**Who is the planning authority?**

This amendment has been prepared by the East Gippsland Shire Council is the planning authority for this amendment.

The amendment has been made at the request of East Gippsland Shire Council.

**Land affected by the amendment**

The amendment applies private and public land located in Slip Road and King Street in Paynesville. The subject land is detailed within the following figure and table.

<table>
<thead>
<tr>
<th>Address</th>
<th>Formal Land Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>80-90 Slip Road and 66, 66A &amp; 66C Slip Road, Paynesville</td>
<td>Crown allotment 147K, 147D &amp; 147G in the Parish of Bairnsdale</td>
</tr>
<tr>
<td>77 Slip Road, Paynesville</td>
<td>Lot 21 on LP44850</td>
</tr>
<tr>
<td>75 Slip Road, Paynesville</td>
<td>Lot 22 on LP44850</td>
</tr>
<tr>
<td>Property</td>
<td>Description</td>
</tr>
<tr>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td>73 Slip Road, Paynesville</td>
<td>Lot 23 on LP44850</td>
</tr>
<tr>
<td>71 Slip Road, Paynesville</td>
<td>Lot 24 on LP44850</td>
</tr>
<tr>
<td>69 Slip Road, Paynesville</td>
<td>Lot 1 on TP104744</td>
</tr>
<tr>
<td>67A &amp; 67B Slip Road, Paynesville</td>
<td>Lot 26 on LP44850</td>
</tr>
<tr>
<td>65 Slip Road, Paynesville</td>
<td>Lot 27 on LP44850</td>
</tr>
<tr>
<td>63 Slip Road, Paynesville</td>
<td>Lot 28 on LP44850</td>
</tr>
<tr>
<td>61 Slip Road, Paynesville</td>
<td>Land in CP167008</td>
</tr>
<tr>
<td>59 Slip Road, Paynesville</td>
<td>part Lot 30 on LP44850</td>
</tr>
<tr>
<td>57 Slip Road, Paynesville</td>
<td>Lot 31 on LP44850</td>
</tr>
<tr>
<td>55 Slip Road, Paynesville</td>
<td>part Lot 1 on TP712632, ,</td>
</tr>
<tr>
<td>53 Slip Road, Paynesville</td>
<td>Lot 15 on LP17818</td>
</tr>
<tr>
<td>51 Slip Road, Paynesville</td>
<td>Lot 14 on LP17818</td>
</tr>
<tr>
<td>49 Slip Road, Paynesville</td>
<td>Lot 13 on LP17818</td>
</tr>
<tr>
<td>47 Slip Road, Paynesville</td>
<td>Lot 12 on LP17818</td>
</tr>
<tr>
<td>45 Slip Road, Paynesville</td>
<td>Lot 11 on LP17818</td>
</tr>
<tr>
<td>41-43 Slip Road, Paynesville</td>
<td>Lots 9 and 10 on LP17818</td>
</tr>
<tr>
<td>39 Slip Road, Paynesville</td>
<td>Lot 8 on LP17818</td>
</tr>
<tr>
<td>35-37 Slip Road, Paynesville</td>
<td>Lots 6 and 7 on LP17818, Lot 3 on PS405937 and common property on PS405937</td>
</tr>
<tr>
<td>33 Slip Road, Paynesville</td>
<td>Lot 1 on PS405937</td>
</tr>
<tr>
<td>31 Slip Road, Paynesville</td>
<td>Lot 2 on PS405937</td>
</tr>
<tr>
<td>29 Slip Road, Paynesville</td>
<td>Lot 3 LP17818</td>
</tr>
<tr>
<td>27 Slip Road, Paynesville</td>
<td>Lot 3 LP17818</td>
</tr>
<tr>
<td>25 Slip Road, Paynesville</td>
<td>Lot 1 LP17818</td>
</tr>
<tr>
<td>17-23 Slip Road, Paynesville</td>
<td>Lot 1 on TP598490 and Lots 21, 23, 24 and 25 on LP1572</td>
</tr>
<tr>
<td>1-5 King Street, Paynesville</td>
<td>Lot A on PS515228</td>
</tr>
<tr>
<td>7 King Road, Paynesville</td>
<td>Lots 1-7 on PS515228</td>
</tr>
</tbody>
</table>

**What the amendment does**

The amendment implements the findings of the *Paynesville Maritime Precinct Master Plan* October 2009 and implements some of the findings of the *Comparative Study of Planning Instruments, Paynesville Maritime Precinct Slip Road Paynesville*, February 2014.

