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To: [Strategic Planning](#)
Cc: [REDACTED]
Subject: Planning Scheme Amendment C217ball [VICGAD-GADPRODUCTION.FID6428154]
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Dear Mr Natt

Please see **attached** our letter of today's date.

Kind regards

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Gadens acknowledges the Traditional Custodians of the land on which we work, and pay our respects to Elders past and present.

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3 July 2026

Manager Strategic Planning
City of Ballarat
PO Box 655
BALLARAT VIC 3353

By email: strategicplanning@ballarat.vic.gov.au

Dear

Proposed Planning Scheme Amendment C217ball (Amendment)

1. We act on behalf of Rodney Ventures Pty Ltd (**Rodney Ventures**), the beneficial owner of the land at , Canadian (the **Subject Land**).
2. The Amendment proposes the introduction of a Land Subject to Inundation Overlay – Schedule 2 (**LSIO2**) and Floodway Overlay – Schedule 2 (**FO2**) onto part of the Subject Land.
3. As you are aware, Rodney Ventures lodged a formal submission (Submission 23) in May 2026 objecting to the application and mapped extent of the proposed LSIO2 and FO2 as shown in the exhibited Amendment (**Rodney Ventures Submission**).
4. We acknowledge and thank Council for providing a written response from Water Technology Pty Ltd to the Rodney Ventures Submission on 30 June 2026 (**Water Technology Response**).
5. Notwithstanding the commentary in the Water Technology Response, Rodney Ventures maintains its objection in respect of the Amendment and its impact upon the Subject Land.
6. In summary, Rodney Ventures submits that the various technical deficiencies identified in the Rodney Ventures Submission have a substantive and meaningful impact on the extent of the LSIO2 and FO2 as proposed, particularly when considering calibration of LiDAR grid data and roughness layers. If not corrected before the Amendment is ultimately introduced into the Ballarat Planning Scheme, the application of the LSIO2 and FO2 (subject to further commentary below) will unreasonably affect the future use and development of the Subject Land.
7. Rodney Ventures also wishes to raise the following additional matters in objection to the Amendment:
 - (a) Council's decision to apply the FO2 to the Subject Land is not strategically or technically justified, having regard to site conditions and the purposes of the overlay. The FO2 ought to be removed and replaced with the LSIO2 only to reflect a proportionate response to the level of inundation risk at the Subject Land (in addition to Rodney Ventures' other submissions regarding calibration and extent of the LSIO2);
 - (b) Council's preparation of the Amendment and the exhibited materials do not demonstrate Council has appropriately discharged its duty to take account of social and economic effects associated with the Amendment pursuant to section 12(2)(c) of the *Planning and Environment Act 1987*. The application of the LSIO2 – and FO2, if it is to be pursued – will have a meaningful impact on the development capacity of the Subject Land and

feasibility. Whilst the Explanatory Report exhibited with the Amendment speaks broadly to economic effects in terms of community impacts associated with flood damage and disruption, this is unsubstantiated. There is no assessment or evidence of Council's consideration of any reduction in the economic impacts associated with the reduced development capacity or other costs associated with the application of the LSIO2 or FO2, either at landowner or community level.

8. Rodney Ventures intends to pursue these matters moving forward. In the event Council determines to refer the Amendment to a Panel, we respectfully request that this letter is added to the Rodney Ventures Submission and referred accordingly.
9. We otherwise welcome the opportunity to discuss Rodney Ventures' position with Council and look forward to continuing our engagement with Council in respect of the Amendment.

Yours faithfully

[Redacted Signature]

[Redacted Name]

Partner