East Gippsland Planning Scheme Review
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1. Executive Summary

The preparation of a review of the planning scheme is a requirement of the *Planning and Environment Act 1987* (the Act). The Act requires that the review of planning schemes must be undertaken no later than one year after the adoption of a Council Plan. A review of the Municipal Strategic Statement (MSS) section of the East Gippsland Planning Scheme was also identified as a major initiative in the East Gippsland Council Plan 2017–2021.

The purpose of the Review is to ensure that councils focus on ensuring that their planning schemes are regularly updated and operate effectively. Whilst there is a statutory requirement to conduct a review every four years, East Gippsland Shire Council undertakes ongoing reviews of its planning scheme and is constantly working on improving the scheme and responding to changes in legislation, needs, and requirements to ensure that the planning scheme is able to facilitate appropriate development and growth.

There is no prescribed format for the review, with Council is able to determine its own approach to reporting outcomes to the Minister for Planning.

The approach taken for the current review has been to identify the major planning issues and key drivers for change, to document the strategic work that has been completed during the review period, to reaffirm a commitment to a place based model of planning scheme updates, to assess the strategic performance of the scheme relating to planning permit applications and written determinations of the Victorian Civil and Administrative Tribunal and Planning Panels Victoria; and to identify the new strategic work necessary to support future policy changes to the provisions of the scheme.

The Review reveals that East Gippsland Shire Council has been extremely active in continually updating the planning scheme, with 25 Council initiated planning scheme amendments undertaken over the past four years. Additionally, considerable officer time was also spent influencing state policy direction, such as the recent introduction of the revised Bushfire Management Overlay.

As the Victorian government is about to introduce an approach to updating all planning schemes across Victoria known as Smart Planning, the review also recommends that no significant changes or reformatting of the East Gippsland Planning Scheme are undertaken until the Smart Planning direction is released and understood.

The Review contains a series of recommendations which primarily reaffirm the continuation of the current method of improving the planning scheme, which aims to consolidate and implement adopted strategies into the planning scheme on a thematic and place based model.

The review also recommends that quarterly workshops be held with Council to discuss upcoming work, identified trends, changes in industry demand and changes coming from the Victorian government.
2. Introduction

2.1 Purpose of this Report

The purpose of this Report is to review the effectiveness, efficiency, relevance and performance of the East Gippsland Planning Scheme (the scheme). It will inform the continuous improvement of the scheme and summarize the achievements and improvements implemented during the review period.

The last four years for the East Gippsland Shire Council (the Council) has been a time of consolidation with consistent and continuous implementation of Council Policies and Strategies into the scheme; responding and participating in State led reviews and discussion papers; implementing key recommendations from the last review incorporating meaningful engagement into traditional planning processes; embracing state led change of the Victorian Planning Provisions (the VPPS) and embarking in place based community planning processes.

The Review has formatted to specifically address three key questions:

- What has been achieved since the last review?
- How is the planning scheme currently positioned? and
- What should be the major changes and modifications to the planning scheme in the next two years based on our knowledge of the external planning environment?

The review has been undertaken and this report prepared in-house by current Council to reflect ownership of the planning processes associated with continuous improvement and an ever-changing local economic context.

This Report is the product of a Council review of the scheme in accordance with Section 12B of the Planning and Environment Act 1987.

During the intervening period between the last review in 2013 and current time, there have been significant changes to the form and content as required by the Minister for Planning. Council has adopted a continuous improvement approach to the update the scheme on a progressive basis and a town and place based model.

Given the impending and intended substantive changes to the planning policy framework proposed as a part of Stage 2 of the Smart Planning Reform a comprehensive review of the alignment of the Local Planning Policy Framework (the LPPF) with State Planning Policy Framework (the SPPF) has not been pursued.

It is important to note that during the review period there has been significant staff changes with the planning business units which require adjustment and often result in a change of focus premised upon skill set.

This Report will include a series of key recommendations for future strategic priorities.
The East Gippsland Planning Scheme Review

The review process is undertaken in accordance with the requirements of the Planning and Environment Act 1987 at section 12; is guided by the Planning Practice Note 32 *Review of Planning Schemes* (June 2015) and is guided by a series of other state, regional and local influences.

Given the impending implementation of stage 2 of Smart Planning Reform package which seeks to revolutionize the structure and approach to planning policy and implementation. This is predicted to result in dramatic and substantial changes to the formatting and construction of policy and integration and state and local planning policy.

Council officers are directly participating in the Reform package as part of *SmartPlanning* digitalization working ground to ensure that Council has influence at a rural regional level.

For this reason, Council has adopted a practical and efficient approach to undertaking this review. In addition, resourcing and staffing levels do not allow for a comprehensive and wholesale review, especially in light of the state led changes.

It is mandatory to undertake the review in accordance with the Act requirements and the review adopts a pragmatic and efficient in-house methodology.

The express aim is to avoid any duplication of the policy reform given that the most significant predicted change is to the Municipal Strategic Statement (*the MSS*) and the Local Planning Framework. That is to say do not proposed changes to the current local policy until we know the details about the new formatting and rules.

The emphasis of this current review is to reflect on the achievements within strategic planning; identify the highlights; including application of new schedules to Overlay controls, provide commentary in relation to our first development contribution plan, report on current approaches to coastal inundation; document our strategic priorities; and discuss Council’s place based approach to new community planning.

Part of the review will highlight some of the direct implications of various VC Amendments, which are state led have at the local level. Key examples include the Low Density Residential Zone changes as a result of VC100.

This review will also document the current complications and complexities associated with floodplain management and the urgent need to update planning scheme mapping to align with declared flood levels under the Water Act 1989. This section will highlight the practical implications associated with public notice requirements and the resourcing and staffing issues associated with these notice requirements.
3. Background

3.1 The 2013 Planning Scheme Review

The ‘new format’ Victoria Planning Provision East Gippsland Planning Scheme (EGPS) was approved on 26 August 1999.

The Local Planning Policy Framework (LPPF) has been the subject of two policy neutral reviews resulting in the redrafting of the format, structure and wording of the LPPF in 2011 (Planning Scheme Amendment C91) and 2013 (Planning Scheme Amendment C113).

Both previous reviews were undertaken in-house by Council. The later 2013 Planning Scheme Amendment resulted in the deletion of the series of clause 22.0 local policies and direct translation into the relevant sections of clause 21 of the scheme. This has meant that specific thematic and place based derived local policies have been scattered into various parts of the clause 21. At the time, the state led implementation of a new planning policy framework did not favor specific local planning policies. We have been advocating strongly through the SmartPlanning Reform consultation process the critical and integral role that specific thematic and place based policy in one part of the scheme makes usability and clarity for all users of the planning scheme.

The changes arising from the 2013 review involved a three-stage process consisting of:

- **Stage 1 – improving scheme operation** by addressing improvements to improve the operation and effectiveness of the Scheme. This was measured through the ongoing work being implemented through planning scheme amendments during the review period. Progressing the amendments were seen to represent a substantial amount of work that either responded to land owner requests or resolved known issues with the Scheme.

- **Stage 2 – a policy neutral review** being the process of updating and improving the content of the Scheme without changing the policy intent. This was a first step in recognition that the format of the Municipal Strategic Statement was not aligned with the then preferred State standard for format and content layout.

  The outcomes of Stage 2 formed the basis of Amendment C113 which was introduced by the Minister for Planning using his powers of intervention and exemption from the usual exhibition and notice provisions associated with a planning scheme amendment process.

- **Stage 3 – content improvement** as an ongoing program of strategic planning work is undertaken.

  Identifying and prioritizing the content improvement was achieved through in-house workshops to brainstorm the challenges, issues, concerns and gaps in the existing Municipal Strategic Statement. Using the feedback from the in-house workshop and drawing upon the existing Municipal Strategic Statement, a survey was undertaken with local developers as part of an information sessions at a Council Developers Forum.

  Consultative meetings were also undertaken with key planning referral authorities and agencies (East Gippsland Water, the then Department of Sustainability and Environment, Environment Protection Authority, VicRoads, Country Fire Authority and the East Gippsland Catchment Management Authority) for their views.
The identified changes included:

- a range of corrections and dated information.
- the need to focus the content on information that would support land use decision making.
- areas where additional strategic work would support development of more robust policy content in the Municipal Strategic Statement.

A summary of the progress on previous review recommendations is found at Appendix 1.

A summary of the Completed Planning Scheme Amendments during this period are summarized at Appendix 2.

### 3.2 Stakeholder Consultation associated with this Review

The review itself didn’t include external consultation, but rather drew on the findings of community and industry consultation processes which have occurred over the past four years. This included both consultation on specific matters and more general consultation undertaken using planning and developer forums. The review was undertaken in-house and therefore drew on officers’ intimate knowledge of the region, its drivers and the outcomes of past community and industry engagement.

As the Victorian government is about to introduce an approach to updating all planning schemes across Victoria known as Smart Planning, the review also recommends that no significant changes or reformatting of the East Gippsland Planning Scheme are undertaken until the Smart Planning direction is released and understood.

The place based approach of reviewing the relevant sections of local planning policy, zone and overlay controls at the time of each planning scheme amendment represents an efficient and effective methodology. At each planning scheme amendment, the relevant clauses and sections are implemented consistently with Practice Notes and Ministerial Directions in relation to form and content. This represents a progressive and staged based process of continuous improvement. This process adopts an approach which provides a practical response to limited resources.

The review itself didn’t include external consultation, but rather drew on the findings of community and industry consultation processes which have occurred over the past four years. This included both consultation on specific matters and more general consultation undertaken using planning and developer forums.

During the intervening period between 2013 and current day; the Lakes Entrance Northern Growth Area Outline Development Plan has been implemented into the scheme with a Planning Scheme Amendment. This project included extensive land owner and community consultation.

During this intervening period Council have finalized the preparation of the Paynesville Growth Area Structure Plan which was adopted by Council in August 2016. This project also included extensive community engagement and consultation as part of the preparation of an Issues & Options Paper, a Consultation Report and the Final Structure Plan itself. Community consultation and engagement is undertaken utilizing a progressive and place based approach.