The amendment:

- Amends Clause 21.09 (Economic Development) of the Municipal Strategic Statement to introduce key recommendations of the *Paynesville Maritime Precinct Master Plan* October 2009.
- Amends Clause 21.10 (Transport) of the Municipal Strategic Statement to introduce key recommendations of the *Paynesville Maritime Precinct Master Plan* October 2009.
- Amends Clause 21.12 (Strategies for Sub-Regions, Towns & Localities) of the Municipal Strategic Statement in relation to the Paynesville Maritime Precinct at Slip Road, Paynesville:
  - makes minor editorial changes to improve the writing style;
  - introduces an objective to recognise the economic and social importance of Paynesville’s maritime industry;
introduces a strategy to ensure that the development of Slip Road Paynesville occurs generally in accordance with the Paynesville Maritime Precinct Master Plan;

- introduces reference to the Special Use Zone Schedule 5;
- removes reference to the former Industrial Zone;
- removes the reference for further strategic work being required for the Paynesville Maritime Precinct Master Plan;
- introduces the Paynesville Maritime Precinct Master Plan as a reference document.

- Inserts a new local policy Paynesville Maritime Precinct Masterplan at Clause 22.05 to implement the key recommendations of the Paynesville Maritime Precinct Master Plan October 2009.

- Rezones land from the Mixed Use Zone to the General Residential Zone for land at 1 to 5 King Street, Paynesville being lot A on PS515228 and 7 King Street, Paynesville being lots 1-7 on PS515228 in the Parish of Bairnsdale

- Rezones land from General Residential Zone to Mixed Use Zone and introduces a new schedule (Schedule 1) to the Mixed Use Zone for land at 17 to 23 Slip Road, Paynesville being lot 1 on TP598490 and lots 21, 23, 24 and 25 on LP1572 all in the Parish of Bairnsdale.

- Rezones land from General Residential Zone and Industrial 3 Zone to Special Use Zone and introduces a new schedule (Schedule 5) to the Special Use Zone for land at 35 to 37 Slip Road being lots 6 and 7 on LP17818, lot 3 on PS405937 and common property on PS405937, 31 Slip Road being lot 2 on PS405937, 33 Slip Road being lot 1 on PS405937, 35 Slip Road being lot 6 on LP17818, 37 Slip Road being lot 7 on LP17818, 39 Slip Road being lot 8 on LP17818, 41 to 43 Slip Road being lots 9 and 10 on LP17818, 45 Slip Road being lot 11 on LP17818, 47 Slip Road being lot 12 on LP17818, 49 Slip Road being lot 13 on LP17818, 51 Slip Road being lot 14 on LP17818, 53 Slip Road being lot 15 on LP17818, 1/55 Slip Road being part lot 1 on TP712632, 57 Slip Road being lot 31 on LP44850, 59 Slip Road being part lot 30 on LP44850, 61 Slip Road being CP167008, 63 Slip Road being lot 28 on LP44850, 65 Slip Road being lot 27 on LP44850, 67B Slip Road being lot 26 on LP44850, 69 Slip Road being part lot 1 on TP104744, 71 Slip Road being lot 24 on LP44850, 73 Slip Road being lot 23 on LP44850, 75 Slip Road being lot 22 on LP44850 and 77 Slip Road being lot 21 on LP44850 all in the Parish of Bairnsdale.

- Rezones land from Industrial 3 Zone to Public Park and Recreation Zone on the southern part of 80 and 90 Slip Road being part Crown allotment C147K in the Parish of Bairnsdale.

- Rezones land from Industrial 3 Zone to Public Use Zone and introduces a new schedule (Schedule 7) to the Public Use Zone for land on the northern part of 80 and 90 Slip Road being part Crown allotment 147K and Crown allotment 147G in the Parish of Bairnsdale.

- Applies the Land Subject to Inundation Overlay to land at 35 to 37 Slip Road being lots 6 and 7 on LP17818, lot 3 on PS405937 and common property on PS405937, 31 Slip Road being lot 2 on PS405937, 33 Slip Road being lot 1 on PS405937, 35 Slip Road being lot 6 on LP17818, 37 Slip Road being lot 7 on LP17818, 39 Slip Road being lot 8 on LP17818, 41 to 43 Slip Road being lots 9 and 10 on LP17818, 45 Slip Road being lot 11 on LP17818, 47 Slip Road being lot 12 on LP17818, 49 Slip Road being lot 13 on LP17818, 51 Slip Road being lot 14 on LP17818, 53 Slip Road being lot 15 on LP17818, 1/55 Slip Road being part lot 1 on TP712632, 57 Slip Road being lot 31 on LP44850, 59 Slip Road being part lot 30 on LP44850, 61 Slip Road being CP167008, 63 Slip Road being lot 28 on LP44850, 65 Slip Road being lot 27 on LP44850, 67B Slip Road being lot 26 on LP44850, 69 Slip Road being lot 1 on TP104744, 71 Slip Road being lot 24 on LP44850, 73 Slip Road being lot 23 on LP44850, 75 Slip Road being lot 22 on LP44850 and 77 Slip Road being lot 21 on LP44850 all in the Parish of Bairnsdale.

