is united in keeping 15 Old Waratah Road as open space and developing it into a public asset for our very popular town that shoots above its weight in tourism for the region.

I have read and supported all the submissions from the Tea Cosy Festival, Town Hall Committee, Community Garden Committee, Bridget Crowe, Michael Chang and the petition completed in record time at the Post Office.

Thank you,

Craig Privett President,

Fish Creek Community Development Group

Submission 42

Submitter Name	Petition Against Rezoning of 15 Old Waratah Road Fish Creek
Date Received	18 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

The South Gippsland Shire intends to rezoning 15 Old Waratah Road, Fish Creek from Public Park and Recreation Zone to Township Zone. We, the undersigned petition the Shire Commissioners to reconsider this Planning Scheme Amendment and retain this area for public use by the local community.

Total Signatures: 99

Suellen lee	A. Newman	Scott McCormack	Lynn George
Michael Chang	Michael Brody	Helen Shaw	Samantha Irvng
A. Hodgson	Susie Tori	Ahen Lester	Ray Jones
M. Hodgsun	Tina Carter	Donna Giliam	Josp Goossen
Tony Walker	Amelia Bright	Bec Kraren	Bahold
Fiona Duncan	Tess Deyl	Jamie Walpole	Paul O'Neill
Heleln Sammuals	Dominic Lowe	Bill Stewart	Lauren Byrnes
Nile Sauter	Stephen Carter	Charlotte Moshmer	Nola Hodgson
Andrew Pawley	Bridget Crowe	Karin Ruff	Kimberley White
Amanda Pawley	Janie Fruite	Taya Aarts	Josh Sheeham
Kerry Spokes	Natalie Leeworthy	Willow Aarts	Michaeln Leni
Greg Bradshaw	Madelaine Moore	Christie Lloyd	Rhenda Mayo
Bianca Stefani	Helen Ritt	Sandra Tracy	Tim Farnell
Susan Poletti	L. Desmyth	Susan Quinn	Geoff Parkinson
Peter Poletti	Wayne Low	Laura Eames	Wernes Lange
Isabel Whyte	M. Gibson	Gary Wallis	Doug Stark
Jonny Bjorksten	Evan Grondella	Jo Bliss	Martha Smith
Anna Stefan	Sam Crock	Geoff Spooner	Corinna Stefani
Marina Slifirski	Ben Bynes	Nardia Steffani	Marge Arnp
Richard Dargauville	D Clukee	Frank	Michael Farrell
Larissa Judd	L Arthes	Kathy Campbell	Michael Lester
Johnathon Cooper	K. O'Reilly	Barb Wilson	Pete Snell
Tracey Rayner	Heath Pawley	Robyn Carseldine	Heather Poletti
Peter Leen	Lynda Buckland	Steve George	Ann Foulds
Fiona Hold	Daniel Kavanah	Rod Harris	

Submission 43

Submitter Name	Michael Chang
Date Received	18 January 2021
Method Received	Email
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

Submission on Planning Scheme Amendment C 124

13 January 2021

To: South Gippsland Shire Council

I have been a resident of Fish Creek since 2006 and oppose the proposed re-zoning of Lot 15 Old Waratah Road.

This piece of public land is a community asset. Located at the edge of the town's commercial precinct, it has good pedestrian access from the centre of the town as well as a long street frontage conducive to easy parking. This makes it very accessible as a destination for both locals and tourists. With its current PPRZ zoning it has excellent potential as a parklet, mini nature reserve, picnic area, and outdoor exercise space. Its proximity to the centre of town also makes it a good supporting venue for festivals and events held in the Town Hall or Centennial Park.

Fish Creek punches far above its weight in attracting and supporting tourism to the region. My partner and I own three properties in the township including [address redacted] which we ran as 'Fish Tales' second-hand bookshop from 2006-2012 and '9 Acres' café from 2013-2017. As tree changers from Melbourne, we have long recognised the potential of Fish Creek as a significant hub for visitors to Wilson's Prom, the local beaches, and as a destination in its own right. I believe the enormous growth in visitor numbers we've witnessed in recent years is just the beginning (and if sewerage eventually comes to the town this growth would likely accelerate dramatically). The public land at 15 Old Waratah Road is an asset that has the potential to further support the visitor economy.

While 15 Old Waratah Road is vacant and undeveloped to date, this does not mean locals are unaware of its public land destination, nor are they indifferent to its future development. Re-zoning it would be a lost opportunity and short-sighted move. I urge that Council engage with the local community who are enthusiastic to turn this public land into an asset that serves the community and region.

Sincerely,
Michael Chang

Submission 44

Submitter Name	Ron Leeworthy
Date Received	20 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

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Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

We want to build a half pipe there.

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

Sincerely

Ron Leeworthy

Submission 45

Submitter Name	Natalie Leeworthy
Date Received	20 January 2021
Method Received	Hand Delivered
Council Response	Refer to panel as per Planning and Environment Act 1987- Sect 23

9 January 2021

To: South Gippsland Shire Council

This is a submission on Planning Scheme Amendment C124 where it relates to proposed rezoning of 15 Old Waratah Road, Fish Creek

I am writing to object to the C124 Amendment to rezone 15 Old Waratah Rd from Public Park and Recreation Zone (PPRZ) to Township Zone and to Council's subsequent intent to sell the land as private land for the following reasons:

As PPRZ, this land is a public asset that is well located in the centre of town.

Its potential as a community asset or its value as a public open space hasn't been explored fully. '

Its value to the region more broadly will increase as both visitor and permanent population in the area grows.

If rezoned it loses any potential to benefit the community.

[write additional reasons here for objection here]

I would much rather see council spend additional funding to make this a viable community space rather than sell off a valuable community asset and pocket the money.

I seek from South Gippsland Shire Administrators to withdraw 15 Old Waratah Rd from C124 Amendment, to retain 15 Old Waratah Rd as Public Park and Recreation Zone land to engage with the Fish Creek community, local groups; organisations and small business owners to determine the best course for formalising and funding a high-quality public and open space to provide a lasting community benefit; and contribute to making Fish Creek a more attractive, healthy and liveable town and popular destination.

[additional comments]

It seems council does little to support the Fish Creek community, even taking away funds previously allocated to build a footpath on Old Waratah Road after one person complained. We all pay rates and it is time council took the requests of Fish Creek Residents seriously

Sincerely

Natalie Leeworthy