Similarly, both the preparation and exhibition of the East Bairnsdale and Lucknow Structure Plan adopted in 2013 also included extensive public consultation and information sessions including
public workshops, technical information sessions, project newsletters and a range of other engagement techniques.

Given the timing of this Review which coincides with the significant review of the community and district plans and the stage of SMARTPlanning reform package wide engagement and consultation has not been undertaken.

An approach has been undertaken which considers that at this point in time given the State led reform package that general all-embracing community consultation in relation to the review project would result in confusion and not useful given the unknown pending planning policy reform at the State level. There was considered to be a risk such consultation would not be meaningful and not be a positive exercise.

3.3 Current Drivers for Planning Change

The current drivers for change within the local context are summarized as follows;

- Local economy was effected by and is recovering from the global financial crisis.
- There appears to be currently increased momentum, with strong economic growth over the last quarter. Evidence based is the number of building permits issues for the period. There is anecdotal evidence that there may be growth in the bigger projects for the region.
- Changes in the local agricultural sector.
- Growth of boating and tourism for the Gippsland Lakes.
- Concentrated areas of population growth.
- Aging of local infrastructure.
- An aging population.
- Opportunities associated with the mining and minerals industry.

Other factors which require the planning scheme to adjust and align;

- Movement towards a district based planning service delivery model for Council.
- Continuous changes to Victorian Planning Provisions.
- Updates in hazard and risk mapping at the state level, such as bushfire management, floodplain and flood mapping, buffer zones around landfills and contaminated sites and sites of environmental significance.
- Release of Discussions Papers and Advisory Committees.

4. Key Amendments to the East Gippsland Planning Scheme

The complete Planning Scheme Amendments for the review are listed in Appendix 2. There have been 25 planning scheme amendments undertaken in total. These planning scheme amendments range in subject matter (theme), place, planning tool and outcome.
## 4.1 Place Based Analysis

The table below provides a summary of the planning scheme amendment on a place basis.

<table>
<thead>
<tr>
<th>Place</th>
<th>PSA description</th>
<th>Subject</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shire wide</td>
<td>C107, C100, C118, C117, C093, C108, C132</td>
<td>Clerical mapping errors, changes to rural zones schedules, implementation of new state zones, policy neutral update.</td>
<td>7</td>
</tr>
<tr>
<td>Omeo</td>
<td>C106</td>
<td>Rezone land</td>
<td>1</td>
</tr>
<tr>
<td>Mallacoota</td>
<td>C067</td>
<td>Rezone land</td>
<td>1</td>
</tr>
<tr>
<td>Tambo Bluff</td>
<td>C087, C123, C138</td>
<td>Mapping update of restructure plan</td>
<td>3</td>
</tr>
<tr>
<td>Paynesville</td>
<td>C111, C133</td>
<td>Mapping correction, implementation of Strategies</td>
<td>2</td>
</tr>
<tr>
<td>Glen Wills</td>
<td>C116</td>
<td>Update restructure plan</td>
<td>1</td>
</tr>
<tr>
<td>Lindenow</td>
<td>C101</td>
<td>Rezoning of land</td>
<td>1</td>
</tr>
<tr>
<td>Lakes Entrance</td>
<td>C112 PART 1, C124</td>
<td>Rezoning of land, introduction of a development contributions plan, introduction of development plan and drainage strategy.</td>
<td>2</td>
</tr>
<tr>
<td>Orbost</td>
<td>C120, C136</td>
<td>Orbost Gas Plant, private rezoning of land.</td>
<td>2</td>
</tr>
<tr>
<td>Boole Poole Peninsula</td>
<td>C115</td>
<td>Introduction of an Incorporated document to address issue of access</td>
<td>1 (failed)*</td>
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<tr>
<td>Nicholson, Swan Reach and Johnsonville (Twin Rivers)</td>
<td>C121</td>
<td>Implementation of land use policy and rezone</td>
<td>1</td>
</tr>
<tr>
<td>Bairnsdale</td>
<td>C127, C135</td>
<td>4 reference documents/ strategies Bairnsdale CBD and East Bairnsdale Lucknow</td>
<td>2</td>
</tr>
</tbody>
</table>
**4.2 Key Strategies which have been implemented into the Planning Scheme**

Social Impact Assessment Guidelines and Urban Waterway Guidelines – Amendment C117

Amendment C117, gazetted on 11 September 2014, introduced the *East Gippsland Shire Council Social Impact Assessment Guidelines for Development Applications* (May 2013) and the *East Gippsland Shire Council Urban Waterway Guidelines* (March 2013) into the East Gippsland Planning Scheme through local policy content.

**East Bairnsdale – Lucknow Structure Plan**

Amendment C135, gazetted on 15 June 2017, introduced the East Bairnsdale – Lucknow Structure Plan as local policy into the East Gippsland Planning Scheme.

The East Bairnsdale – Lucknow Structure Plan is a substantial strategic planning project undertaken by Council and is a framework which provides a framework to achieve balanced future growth in this urban area of Bairnsdale.

It builds on and consolidates strategic project work undertaken as part of the *Bairnsdale Growth Strategy* (November 2009) project which identifies the precinct as suitable for urban growth further developing the established community and business mix across land use activities including residential, local area commercial and industrial.

**Paynesville Town Centre Urban Design Guidelines**

Amendment C133, gazetted on 1 June 2017, introduced the Paynesville Town Centre Urban Design Guidelines as local policy into the East Gippsland Planning Scheme. The amendment implements the *Paynesville Town Centre Structure Plan* (September 2009) and *Paynesville Town Centre Design Guidelines* (September 2009) which were adopted by Council in October 2009. The provisions introduced through the amendment will help guide the growth and redevelopment of the Paynesville Town Centre. The Paynesville Town Centre Structure Plan and Design Guidelines give developers, investors and the community greater certainty and confidence about future development in Paynesville and provide the framework and guidance for the consideration of future planning permits.

The structure plan is a strategic plan to guide future development in the Paynesville Town Centre.
Twin Rivers Land Use Plan – Amendment C121

Amendment C121, gazetted on 26 March 2016 implements the Twin Rivers Land Use Plan (2012).

Twin Rivers is an area east of Bairnsdale that includes the surrounds of the Nicholson and Tambo rivers and includes the three small townships of Nicholson, Johnsonville and Swan Reach. The Twin Rivers Land Use Plan, and the analysis underpinning it, provides basis to guide planning for these settlements. The amendment included rezoning 100 Nicholson – Sarsfield Road, Nicolson from Low Density Residential Zone to Township Zone and made provision for the subsequent approval of a development plan.

The development plan at 100 Nicholson – Sarsfield Road, Nicholson for a proposed 74 lots is development step in the planning process which serves to establish a strategic framework to clearly guide future subdivision of the land. The scale of planning at this level facilitates good urban design, appropriate land use, connected transport and access provisions, and integrated drainage and space into an overall pattern for future residential development.

This approval pathway also serves to streamline subsequent subdivision permits which follow the approved development plan.

The 100 Nicholson – Sarsfield Road, Nicholson development plan has been submitted to Council and following a community engagement process was endorsed by Council at its meeting of 3 October 2017.

Bairnsdale Growth Strategy

Amendment C127, gazetted on 31 March 2016 introduces and implements the recommendations of the Bairnsdale Growth Strategy (November 2009), Re-imagining Bairnsdale Master Plan, volumes 1 and 2 (May 2013) and the Walking and Wayfinding in Bairnsdale Central Business District (May 2011).

Lakes Entrance Northern Growth Area Outline Development Plan (October 2013)

Amendment C112 PART1 was implemented into the planning scheme in August 2014. The amendment updated the MSS in relation to the growth area identified for the township of Lakes Entrance. In doing so a significant section of land was rezoned from Farming Zone 3 to General Residential Zone 1. The amendment also made corrections to land which was not zoned correctly which was in public ownership.

The amendment included the land with a development plan overlay. The development plan overlay requires an integrated and coordinated approach to residential growth within the precinct which has regard for the total 31 land owners.

The amendment represents the incorporation of a first development contributions plan overlay (DCPO) for the Municipality. The DCPO is primarily addressing the issue of storm water drainage on a whole of precinct approach. The DCPO also results in the implementation of a residential development levy, a drainage levy and a community infrastructure levy.
4.3 Key Overlay Mapping updates

Erosion Management Overlay – Amendment C108


Originally Erosion Management Overlay mapping was introduced as part of the Victoria Planning Provision East Gippsland Planning Scheme in 1999 based on mapping undertaken in the 1980’s and 1990’s and only applied to land in the south-west area of East Gippsland Shire.

In a previous planning scheme review in 2011 it was recommended that the erosion mapping and hazard be examined as an opportunity to reduce red tape. It was considered that the former controls imposed unnecessary permit requirements generating approximately 100 to 150 planning permit applications each year.

A soil erosion mapping project for the entire municipality was completed by the then-Department of Primary Industries in 2009 and identified land subject to high and very high levels of erosion susceptibility. The data produced by this project formed the basis for the EMO mapping that has been applied through Amendment C108.

The revised EMO mapping and associated schedule provided the basis for revisions to be made to the controls that promote efficient operation of the East Gippsland Planning Scheme. The accuracy and breadth of the overlay mapping was improved and a modification to the schedule was undertaken to ensure that the assessment of planning permit applications under the EMO is warranted and oriented towards the realisation of planning gain.

Flooding Mapping Update Gippsland Lakes – C119

A considerable body of work was undertaken in 2013 and 2014 in partnership with the East Gippsland Catchment Management Authority which proposes the introduction of updated flood mapping information. The proposed mapping was premised upon the detailed in the document “Gippsland Lakes” Flood level modelling project Final Report” (June 2004). The Report determined the methodology and the criteria of the flood mapping.

The amendment proposes the introduction of flood mapping by updating the Land Subject to Inundation Overlay (LSIO) mapping pertaining to the Gippsland Lakes to correlate with the declared flood level in accordance with Division 4 Part 10 of the Water Act 1989.

There are no proposed changes to the Schedule to the LSIO at clause 44.04, section 1.

The amendment applies to various flood prone areas within existing townships, settlements and surrounds of the Gippsland Lakes. Township and settlement areas affected include Bairnsdale, Eagle Point, Paynesville, Raymond Island, Nicholson, Swan Reach, Metung, Lakes Entrance, Kalimna and Boole Poole Peninsula.