- Applies the Development Plan Overlay and introduces a new schedule (Schedule 10) to the Development Plan Overlay for land at 17 to 23 Slip Road being lot 1 on TP598490 and lots 21, 23, 24 and 25 on LP1572 all in the Parish of Bairnsdale.
• Deletes the Design and Development Overlay from land at part 33 to 37 Slip Road being lot 3 on PS405937 and the common property associated with PS405937 all in the Parish of Bairnsdale.

• Amends the Schedule to Clause 61.03 to include new planning maps within the East Gippsland Planning Scheme.

• Amends the Schedule to Clause 81.01 to incorporate the Paynesville Maritime Precinct Master Plan October 2009 into the East Gippsland Planning Scheme.

**Strategic assessment of the amendment**

**Why is the amendment required?**

The amendment is required to implement the strategic intent of the *Paynesville Maritime Precinct Master Plan October 2009* which sets out a detailed framework for the development of private and public land at Slip Road Paynesville.

The Master Plan notes the importance of maritime service industries to Paynesville’s economy and the significant growth in demand for recreational boating and associated services within East Gippsland.

The Paynesville Maritime Precinct is regarded as a focal location for commercial boating activity and the strategic intent of the amendment is to ensure that future development:

- Maintains the village like maritime character;
- Improves links along the foreshore;
- Provides for dry boat storage and maintenance; and
- Encourages marine services industry to the Slip Road area while discouraging non-maritime related uses.

**How does the amendment implement the objectives of planning in Victoria?**

- The amendment provides for the fair, orderly, economic and sustainable use and development of land.

**How does the amendment address any environmental, social and economic effects?**

The amendment encourages sustainable development by maximising maritime tourist and service industry development at Slip Road with access to established infrastructure, services, employment and the Gippsland Lakes.

The amendment provides clear direction for the recognition of the economic and social importance of Paynesville’s marine industry and responds to increases in recreation boating at the Gippsland Lakes. The agglomeration of maritime service industries will ensure that the complementary benefits of the tourist and service industries can be captured within the Paynesville economy.

The amendment provides a framework for improved amenity and urban design at Slip Road.

**Does the amendment address relevant bushfire risk?**

The amendment does not propose any new development in areas identified as being subject to bushfire risk.

**Does the amendment comply with the requirements of any Minister’s Direction applicable to the amendment?**

The amendment complies with the following relevant Ministerial Directions:
• Ministerial Direction – The Form and Content of Planning Schemes. The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Planning and Environment Act 1987;

• Ministerial Direction 11 – Strategic Assessment of Amendments. The requirements of Ministerial Direction 11 have been followed in preparing this amendment, and are reflected in the documentation; and

• Ministerial Direction 13 – Managing Coastal Hazards and the Coastal Impacts of Climate Change.

How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

The proposed amendment will support the relevant objectives of the State Planning Policy Framework (SPPF). The amendment will assist in achieving objectives in relation to:

Clause 12.02-1 Protection of coastal areas

This clause aims to recognise and enhance the value of coastal areas to the community and ensure sustainable use of natural coastal resources. The clause seeks to provide clear direction for the future sustainable use of the coast, including the marine environment, for recreation, conservation, tourism, commerce and similar uses in appropriate areas.

The amendment provides a clear direction for the development of the Paynesville Maritime Services and Industries Precinct. The Precinct is highly modified and the amendment will not facilitate development that will impact on areas of environmental significance. Rather it will provide opportunities for facilities to be improved to meet existing and future demand.

Clause 12.02-2 Appropriate development of coastal areas

This clause aims to ensure that development conserves, protects and seeks to enhance coastal biodiversity and ecological values and to ensure that development is sensitively sited and designed and respects the character of coastal settlements. The amendment gives effect to this clause by facilitating development in a highly modified environment rather than undeveloped coastline. The amendment specifically proposes planning scheme changes that encourage sympathetic built form that is complementary to the marine environment. The use of colours, shapes, forms and materials that complement the development of the public foreshore at Paynesville are encouraged by the amendment.