The affected land is limited to the Gippsland Lakes being those areas previously the subject of the Declaration of Flood Levels process in accordance with the related legislation and regulations.

The amendment was made at the East Gippsland Catchment Management Authority.
The amendment was prepared in accordance with section 20(4) of the Act as a prescribed amendment which was not intended to be subject to the requirements in relation public notice. The regional office the DELWP requires full public notice of the amendment. A total of 472 properties are affected.

No further progress has been made by Council with respect to the requirement that the amendment is unable to proceed as a section 20(4).

The strategic work remains a current project on the strategic planning current work plan. In addition to the planning scheme amendment preparation, council were active in the Draft Submission stages of the preparation of revised Flood Plain Guidelines.

**Road Zone Correction Amendment C105**

Amendment C105 seeks to remove Road Zone Category 1 and 2 from roads that are not listed on the Vic Roads Road Register in an effort to reduce unnecessary referrals and remove red tape for applicants. Council officers worked very closely with VicRoads over a number of months to ensure that the mapping of the Road Zone Category 1 and 2 was correct and corresponded with Vic Roads Road Register for all roads across our large municipality. The amendment is currently with the Ministers office for gazettal which we anticipate will occur over the coming months.

**Restructure Overlays - Tambo Bluff & Newlands Arm Correction Amendments**

There have been four corrections amendments pertaining to the Tambo Bluff and Newlands Arm Estates since the previous MSS review.

The Tambo Bluff & Newlands Arm Estates were originally comprised of inappropriate and undevelopable subdivisions wherein lots were created without any regard for access, land topography, existing vegetation and service provision.

In an effort to fix these estates and create allotments with appropriate services, access and development potential, East Gippsland Shire Council invested heavily over many years to provide roads and reticulated services and to implement an overall restructure plan that would direct how lots are to be consolidated, used and developed.

The mechanism by which the restructure plan is implemented and administered over time is via the East Gippsland Planning Scheme and the associated zone and overlay controls. As land is consolidated, developed or acquired the planning controls are able to be changed or removed to reflect the end use and development of the land. For example, the Restructure Overlay is to be removed once the land has been consolidated in accordance with the relevant restructure plan.

Each time the restructure plan is required to be removed, a planning scheme amendment is required to update the overlay mapping and the incorporated restructure plan, hence the 4 amendments that have been undertaken since 2013.

Council officers are currently working on a fifth amendment (C139) that seeks to rectify any missing or redundant planning controls, amend some inappropriate layouts contained within the restructure plan and incorporate the final restructure plan into the scheme. The intent of this amendment is to deal with some historic issues and ensure that the relevant planning controls are in place to assist both estates in realising their full development potential and reduce the number of corrections amendments that are required. WE anticipate that this amendment will be ready for lodgement seeking authorisation by mid-2018.
Bushfire Management Overlay – Updated Mapping – GC13

The amendment was a Victorian government initiated processed where council advocated strongly in relation to the mapping verification process and the drafting of schedule for a list of townships.

The townships which resulted in the creation of Schedules to the Bushfire Management Overlay (BMO) include parts of Eagle Point, Kalimna, Lakes Entrance, Lake Tyers Beach, Marlo, Raymond Island, Cann River.

The task of drafting, preparing and negotiating the inclusion of schedules to the townships was significant and was given priority over other projects to ensure that future development of these townships was able to occur having due regard for the risk assessments.

The amendment updating the mapping of land, which resulted in an increased number of properties included within the BMO controls.

4.4 Environmental Sustainable Principles

During the review period Council also successfully developed and Urban Waterway Management Strategy and incorporated the principles of the strategy into the Planning Scheme via Amendment C117 (Urban Waterway Guidelines). These guidelines are now used on a regular basis when assessing Planning Applications and Development Plans.

Council also adopted an East Gippsland Environmental Sustainability Strategy (2013 – 2017) that included in its priorities and actions a range of planning and land use actions.

Council also adopted a set of Roadside Vegetation Management guidelines in 2012 that are now used in the assessment of all roadside vegetation removal planning permit requests.

As a subscriber to the Infrastructure Design Manual, Council also applies the guidelines of the recently added Sustainability Guidelines chapter to assessment of subdivisions and planning applications.

Council has also undertaken a range of climate adaptation projects including the development of an adaptation response for a pilot area in Paynesville; development of guidelines to assist Council’s own infrastructure planning, and commencing adaptation and growth planning for lakes Entrance.

4.5 Social Planning

East Gippsland Shire Council was one of the first councils’ in Victoria to develop a Social Impact Assessment Strategy and Guidelines. These Guidelines were incorporated into the planning scheme in 2013 (Amendment C117). The objective of these Social Impact Assessment guidelines is to ensure that social considerations are an integral part of any proposed development, significant change in policy and/or infrastructure development. These guidelines assist applicants, the community and Council to identify and address the potential positive and negative social impacts of such developments and changes.
4.6 Settlement Based Planning Scheme Amendments

Lakes Entrance

Lakes Entrance Northern Growth Area Outline Development Plan (October 2013)

Amendment C112 PART1 was implemented into the planning scheme in August 2014. The amendment updated the MSS in relation to the growth area identified for the township of Lakes Entrance. In doing so a significant section of land was rezoned from Farming Zone 3 to General Residential Zone 1. The amendment also made corrections to land which was not zoned correctly which was in public ownership.

The amendment included the land with a development plan overlay. The development plan overlay requires an integrated and coordinated approach to residential growth within the precinct which has regard for the total 31 land owners.

The amendment represents the incorporation of a first development contributions plan overlay (DCPO) for the Municipality. The DCPO is primarily addressing the issue of storm water drainage on a whole of precinct approach. The DCPO also results in the implementation of a residential development levy, a drainage levy and a community infrastructure levy.

Lakes Entrance Police Station – Planning Scheme Amendment C124

Amendment C124 rezones the former police residence in Roadknight street, Lakes Entrance from Public Use Zone 7 to the General Residential Zone 1. The purpose of the amendment was to facilitate the sale of the former police residential for private residential use.

Bairnsdale

Bairnsdale Growth Strategy – C127

The amendment introduces and gives effect to recommendations of the Bairnsdale Growth Strategy (November 2009), Reimaging Bairnsdale Master Plan, Volumes 1 and 2 (May 2103) and the Walking and Wayfinding in the Bairnsdale SBD Report (May 2011).

The amendment made updates to the MSS at the township statements and includes the above documents as reference documents.

The amendment made updates to the MSS in relation settlement, environmental, heritage, housing, economic development and transpots strategies for the Bairnsdale township. The amendment has resulted in significant improvement projects to streetscapes and upgrades to parking areas.

East Bairnsdale – Lucknow Precinct Structure Plan – C135

The amendment implements the East Bairnsdale – Lucknow Precinct Structure Plan, November 2013 in the scheme by updating the MSS and including a local planning 22.0 and made a series of corrections to mapping.

Helipad Bairnsdale Hospital – GC49

The amendment applies a Design & Development Overlay to the flight paths of Helicopter Emergency Medical Services (HEMs) at helipads at 12 Victorian locations, including Bairnsdale.
Paynesville
Mapping Correction – Paynesville Constructed Waterways – C111
The amendment made a correction to mapping with reference to public land which was incorrectly included within the General Residential 1 zone and the Mixed-Use Zone, converting the zone to Public Park and Recreation Zone.

Paynesville Town Centre – C133
The amendment implements the Paynesville Town Centre Structure Plan into the local planning policy into the scheme by amending the MSS township strategies.

Rural Land
Improvements to Rural Zones Schedules – C100The outcome of the amendment was to revise the Schedules to the rural zones to set the maximum areas for which no permit is required for alteration or extension of a dwelling and ancillary buildings within the Farming Zone and the Rural Living Zone.

Stockman Base Metals Project – Benambra – C130
The amendment inserts a new incorporated document titled the Stockman Base Metals Project, April 2016 into the scheme and introduces specific site controls and exempt use and development associated with the project from the need for a planning permit. The changes to the scheme include amending schedule to clause 53.01 and the schedule to clause 81.01.

Omeo & Glen Wills
Rezone – Omeo – C106
The amendment rezoned land at Day Avenue and Creek Street Omeo from Residential 1 Zone to Business Zone 1. The amendment also rezoned land in Day Avenue from Residential 1 Zone to Public Park and Recreation Zone.

Update Mapping for Glen Wills Estate – C116 (&Newlands Arm)
The amendment updated the Glen Wills Restructure Plan as a schedule to clause 81.01, rezoned land to Farming Zone and removed the Restructure Overlay from land at Newlands Arm.

Lindenow
Private Planning Scheme Amendment Rezone Lindenow – C101
The amendment rezoned land from Farming Zone to Township Zone.

Orbost & Corringle
Special Use Zone – Gas Plant Corringle – C120
The amendment rezones land to special use to allow the extension of the Gas Plant.

Private Planning Scheme Rezone Orbost – C136
The amendment rezoned land on the periphery of Orbost township from Farming Zone to Rural Living Zone with a section 96 application to issue a planning permit for a rural residential subdivision. The amendment introduces an additional schedule to the Rural Living Zone,
Schedule 5 which incorporates new density provisions for subdivision and development of dwellings.

**Twin Rivers**

**Twin Rivers Land Use Study – C121**

The amendment resulted in the implementation of the Twin Rivers Land Study into the scheme. The amendment made updates to the MSS at the township strategies for Nicholson, Johnsonville and Swan Reach. The amendment rezoned land in Nicholson for future township growth. The amendment introduced a new development plan overlay schedule at Schedule 9.

**5. State Significant Amendments**

**5.1 Patricia Baleen Gas Plant, Corringle – Amendment C120**

Amendment C120, gazetted on 13 November 2014. Working with the then Department of Planning and Community Development this Amendment allows for the conditional ongoing use and development of the gas plant removing the need for further planning permits.

The Amendment rezoned the land to a Special Use Zone, introducing a site-specific schedule and Incorporated Document to guide both approvals and development in the absence of requiring a planning permit. The rezoning enabled the transition from processing gas from the existing to new gas fields to ensure the ongoing viability of the facility.

During 2016 and 2017 Council facilitated the approval of a development plan and an environmental management plan as part of the implementation of the Special Use Zone approvals process.

Council also participated in associated process such the Works Approval as part of the EPA planning processes and the pipelines requirements.

Council continues to work in partnership with the land owner and operator of the Gas Plant to ensure that the development and use continue. Mechanisms such as Construction Management Plans and execution of section 173 legal agreements assist with the successful approval process.

**6. Failed Planning Scheme Amendments**

Amendment C115 was prepared to address land within and adjoining the Gippsland Lakes, notably the Boole Poole peninsula. The purpose of the amendment was to introduce water access provisions for land in the Rural Conservation Zone to enable applications for dwellings, which would otherwise be prohibited, to be considered.

A Panel Hearing was not required following the withdrawal of the opposing Submission from the CFA. Council adopted the Planning Scheme Amendment.

Upon submission to the Minister for Planning for final approval, the Minister for Planning Refused to approve the planning scheme amendment.
The Minister considered that the intent of the amendment was to circumvent State policy and the existing zone requirements that require all weather road access for emergency vehicles for new dwellings.

Ongoing work is continuing to restructure and reformat the planning scheme amendment to overcome the current impediment for a Planning Permit Application to be made requesting the development and use of land within the Rural Conservation Zone for the purposes of a single dwelling for land which is reliant primarily upon water access.

7. Review of Panel Reports & VCAT Decisions

7.1 Panel Reports

Within the period of review there have been 6 written Panel Reports received by Council from a total of 25 amendments that could have triggered a Planning Panel. In only one of these Planning Panel reports (C101) did the recommendations differ from the original officer recommendation. In all other instances, the Panel report made only minor modification recommendations, with the amendment going on to being adopted by Council.

The fact that so few planning scheme amendments end up at Planning Panel hearings is testament to the effort that officers put into working with land owners and affected parties both prior to and during planning scheme amendment exhibition periods. Officers also work with submitters to resolve their issues wherever possible, with referral to a planning panel being considered a ‘last resort’ where a mutually agreeable outcome cannot be mediated.

The table below details these Planning Panels and some of the key recommendations coming from them.

<table>
<thead>
<tr>
<th>Number</th>
<th>Place</th>
<th>Year</th>
<th>Council Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>C101</td>
<td>Lindenow</td>
<td>2014</td>
<td>Adopted</td>
</tr>
<tr>
<td>C112 PART 1</td>
<td>Lakes Entrance</td>
<td>2014</td>
<td>Adopted in part</td>
</tr>
<tr>
<td>C130 Stockman Mine – EES Inquiry and Advisory Committee</td>
<td>Benambra (Stockman Mine)</td>
<td>2014</td>
<td>Minister for Planning Approval</td>
</tr>
<tr>
<td>C121</td>
<td>Twin Rivers</td>
<td>2016</td>
<td>Adopted</td>
</tr>
<tr>
<td>C126</td>
<td>Orbost</td>
<td>2017</td>
<td>Adopted</td>
</tr>
<tr>
<td>C128</td>
<td>Restrictive Covenant Eagle Point</td>
<td>2017</td>
<td>Adopted</td>
</tr>
</tbody>
</table>
7.2 VCAT Decisions

A total of 21 planning permit applications matters have been the subject of determinations of the Victorian Civil & Administrative Tribunal (VCAT) throughout the review period.

![Number of Cases graph]

Of these VCAT cases over the past three years most have been upheld: 2014-2015 – 50% of cases upheld; 2015-2016 – 30% of cases upheld; 2016-2017 – 50% of cases upheld. Where the decision is marked as not upholding the Council case, these are often in fact only minor changes to the planning conditions to be included on a permit – with these conditions often proposed by Council during the case hearing.

Given that Council processes over 500 planning permits per annum, the fact that so few go to VCAT for resolution (21 over a five-year period) is testament to the manner in which officer’s process applications and liaise with applicants during the process.

8. State Strategic Context

8.1 Gippsland Regional Growth Plan

East Gippsland Shire Council participated actively in the preparation of the Gippsland Regional Growth Plan, with the plan also adopted by Council. The Gippsland Regional Growth Plan covers the municipalities of Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington.

The plan (formerly known as the Gippsland Integrated Land Use Plan) provides broad direction for regional land use and development as well as detailed planning frameworks for key regional centres. Amendment VC106 changes the Victoria Planning Provisions and all planning schemes by inserting clauses 11.06 - 11.13 into the State Planning Policy Framework. These clauses set out the objectives and strategies of Victoria’s eight regional growth plans. The Minister for Planning launched the Gippsland Regional Growth Plan on 15 May 2014.
8.2 Native Vegetation Regulations Reform

A Submission was lodged with the State in relation to proposed amendment to the Review of the Native Vegetation Clearing Regulations in March 2017.

Council’s position overall was to provide support for the proposed improvements and implementation program. It is considered essential that the implementation of the reforms is premised upon the preparation and drafting of additional guidelines and practice notes.

Council embraces a co-regulatory approach, which is considered essential given limited resources within the local government sector, however stresses the expectation that DELWP resources its obligations sufficiently so there are not unreasonable delays in the provision of information, mapping and plans.

A compliance approach rather than emphasis on enforcement is supported. Concentrating on behaviours and education, premised upon a risk based approach is sound, practical and logical.

Our key themes contained in a response are as following and relate to; significant resourcing issues, the need for an increased level of guidelines and practice notes concentrating on a series of topics such as exemptions and enforcement; a partnership approach between Agencies, importance of good relationships and reinforcement of principles relating to biodiversity within a sound strategic planning framework.

The reduction in regional and local support at the local level of DELWP is having an impact on daily operations and discussions on matters at the local government level.

8.3 Bushfire Management Overlay Reform

Develop and introduce schedules to the Bushfire Management Overlay for strategically identified towns. This was completed and implemented through Am GC13 gazetted on 3 October 2017 in partnership with the Department of Environment, Water, Land and Planning and the CFA.

8.4 Animal Industries Discussion Paper

Two Submission have been prepared in relation to proposed reform packages relating to animal industries.

East Gippsland Shire Council made a submission to the AIAC in February 2016. The Animal Industries Advisory Committee and Council’s submission to the Committee addressed issues at a policy setting level. The current feedback being sought is in relation to technical detail and deals with the mechanics of the operation of the Victoria Planning Provision controls.
8.5 SmartPlanning Reform Program

The State government is currently undertaking a substantial reform of the Victoria Planning Provisions under the Smart Planning – improve reform and transform project.

The Smart Planning Program being undertaken by the Department of Environment, Land, Water and Planning is implementing a significant reform of the Victoria Planning Provisions, the first review process to fund reforms in 20 years.

The reform program is still in the information gathering and consultative stages of development with details of change to be finalized and released in early 2018 and gazetted in mid-2018.

Changes to the policy framework is of particular concern and has formed part of the Council's submission to the consultation for the Program. Council’s submission supported the drive to reform the VPP to improve legibility, remove unnecessary complexity and ensuring planning schemes support appropriate growth and development. However, it was strongly put that local policy content should not be diluted and local decisions need to be informed by local policy that recognises and supports local diversity, characteristics and needs.

Council’s submission raised concern with the timelines of the Program and an inherent expectation that Councils will review their schemes and implement changes to align with the VPP restructure within a tight timeframe. In response to the unknown quantum of change which will be triggered by the reform the current review of the East Gippsland Planning Scheme review has been limited in scope and expenditure of resources.

The integrated planning policy framework proposes to merge the State Planning Policy Framework and the Local Planning Policy Framework into a single policy source called the Planning Policy Framework with three levels of policy: State, regional and local. The three levels of policy would be grouped by theme with directly relevant regional and local policies sitting under the corresponding State policy.

It is envisaged that the Municipal Strategic Statement (MSS) be simplified through this review process with:

- a new municipal context and vision that will provide a concise description of the municipality and overview of Council’s strategic planning direction; and
- any remaining MSS content such as appropriate remaining objectives and strategies be reviewed and integrated into the new Planning Policy Framework in the local planning policy layer.

9. Discussion Papers & Advisory Committees

Planning Scheme Amendment C112 – Shepparton Planning Scheme

Council participated in a planning scheme amendment proposed by the Shepparton Shire Council by providing a written submission of support to the planning scheme amendment which proposed to introduce the Infrastructure Design Manual (IDM) into the Shepparton Planning Scheme.

The participation of multiple Councils in the planning scheme amendment resulted in the conversion of the Planning Panel process into an Advisory Committee. Council attended and
made a submission to the Advisory Committee. Following the hearings associated with the Advisory Committee, East Gippsland Shire were invited to meet again with the Panel Chair and Deputy Chair to discuss further methods for the successful integration of the manual into planning scheme at the state level.

Amendment C125 proposes to introduce the Infrastructure Design Manual (IDM) into the East Gippsland Planning Scheme. The IDM is a joint initiative of rural and regional Councils and has formulated a set of consistent standards and guidelines for the design and development of infrastructure such as roads and drainage.

The City of Greater Shepparton was the inaugural Council to pursue a planning scheme amendment to introduce the IDM into the Greater Shepparton Planning Scheme for which the Minister for Planning appointed an Advisory Committee to investigate various issues associated with the broader implementation of the IDM within Victoria.

East Gippsland Shire have been an active participant in the development of the IDM and made submissions to the Advisory Committee. While Council adopted the IDM at its meeting of 3 June 2014 and resolved to seek authorisation to prepare a planning scheme amendment to introduce the IDM into the East Gippsland Planning Scheme as a reference document.

It was considered prudent to delay an East Gippsland Planning Scheme amendment until the findings of the Advisory Committee were known. The Advisory Committee findings provide an efficient forum for addressing general issues and concerns and inform the East Gippsland planning scheme amendment process. The Advisory Committee panel was satisfied that the IDM is a useful resource that warrants recognition in the Greater Shepparton Planning Scheme and potentially in other rural and regional planning scheme thus paving the way for the East Gippsland Am C125 to proceed.