Clause 12.02-3 Coastal Crown land

This clause aims to balance environmental, social and economic concerns. The clause encourages use and development on or adjacent to coastal foreshore Crown land that maintains safe, equitable public access and improves public benefit. The amendment incorporates strategic documents into the scheme which support improved public access and enjoyment of the Paynesville Maritime Services and Industries Precinct which is a clearly defined boating activity node.

Clause 12.02-4 Coastal tourism

This clause encourages suitably located and designed coastal and maritime tourism opportunities. The amendment proposes the Special Use Zone Schedule 5 to provide for tourist uses to act as a gateway to the Slip Road Maritime Precinct. The Special Use Zone Schedule 5 aims to facilitate the maritime tourist, educational and recreational facilities identified in the Paynesville Maritime Precinct Master Plan, such as the mooted ‘Centre for Wooden Boats’ and improved public boating facilities.

Clause 13.01-1 Coastal inundation and erosion and Clause 13.02-1 Floodplain management.

These provisions aim to ensure that planning assists the protection of life, property and community infrastructure from flood hazard and to ensure planning considers the expected coastal impacts of climate change. This includes the predicted sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 and a possible sea level rise of 0.8 metres by 2100. The proposed Special Use Zone will ensure that such impacts are considered. The schedules require planning permit applications to contain existing site and finished floor levels for proposed buildings measured in Australian Height Datum.
Clause 17.02-1 Industrial land development

This clause aims to ensure that land is available for industry. The amendment protects and encourages the agglomeration of the existing maritime service industries of Slip Road and discourages unplanned commercial, residential and other sensitive uses which would adversely affect industry viability and Paynesville’s economic growth.

Clause 17.03-1 Facilitating tourism

This clause aims to encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination. The amendment encourages tourist opportunities in accordance with the Master Plan that are compatible and consistent with maritime uses and which build upon existing activities and attractions.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment supports the Local Planning Policy Framework by amending the Local Planning Policy Framework to implement the Paynesville Maritime Precinct Master Plan.

Specifically, the amendment gives effect to:

- 21.09-2 Industry – by encouraging the development of maritime service industries in an appropriate location;
- 21.09-3 Tourism – by encouraging the provision of tourism facilities in an appropriate location;
- 21.12 Paynesville: The amendment
  - builds on Paynesville’s strengths as a recreational boating destination;
  - provides opportunities for businesses centred on boating and tourism to expand;
  - maintains a coastal maritime character expressed through materials, colours and style detail;
  - is consistent with the Paynesville Strategy Plan;
  - provides for increased maritime services;
  - completes the additional strategic work referred to within the clause.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by utilising appropriate tools to implement the Paynesville Maritime Precinct Master Plan.

The amendment facilitates appropriate rezoning and uses schedules to the Special Use Zone to give effect to the desired objectives or requirements of the Paynesville Maritime Precinct Master Plan.

How does the amendment address the views of any relevant agency?

The views of relevant agencies, Gippsland Ports, Aboriginal Affairs Victoria (Native Title), DELWP Regional Planning Office and East Gippsland Catchment Management Authority have been sought during the preparation of the Paynesville Maritime Precinct Master Plan.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with the vision, objectives and principles of the Transport Integration Act 2010.

Resource and administrative costs
• What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will not result in any significant impact on the resources and administrative costs of the Responsible Authority. It will provide greater certainty to assist in effective decision making. The amendment completes the strategic work that was highlighted in the Municipal Strategic Statement. Schedule 5 to the Special Use Zone seeks to minimise administrative costs by exempting use and development from notice and appeal requirements when the use is generally in accordance with the Paynesville Maritime Precinct Master Plan.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

- East Gippsland Shire Council Corporate Centre, 273 Main Street, Bairnsdale
- Bairnsdale Service Centre, 24 Service Street, Bairnsdale
- Bairnsdale Business Centre, 32 Pyke Street, Bairnsdale
- Paynesville Service Centre, 55 Esplanade, Paynesville

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 5 November 2017.

A submission must be sent to the Manager of Strategic Planning, East Gippsland Shire Council PO Box 1618 Bairnsdale Victoria 3875, or to the following email address at feedback@egipps.vic.gov.au (please include “Attention Manager Strategic Planning – Submission for Amendment C126”)

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: To commence the week of 8 January 2018
- panel hearing: To commence the week of 5 February 2018
## ATTACHMENT 1 - Mapping reference table

<table>
<thead>
<tr>
<th>Location</th>
<th>Land / Area Affected</th>
<th>Mapping Reference</th>
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<tbody>
<tr>
<td>Paynesville</td>
<td>Paynesville Maritime Precinct – All land within study area</td>
<td>East Gippsland C126 001znMap51Exhibition</td>
</tr>
<tr>
<td></td>
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