10. Council Plan 2017-2021

East Gippsland Shire Council’s 2017-2021 Council Plan was unanimously adopted by Council on 27 June 2017. The Council Plan was developed with a focus on what council wants for East Gippsland now and in the future. The Plan is based on a framework of goals, objectives and strategies, which build on the strengths and attributes that make East Gippsland Australia’s most liveable region now and for future generations. It also provides a foundation for anyone with an interest in the region’s future to work towards common goals.

All work undertaken by individuals, teams and the executive of East Gippsland Shire Council is aimed at achieving one or more of the objectives outlined in the Council Plan.

The Plan drew on past and specific community engagement and reflects the vision for East Gippsland. The Council Plan has specific goals, strategies and actions related to strategic plan use planning, with one of the goals being: Sustainable planning and growth supports thriving townships, while maintaining our commitment to sustainability and protecting our natural environment.

Review of the Municipal Strategic Statement was also identified as a major initiative within the Council Plan for 2017/18. This review report satisfies that Council direction.
11. Municipal Health & Well Being Plan

The Victorian Government requires all councils to develop a four-year Municipal Public Health and Wellbeing Plan under the legislation described in the Victorian Public Health and Wellbeing Act (2008). Each new four-year plan must be developed within the 12 months after the election of a new Council.

East Gippsland’s Health and Wellbeing Plan titled Well Placed for Wellbeing provides a platform for Council, service providers and communities to improve the health and wellbeing of people across East Gippsland. The Plan was developed in collaboration with a range of agencies that provide health and wellbeing related services to communities across East Gippsland. The Plan reflects the diverse and combined views of these agencies. The Plan has also been through a public comment period during which time further comments on the plan were received and the plan has been modified to reflect the suggested changes where appropriate.

The Plan provides a high-level strategic direction, at this stage and does not describe specific actions or responsibilities for individual agencies. It does however identify the mechanisms by which the multiple agencies and groups working on aspects of health and wellbeing will develop a collective action plan and measures for the next four years.

Given East Gippsland’s size, demographic spread, and diversity coupled with the fact that not all agencies deliver services to all of East Gippsland, the plan acknowledges and sets out a process for the action plan to have both place-based initiatives and whole of shire initiatives. The development of the action plans to support the implementation of Well Placed for Wellbeing will happen as a collaborative process over the next six months and will be supported with regular review processes.

Well Placed for Wellbeing is a key strategic document for Council and a range of other agencies, that will define priorities and work-focus for the next four years to promote and protect the health and wellbeing of all East Gippslanders. The Plan was adopted by Council in October 2017.

Whilst not specifically a land use planning document or part of the Planning Scheme, Well Placed for Well Being assist in the formation of strategies and perspectives that at times guide planning decisions.

12. Community and District Plans

Community Plans were first developed in East Gippsland in 2009, with there now being 11 adopted Community Plans for areas within the Shire including: Bemm River; Omeo and District; Buchan and District; Twin Rivers District; Paynesville and District; Mountain Rivers District; Orbost and District; Bruthen and District; Metung/Nungurner District; Nowa Nowa District; and Lindenow and District.

Given their size and complexity Community Plans were not developed for either Bairnsdale or Lakes Entrance. At present, there are no Community Plans covering the Lake Tyers Beach; Mallacoota; and Cann River areas.

During 2016/17, 303 actions were undertaken to implement aspects of the 11 adopted Community Plans. This reflected $8.72million of Council investment (no $ value was placed on actions
undertaken using Council Officer time only). A range of these actions addressed land use planning matters and guided planning scheme amendment priorities for Council.

As well as working with the community to implement specific actions within a Community Plan, the plan is also a strong advocacy tool.

With East Gippsland now having had Community Plans for five years, the success of the plans has been informally reviewed so that the organisation can continue to improve the way it plans with its local communities. Therefore, East Gippsland Shire has commenced a shift from Community Planning to Place Planning, recognising that this shift will enable East Gippsland Shire Council to develop a coordinated, place-based planning framework for multiple remote areas within the Shire. It will enable the diverse communities across East Gippsland to participate in decision making about how their community operates, the facilities and services they access and the way they work with Council and other agencies to plan now and into the future within their chosen Place.

13. Other Council Adopted Strategies

13.1 Paynesville Growth Area Structure Plan – Adopted August 2016

The purpose of the Paynesville Growth Area Structure Plan (PGASP) is to provide a set of desired outcomes, guidelines and requirements for future development of the growth area, based on principles of good urban design and sustainability.

The Paynesville Growth Area Structure Plan is a key element identified within the Municipal Strategic Statement at clause 21.12 which provides a solid foundation for the future direction of the township to be provided within a Structure Plan.

The Plan has provided strong commitment to landscape quality, the provision of good quality network of open space reserves, a higher order strategic justification to provide a well-connected circuit of walkways and pathways to promote the benefits of wellbeing and passive recreational activities. The Plan provides a strong strategic connection in the value of the foreshore and wetlands for the existing and emerging residential precincts. The Plan a set of well-founded environmental and sustainable principles and objectives designed to guide the future growth of the urban precincts. The Plan places emphasis on the landscape quality and the values associated with the treed entry into the township.

The Urban Design Framework (2007) was prepared to guide development in many coastal townships within the municipality, including Paynesville over a period of 15 to 20 years. The UDFs identify a vision, objectives and strategies as a plan of action for long term implementation and outline a range of planning tools to guide the strategic development of the towns. One such further action is to prepare a Structure Plan for Paynesville.

The Paynesville and District Community Plan has been adopted by Council. Extensive community consolation was undertaken to draft this plan, which clearly articulates the need for detailed land use planning for Paynesville.

The Industrial Land Use Study which was partially funded by State Government is now complete and is instrumental reference document for this project. The outcomes of the Industrial Land Use Study have provided detailed for the specified emergency services and employment node.
13.2 Bairnsdale CBD Car Parking Strategy Parking Plan – Adopted

In 2015 Council prepared a Bairnsdale CBD Car Parking Strategy which was adopted by Council shortly thereafter. The strategy is comprised of three volumes; data analysis, parking plan and implementation plan.

The strategy takes a comprehensive look at parking in the Bairnsdale CBD in terms of supply, planning, enforcement, behaviour and infrastructure. Whilst the strategy concluded that there is not an undersupply of parking within the Bairnsdale CBD, it did provide a range of recommendations and actions within the implementation plan.

The implementation plan is revisited every 3 months and the various actions are being undertaken over time, subject to budget and council priorities. In terms of planning, the strategy recommended that Council undertake a planning scheme amendment to implement a Parking Overlay within the CBD. This amendment has been commenced (C129) and it is anticipated that the strategic justification and planning scheme amendment documentation will be ready to lodge for authorisation in the second half of 2018.

14. Other Council Adopted Policies

Development Plan Council Policy – Introduction 2017

Since the previous review, the Development Plan Overlay was introduced over land in the Lakes Entrance Northern Growth Area (C112) and Nicholson (C121). Since their introduction, Council have received eight development plan applications of which five have been approved and three are currently being processed.

Given the complex nature of the development plans and Council’s desire to consult with the community, Council officers have formulated a detailed process that is followed for each development plan approval request. An initial assessment is undertaken, additional information requested as required, a community consultation process is undertaken to receive feedback to assist Council in their decision making and the matter is placed before Council for a decision. This is a simplistic summary of a process which in fact takes at least 100 officer hours to achieve per application.

Whilst development plans are exempt from public notice as per the planning scheme regulations, Council have elected to involve the community through a community information process which seeks feedback over a period of 14 days. This feedback is then collated and presented to Council to inform their decision to approve or refuse the development plan. This process has been implemented for all of the development plan applications and it has proven invaluable to the decision-making process and to community satisfaction.

To assist applicants and educate our community about development plans and our process, in 2016 Council officers prepared a Development Plan Council Policy. This policy details what the overlay does, why we have it in our planning scheme, how Council processes development plans, the way in which Council will advise the community about development plans and assessment timeframes. This policy was adopted by Council in 2017 and has been well received by applicants and members of our community.
Coastal Inundation and Erosion Policy – Review and Update 2017

The Policy was reviewed by Council at the July 2017 meeting and adopted as Policy. The purpose of the Policy is to provide a consistent approach to the consideration of applications for land use and development in Gippsland Lakes townships whilst conforming to State Planning Policy which requires Council to plan for and manage the potential impacts of climate change.

Our community is concentrated in townships located along our coast which are predicted to be subjected to the impacts of coastal climate change into the future. Council has been proactively advocating for appropriate consideration to be given to the way that we plan for the impacts of coastal climate change in existing established townships this ensures that there is a planned rather than ad hoc approach to planning and importantly, enable the impacted community to participate in that process.

Community Engagement Policy – Review December 2017

Council has had a specific Community and Engagement Policy since 2011. The Policy was subject to a Council review in December 2017.

This Community Engagement Policy outlines and guides Council’s commitment to engaging with East Gippsland’s many communities and stakeholders using appropriate, effective and inclusive engagement practices.

Council is committed to engaging effectively with its community in a meaningful, accountable, responsive and equitable way. The policy outlines Council’s position, role and commitments to ensure community engagement is integrated into Council activities to support decision making, build relationships and strengthen communities.

The Policy also recognises Council’s desire to have a consistent approach to engagement which will support effective engagement throughout the organisation and assists Council to develop and encourage this consistency.

The Policy influences the manner in which engagement is undertaken in the strategic planning business unit. There have been many successful examples of meaningful and positive engagement throughout the review period.

More recent highlights include;

- Bairnsdale CBD Car Parking Strategy and Implementation Plan.
- Paynesville Growth Area Structure Plan.
- Multiple stages of Bairnsdale Streetscape Projects.
- Paynesville Foreshore Management Plan.
- Eagle Point Issues & Opportunities Paper and Consultation Paper.
- Consultation meetings Paynesville Maritime Precinct Master Plan; and
- A range of project work that links to the planning scheme and structure plan recommendations including streetscape improvements and urban foreshore improvements.
17. Review of Acts

17.1 Planning and Environment Act 1987

Council actively participated and advocated in the recent reform package in relation to update to the Planning and Environment Act during 2015/16 financial year. Council attended workshops, meetings and provided support to Municipal Association of Victoria (MAV) in their advocacy and formulation of positions with respect to key legislative changes.

17.2 Marine and Coastal Act Review 2016

A Submission was prepared by the East Gippsland Shire to provide a detailed submission to the Marine and Coastal Act Consultation Paper August 2016.

The potential initiatives flowing from the Marine and Coastal Act Consultation Paper are extensive and may result in significant implications for Council and other coastal municipalities. The timing of the consultation, together with the potential significance of future Victorian Government policy and legislative directions leads us to conclude that there will be a clear need for ongoing and more detailed engagement with the coastal municipalities as key participants in coastal management and planning across the Victorian Coast. It is considered that the success of this process from a Local Government perspective will ultimately be impacted unless Local Government decision makers can be engaged in the process effectively.

Council is currently Committee of Management (COM) for a significant areas of urbanised coastal Crown Land including foreshore land in the following locations Paynesville, Eagle Point, Raymond Island, Newlands Arm, Metung, Mosquito Point, Nungurner, Lakes Entrance, Lake Bunga, Lake Tyers Beach, Marlo, Bemm River, Gipsy Point and Mallacoota.

EGS is committed to the management of these places for the enjoyment of residents and visitors and to maintain and preserve the natural values. These places and spaces are key recreational, relaxation and reflection spaces in East Gippsland and frequently coastal reserves make the principal contribution to the urban amenity of our coastal towns. Foreshores are important to our communities and create a sense of place and character for our townships, settlements and places for both residents and visitors to the coast.

It is considered that there many of the challenges that are being and will be experienced into the future along the coast are a result of an underlying lack of resources and investment in coastal areas across the coast.
18. **Review Overlay Controls – Schedules & Mapping Updates**

18.1 **Review of Environmental Significance Overlay Schedule – Biosites Review**

This project is complex and has been ongoing for the review period. The project has been approached using a partnership model with the Department of Environment Land Water and Planning (Diversity Division). The aim is to update the mapping base and improve the planning controls relating to permit requirements, application requirements and decision guidelines.

The fundamental issue relates to the preparation of the mapping base and the need to continuously update with respect to habitat and conservation values.

The preparation of the mapping basis is dependent upon DELWP as the key authority responsible for the preparation and intellectual property associated with the information.

18.2 **Design and Development Overlays**

It has been 10 years since the implementation of the coastal Design & Development Overlays (Schedules 11, 12, 13 & 14). It has become very clear that the triggers within the DDO’s are not delivering the objectives. Furthermore, the schedules are extremely long, include a multitude of objectives and decision guidelines and yet only include a handful of confusing permit triggers.

There is also some question around the mapping and whether areas that cannot be viewed from the coast should be subject to a DDO. A good example of this is in DDO14 for Paynesville wherein the areas 3 (suburban) and 7 (town expansion) cover vast areas of Paynesville that are nowhere near the coastline and cannot be viewed from the coast.

The content of these DDO’s were borne out of the UDF’s that were prepared for all coastal settlements in East Gippsland in 2007. There was then a subsequent panel hearing (C68) which had the effect of ‘watering down’ the DDO’s to some degree and left us with controls that often trigger unnecessary permits for carports but are not delivering on the higher order design objectives.

Council officers are now in the process of preparing a planning scheme amendment (C145) to amend the schedules and associated mapping to reduce red tape and ensure that better planning outcomes are delivered. We anticipate that this amendment will be lodged seeking authorisation by mid-2018.
19. Processing of Development Plan Approvals

During the review period the following development plans have been considered and approved as part of the strategic approval of significant projects throughout the municipality.

19.1 Development Plan Approvals

<table>
<thead>
<tr>
<th>Schedule Number</th>
<th>Place</th>
<th>Number of Approvals</th>
<th>Year of Approvals</th>
<th>Current stage of development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule 7</td>
<td>Marlo Road, Marlo Development Plan Area Marlo</td>
<td>1</td>
<td>2016/2018 (pending)</td>
<td>5 stages of residential development. Total of 105 lots.</td>
</tr>
<tr>
<td>Schedule 8</td>
<td>Lakes Entrance Northern Growth Area Lakes Entrance</td>
<td>5 individual development plan approvals requested</td>
<td>2015 - date</td>
<td>5 land owners. Multiple lot subdivisions for residential purposes. Count the lots/hectares</td>
</tr>
<tr>
<td>Schedule 9</td>
<td>100 Sarsfield Nicholson Road Nicholson</td>
<td>1</td>
<td>2017</td>
<td>4 stages. 76 lots for township promises.</td>
</tr>
</tbody>
</table>
20. Current Strategic Work Plan

20.1 Public Open Space Strategy

A current piece of strategic planning work being undertaken is the preparation of Public Open Space Strategy for Council.

The Public Open Space Strategy will provide a strategic and long-term framework for the provision, characteristics and standards for public open space in East Gippsland Shire. By having a framework in place, Council can effectively manage and service existing public open space whilst guiding future development to adequately reduce current or projected supply shortfalls, if applicable. The end point will be a fiscally responsible approach to public open space network which is incorporated into the Municipal Strategic Statement and used as a daily decision-making tool.

20.2 Master Plans and Streetscape Plans

The following Master Plans and streetscape plans have been prepared and partially implemented during the review period. Four of these plans have been incorporated into the Planning Scheme as reference documents. The relationship between the plans and physical works on the ground / improvements is very clear, with the plans facilitating over $5million of public investment in the implementation of these plans to date.

- Re-Imaging Bairnsdale Master Plan (May 2013).
- Review of Marlo Master Plan (Coastal Towns Design Framework).
- Orbost CBD
- Lakes Entrance CBD.
- Paynesville CBD and Gilsenan Reserve.
- Bullock Island Master Plan

20.3 Rural Land Use Strategy

The Rural Land Use Strategy (RLUS) is a work in progress and will be the first of its kind for East Gippsland and will build on work undertaken as part of the Gippsland Regional Growth Plan, which recognises key agriculture and forestry land and the need to support primary production for domestic and export markets.

The Municipal Strategic Statement within the East Gippsland Planning Scheme recognises the importance of primary production to the local economy. It notes the need to support efficient primary production and protect the sustainable productivity of soils in East Gippsland.

The study area for the project is defined by the municipal boundaries of East Gippsland Shire. The RLUS will focus on the rural suite of zones. The interface areas between urban and rural zones need to be considered within this scope. Whilst the project scope covers private rural land - public land will also need to be considered to the extent that it may impact, or be impacted by, use and development on private rural land.
The Gippsland Regional Growth Plan Background Paper (September 2013) has identified that competition for primary production land by non-producers could become a significant issue in parts of East Gippsland. The situation could be accentuated by the prevalence of small rural lots across the municipality. These small lots would form a barrier to optimal primary production if they all carried a presumed or actual right to a dwelling.

The purpose of the project is to prepare a Rural Land Use Strategy for East Gippsland which:

- Provides strategic direction and long term planning for rural land use and development.
- Promotes appropriate, innovative and sustainable economic development of rural land.
- Provides clarity and simplification of the planning processes to guide and enable future development in rural areas for landowners and the broader community.
- Provides a decision making tool that assists both: East Gippsland Shire to determine planning applications; and land owners to make the optimal use of rural land.
- Aligns with and informs other Council strategies, Local and State Planning Policy.
- Is dynamic enough to respond to both current and future needs and conditions.
- Identifies any necessary changes to statutory instruments required to fulfil the objectives of the plan.

The objectives of the RLUS are:

- To provide greater clarity for decision making in rural areas.
- To recognise the changing context of rural land use including future and potential opportunities and threats.
- To emphasise the facilitation of development of rural land.
- To provide consistency with current economic development strategies and community plans.
- To deliver a triple bottom line approach (responding to social, economic and environmental issues).

21. Council Further Strategic Work – Summary of Priorities

The further strategic work identified for Council is summarized in Appendix 3.

It will be necessary to update the Scheme to reflect the changes at state level to the planning policy framework.

The key policy gaps and priorities as identified and are summarized thematically.

The need to update and comprehensive review the local planning policy framework upon the implementation of Smart Planning reform package, to include review of updated 2016 census data and rearrangement of current content accordingly.

These priorities will be discussed regularly with Council using a quarterly workshop as the mechanism.
<table>
<thead>
<tr>
<th>Project</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Update general content of the MSS</td>
<td>high</td>
</tr>
<tr>
<td>Implement existing strategies and policies</td>
<td>high</td>
</tr>
<tr>
<td>Rural Land Use Strategy</td>
<td>medium</td>
</tr>
<tr>
<td>Complete and Implement Eagle Point Structure Plan</td>
<td>high</td>
</tr>
<tr>
<td>Implement Paynesville Growth Area Structure Plan</td>
<td>high</td>
</tr>
<tr>
<td>Implement Paynesville Employment and Emergency Services Precinct</td>
<td>high</td>
</tr>
<tr>
<td>Planning Scheme Amendment C126 – Implementation of the Paynesville Maritime Precinct Paynesville</td>
<td>high</td>
</tr>
<tr>
<td>Progress Tambo Bluff Update to mapping and restructure plan</td>
<td>high</td>
</tr>
<tr>
<td>Progress Corrections Amendment</td>
<td>high</td>
</tr>
<tr>
<td>Progress Lakes Entrance Industrial Precinct</td>
<td>medium</td>
</tr>
<tr>
<td>Progress implementation of a Low Density Residential Zone Policy</td>
<td>medium</td>
</tr>
<tr>
<td>Progress preparation of a Low-Density Structure Plan for Wy Yung settlement</td>
<td>medium</td>
</tr>
<tr>
<td>Apply Environmental Significance Overlay buffers for East Gippsland Water infrastructure</td>
<td>high</td>
</tr>
<tr>
<td>Apply the Environmental Significance Overlay buffer for Council’s operating landfills.</td>
<td>high</td>
</tr>
<tr>
<td>Review Design and Development Overlays and Schedules</td>
<td>medium</td>
</tr>
<tr>
<td>Implement the Bairnsdale CBD Parking Strategy into the Scheme</td>
<td>high</td>
</tr>
<tr>
<td>Advance Private Planning Scheme Amendments which align with state and local planning policy on a case by case basis</td>
<td>high</td>
</tr>
<tr>
<td>Advance Planning Scheme Amendment C119 Update Flooding Levels for Gippsland Lakes</td>
<td>low</td>
</tr>
</tbody>
</table>
21.1 Regular review and workshopping of priorities

Whilst Council is regularly briefed on specific strategic land-use planning matters, the review highlighted an opportunity to regularly workshop the entire strategic land-use planning program with Council. It is therefore recommended that at least quarterly workshops are held between Councillors and relevant officers with an emphasis on:

- Status of the strategic land-use planning work program (review of priorities, progress and scheduling);
- Planning matters emerging from the Victorian government (Smart Planning, new policy, discussion papers etc.);
- Local trends and needs (identification of any changes in development pattern, land release requirements etc.); and
- Hot issues / matters likely to come before Council.

22. Conclusion

The review outlines that council has been very active in continually updating the planning scheme, removing unnecessary red tape and improving the overall efficiency of the planning scheme. The Review Report:

- Identifies the major planning issues and current drivers for change and recommends how council should respond to these drivers.
- Provides a summary of the work that has been undertaken to update to update the planning scheme over the past four-year period, including identifying that council has undertaken 25 Planning Scheme Amendments.
- Outlines and describes the five key Strategies which have been implemented into the planning scheme during the review period.
- Outlines the key mapping updates to Overlay planning controls; including the Erosion Management mapping and the unsuccessful Land Subject to Inundation Overlay mapping.
- Describes the State significant planning scheme amendments undertaken – including that approval of the amended planning controls for the Patricia Baleen Gas Plant.
- Reports on significant planning scheme amendments which facilitate new residential growth including the Lakes Entrance Northern Growth Area, Nicholson, Lucknow and others.
- Provides a summary of Panel Reports received through that period (six in total from the 25 Planning Scheme Amendments), which indicates that in a majority of cases the outcomes have reached a consensus and do not require referral to Planning Panels.
- Provides a review of the Planning Permit Application which have been determined by the Victorian Civil and Administrative Tribunal. The table describes the key outcomes and the Council resolution in relation to the matter.
- Identifies where council has been able to remove Red Tape which had previously caused unnecessary delays and expense.
- Identified council’s advocacy effort on planning matters being led by the Victorian government, including council’s submissions on a range of Discussion Papers and Policy changes in which Council has actively advocated a position.
• Identified where council has developed new Council Policy relating to consideration of Development Plan Overlay Requests has been highlighted as part of the achievements. The Policy results in clear processes and embeds a commitment to community consultation as part of the strategic work.

• The number of site specific amendments and approvals are documented.

• A final section of the Review outlines the further strategic work, together with a summary of priorities at Appendix 3 of the Review document. This work will be discussed with Council in a workshop setting on an at-least quarterly basis and sets the future work plan for Council’s strategic planners.

23. Recommendations

Based on the review process and findings, a series of specific recommendations are made that will assist to further improve the East Gippsland Planning Scheme. These recommendations are as follows.

1. Council does not undertake any wholesale or comprehensive update of the Municipal Strategic Statement until such time as stage 2 of the SmartPlanning Report package in announced and details relating to specific formatting are known.

2. Council continues to implement key adopted Strategies on a case by case basis and in doing so periodically update the relevant sections of the Municipal Strategic Statement be updated and improved as required.

3. That Council continues to consolidate and progressively implement adopted Council Strategies and Council Policies into the Planning Scheme in a timely and efficient manner.

4. That Council continues to update and improve the Scheme on a place based basis aligning with Council’s service delivery model.

5. That Council continues to actively participate and influence state led planning reform via the SmartPlanning Reform package.


7. That Council continues to participate in Discussion Paper process and Advisory Committees as the opportunities arise.

8. That Council continues to facilitate Private Planning Scheme Amendments and Development Plan approvals as the opportunities arise which are appropriate and align with state and local planning frameworks.

9. That Council holds dedicated discussions of the Planning scheme and Strategic Planning work and focus on an at least quarterly basis/ hold points/ guides Council advocacy work going forward

These recommendations will be implemented based on resources available and the priority allocated to them as part of the regular workshopping of Strategic Land Use Planning matters with Council.
## Appendix 1: Summary of the progress on previous review recommendations

<table>
<thead>
<tr>
<th>Recommendation 1</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>That the scheme provisions are reviewed in more detail to ensure that past changes in the State Planning Policy Framework are properly translated throughout the Scheme to provide adequate guidance for planning decisions</td>
<td><strong>Response/Action</strong> Planning Scheme Amendment C113 adopted by Council in 2012 and gazette in 2013 addressed this recommendation. The amendment revised the East Gippsland Planning Scheme to implement a policy-neutral redrafting of the format, structure and wording of the Municipal Strategic Statement (MSS). The amendment streamlined the Local Planning Policy Framework which implements actions in the Cutting Red Tape in Planning report; Action 7 – removing unnecessary matters and Action 10 – make local planning policy stronger. The amendment introduced a number of benefits including: clearer headings; concise statements and strategies that are linked to their objectives; the removal of repetition and dated content; the introduction of a numbering system to facilitate readability of the document; and an update of the municipal overview, issues and influences.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation 2</th>
<th></th>
</tr>
</thead>
</table>
| That the descriptive background information in Clause 21.02 is updated to reflect data from more up-to-date sources. | **Response/Action** As per Recommendation 1 this recommendation was implemented via Planning Scheme Amendment C113 which updated and concisely summarized the background sections to improve readability and relevancy. The local policies were also in the most part removed from the Planning Scheme and replaced with the revised MSS statements and objectives.

Learning: Whilst this improved readability and the length of the document it also removed certainty and it is now part of the current review and planned work to re-introduce local policies as required. |

<table>
<thead>
<tr>
<th>Recommendation 3</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>That Clauses 21.03, 21.04 and 21.05 are revised to reflect the ‘Long Term Community Vision’ and various strategies adopted by Council since the adoption of the Scheme, with specific emphasis on the land use and development applications of these strategies.</td>
<td><strong>Response/Action</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation 4</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>That the recommendations of the expert review of local policy provisions are implemented through a policy-neutral amendment under Section 20(4) of the Act, ensuring that the policy directions are retained within the revised MSS.</td>
<td><strong>Response/Action</strong> Planning Scheme Amendment C113 adopted by Council in 2012 and gazette in 2013 addressed this recommendation. The amendment revised the East Gippsland Planning Scheme to implement</td>
</tr>
</tbody>
</table>
a policy neutral redrafting of the format, structure and wording of the Municipal Strategic Statement (MSS).

**Recommendation 5**

That the Shire pursues an amendment to remove the current Erosion Management Overlay on the basis of cutting red tape and requests the DPCD regional office to support a request for Ministerial exemption under Section 20 of the Act.

**Response/Action**

Council adopted a revised Erosion Management Overlay schedule C99 which was gazette in 2012. This Planning Scheme Amendment reduced the burden on land owners to obtain a planning permit when the building permit also requires compliance with good erosion control practices and standards. The exemptions reduced the number of planning permit applications by approximately 120 annually, reducing red tape and unnecessary applications. This provided a direct benefit to home-builders and frees up Council resources for the assessment of more important and complex planning permit applications.

**Recommendation 6**

That, as part of the Planning Scheme improvement process undertaken by Council, an assessment of development outcomes across a range of development types is undertaken to identify opportunities for improvement in the design and performance of development in the Shire.

**Response/Action**

Process improvement introduced. When developing new policies and strategies that will influence the planning scheme, officers are now required to ‘test’ these changes against past planning permits issued, to determine if the proposed new policy would alter the outcome.

C133 gazetted in 2017 introduced design guidelines for the Paynesville Town Centre into the planning scheme. This will allow planning application consideration of the aesthetics and suitability of the built-form of the proposed development as part of the approval process.

Design outcomes have also been factored into the adopted Structure Plans for Paynesville Growth Area, and East Bairnsdale and are included in the Structure Plan currently being prepared for Eagle Point.

**Recommendation 7**

That the Shire operation of the Shire’s Statutory Planning unit continues to be monitored and improved in accordance with the recommendations of the review carried out in 2007.

**Response/Action**

**Recommendation 8**

That the outcomes of strategic planning work undertaken since the adoption of the Planning Scheme be translated for inclusion in the Local Planning Policy Framework.

**Response/Action**

**Recommendation 9**
That a stakeholder engagement and communication plan is developed for the Planning Scheme Improvement Project to ensure that the views of stakeholders are taken into account in any Planning Scheme improvement initiatives.

Response/Action
## Appendix 2: Summary of the Completed Planning Scheme Amendments during the period

<table>
<thead>
<tr>
<th>Reference</th>
<th>Location</th>
<th>Description</th>
<th>Date of Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>C107</td>
<td>Shire wide</td>
<td>Corrected clerical and mapping errors in Scheme.</td>
<td>26/4/2013</td>
</tr>
<tr>
<td>C106</td>
<td>Omeo</td>
<td>Rezoned Residential 1 Zoned land to Business 1 Zone and rezoned land from Residential 1 Zone to Public Park and Recreation Zone</td>
<td>4/07/2013</td>
</tr>
<tr>
<td>C067</td>
<td>Mallacoota</td>
<td>Rezoned land at 66 Maurice Avenue, Mallacoota from Residential 1 Zone to Business 1 Zone.</td>
<td>04/07/2013</td>
</tr>
<tr>
<td>C087</td>
<td>Tambo Bluff</td>
<td>Amended and updated mapping at the Tambo Bluff Estate, Metung</td>
<td>17/10/2013</td>
</tr>
<tr>
<td>C111</td>
<td>Paynesville</td>
<td>Rezoned 3 parcels of land within the Paynesville Canal area from Residential 1 and Mixed Use Zoned land to Public Park and Recreation Zone.</td>
<td>28/11/2013</td>
</tr>
<tr>
<td>C100</td>
<td>Shire Wide</td>
<td>Amended schedules 1 to 4 to Rural Living Zone and schedules 1 to 4 to Farming Zone to set maximum areas for which no permit is required for alteration or extension of a dwelling and ancillary buildings, amended schedules 1 to 4 to Rural Living Zone to introduce minimum setback provisions from a road and from a dwelling not in same ownership and amended schedules 1 &amp; 2 to Rural Living Zone to revise minimum area required for a dwelling.</td>
<td>5/12/2013</td>
</tr>
<tr>
<td>C116</td>
<td>Glen Wills</td>
<td>Amended reference to the Glen Wills Restructure Plan 1995, updated 2013, (clause 81.01s), corrects mapping errors.</td>
<td>20/3/2014</td>
</tr>
<tr>
<td>C101</td>
<td>Lindenow</td>
<td>Rezoned land at 50 Main Road, Lindenow from Farming Zone (Schedule 1) to Township Zone to allow a small scale extension of the town.</td>
<td>10/4/2014</td>
</tr>
<tr>
<td>C118</td>
<td>Shire wide</td>
<td>The amendment replaced the existing Residential 1 Zone to the new General Residential Zone and corrected planning scheme map commercial zone annotations.</td>
<td>12/6/2014</td>
</tr>
<tr>
<td>Code</td>
<td>Location</td>
<td>Description</td>
<td>Date</td>
</tr>
<tr>
<td>------</td>
<td>----------</td>
<td>-------------</td>
<td>------</td>
</tr>
<tr>
<td>C117</td>
<td>Shire wide</td>
<td>Updated the Municipal Strategic Statement of the East Gippsland Planning Scheme to introduce new objectives, strategies and policy guidelines for the consideration of social impact assessment for new development and use proposals.</td>
<td>11/09/2014</td>
</tr>
<tr>
<td>C093</td>
<td>Shire wide</td>
<td>Corrected mapping errors identified within the Heritage Overlay and amended the Heritage Overlay schedule accordingly. Corrected mapping errors on land north of Mallacoota.</td>
<td>29/10/2014</td>
</tr>
<tr>
<td>C120</td>
<td>Orbost</td>
<td>Rezoned land at Corringle from the Farming Zone to Special Use Zone and introduced an incorporated document into the East Gippsland Planning Scheme. The amendment allows for the ongoing operation of the Patricia Baleen Gas Plant and facilitated the transition for processing gas from different gas fields.</td>
<td>13/11/2014</td>
</tr>
<tr>
<td>C108</td>
<td>Shire wide</td>
<td>Introduced new Erosion Management Overlay mapping based upon data provided by the former Department of Primary Industries.</td>
<td>11/12/2014</td>
</tr>
<tr>
<td>C123</td>
<td>Tambo Bluff</td>
<td>Made correctional changes to the Restructure Overlay map applying to the Tambo Bluff Estate, updated the schedule to the Restructure Overlay and schedule to clause 81.01 to refer to the updated Tambo Bluff Estate Restructure and Public Acquisition Overlays Structure Plan July 2014, amended clause 21.12 to make reference to the updated Tambo Bluff plan changes, and made correctional zone changes to planning scheme maps 15 and 23.</td>
<td>8/7/2015</td>
</tr>
<tr>
<td>C115</td>
<td>Boole Poole</td>
<td>Introduced an Incorporated Document to provide the ability for a planning permit to be considered for a dwelling which only has access via water. REFUSED</td>
<td>1/10/2015</td>
</tr>
<tr>
<td>C124</td>
<td>Lakes Entrance</td>
<td>Rezoned eastern portion of 5 Roadknight Road, Lakes Entrance, from Public use Zone 7 to General Residential Zone</td>
<td>3/12/2015</td>
</tr>
<tr>
<td>C121</td>
<td>Twin Rivers</td>
<td>Implemented the 'Twin Rivers Land Use Plan' and included the plan as a reference document to Clause 21.12</td>
<td>24/3/2016</td>
</tr>
<tr>
<td>C127</td>
<td>Bairnsdale</td>
<td>The amendment added three documents as reference documents into the Local Planning Policy Framework: Bairnsdale Growth Strategy (2009); Re-Imagining Bairnsdale</td>
<td>30/3/2016</td>
</tr>
<tr>
<td>Case</td>
<td>Location</td>
<td>Action Description</td>
<td>Date</td>
</tr>
<tr>
<td>------</td>
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</tr>
<tr>
<td>C132</td>
<td>Shire wide</td>
<td>Amended various provisions of the East Gippsland Planning Scheme to correct mapping anomalies and delete redundant controls</td>
<td>13/10/2016</td>
</tr>
<tr>
<td>C130</td>
<td>Benambra</td>
<td>Inserted a new incorporated document titled 'Stockman Base Metals Project Incorporated document April 2016' into the East Gippsland Planning Scheme and amended the Schedule to Clause 52.03 and the Schedule to Clause 81.01</td>
<td>11/05/2017</td>
</tr>
<tr>
<td>C133</td>
<td>Paynesville</td>
<td>Implemented the Paynesville Town Centre Structure Plan, September 2009 in the Local Planning Policy Framework of the East Gippsland Planning Scheme</td>
<td>1/6/2017</td>
</tr>
<tr>
<td>C135</td>
<td>Bairnsdale</td>
<td>Implemented the objectives of the East Bairnsdale-Lucknow Precinct Structure Plan, November 2013 into the scheme, amended the MSS to include the plan as a reference document, inserted local policy and rezoned land in accordance with the plan</td>
<td>16/6/2017</td>
</tr>
<tr>
<td>C136</td>
<td>Orbost</td>
<td>Rezoned land at Jarrahmond Road, Orbost from Farming Zone to Rural Living Zone and issued planning permit to subdivide land into 13 lots.</td>
<td>22/6/2017</td>
</tr>
<tr>
<td>C138</td>
<td>Tambo Bluff Newlands Arm Swifts Creek</td>
<td>The amendment corrected a zoning anomaly at 6892 Great Alpine Road, Swifts Creek; deleted the Restructure Overlay from land in Tambo Bluff and Newlands Arm in accordance with the revised incorporated documents 'Newlands Arm Estate Restructure Plan Version 7, March 2017' and 'Tambo Bluff Estate Restructure and Public Acquisition Overlays Structure Plan, March 2017', and amended Clause 21.12 Strategies for Sub-Regions, Towns and Localities, the Schedule 11 to Clause 43.02 Design and Development Overlay, the Schedule to Clause 45.05 Restructure Overlay and the Schedule to Clause 81.01 Incorporated documents by updating the titles of the revised incorporated documents.</td>
<td>12/10/2017</td>
</tr>
</tbody>
</table>
## Appendix 3: Proposed current and further strategic work

<table>
<thead>
<tr>
<th>Reference</th>
<th>Location</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>C128</td>
<td>Eagle Point</td>
<td>Amends restrictive covenants to legalise additional new dwellings that have been constructed as a result of lawful subdivisions. This amendment will enable vacant lots to be developed and legalise existing dwellings within the covenant area.</td>
<td>Lodged with the Minister for gazettal</td>
</tr>
<tr>
<td>C105</td>
<td>Shire wide</td>
<td>Corrects road zone anomalies across the municipality. This amendment will have the effect of reducing referrals and reducing red tape.</td>
<td>Lodged with the Minister for gazettal</td>
</tr>
<tr>
<td>C142</td>
<td>Lakes Entrance</td>
<td>Corrects zone of the land containing the Lakes Entrance Bowls Club from Public Park &amp; Recreation Zone to Commercial 1 Zone. This is a private planning scheme amendment that will ensure that the zone matches the long standing use of the land.</td>
<td>Lodged for authorization</td>
</tr>
<tr>
<td>C126</td>
<td>Paynesville</td>
<td>Implements the Paynesville Maritime Masterplan into the Planning Scheme and proposes to rezone land in Slip Road for the purposes of marine industry.</td>
<td>Exhibited. Council now needs to resolve whether to request an independent panel or abandon the amendment</td>
</tr>
<tr>
<td>C139</td>
<td>Tambo Bluff Newlands Arm</td>
<td>Amends the Tambo Bluff Restructure Plan to enable alternative lot layouts to occur on specific parcels. Applies missing controls and removes redundant controls. This amendment will assist the final restructure plan to be realized through consolidation and development of vacant land.</td>
<td>Council to resolve to lodge for authorization or abandon</td>
</tr>
<tr>
<td>Structure Plan</td>
<td>Eagle Point</td>
<td>Eagle Point Structure Plan seeks to plan and manage residential growth, ensure connectivity of roads, services, paths and protect the environmental and landscape qualities throughout Eagle Point</td>
<td>The draft structure plan has been exhibited. The final structure plan has been prepared and is due for exhibition early 2018.</td>
</tr>
<tr>
<td>C143</td>
<td>Lindenow</td>
<td>Rezones the front portion of the land to Township Zone to reflect the use and location of the land. This is a private planning scheme amendment which uses the natural escarpment to define the residential use from the farming uses.</td>
<td>Planning Scheme Amendment documents have been drafted.</td>
</tr>
<tr>
<td>C131</td>
<td>Paynesville</td>
<td>Implemnts the Paynesville Growth Area Structure Plan into the Planning Scheme and proposes to rezone land to allow for residential growth.</td>
<td>Council officers are currently negotiating with the five land owners. Next step will be to lodge for authorization</td>
</tr>
<tr>
<td>C141</td>
<td>Paynesville</td>
<td>This amendment proposes to rezone land to provide an employment and emergency services precinct for Paynesville. This</td>
<td>Council officers are currently preparing the</td>
</tr>
<tr>
<td>Location</td>
<td>Description</td>
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</tr>
<tr>
<td>rezoning will provide an alternative location to Slip Road for light industrial uses and is consistent with the recommendations of the Paynesville Growth Area Structure Plan.</td>
<td>planning scheme documentation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wy Yung</td>
<td>A Low Density Residential Zone Policy is proposed to manage and coordinate the subdivision of LDRZ land to ensure that adequate services and road connections are provided.</td>
<td>Planning Scheme Amendment documents are being drafted.</td>
<td></td>
</tr>
<tr>
<td>Wy Yung</td>
<td>Low Density Structure Plan which seeks to manage and coordinate LDRA land located between Tierney and Dooley Streets.</td>
<td>Planning Scheme Amendment documents are being drafted.</td>
<td></td>
</tr>
<tr>
<td>Shire wide</td>
<td>Applies an appropriate planning control around East Gippsland Water’s assets to provide a buffer. This amendment will assist EGW to manage amenity issues such as odour from their assets.</td>
<td>Awaiting technical information from EGW before proceeding further.</td>
<td></td>
</tr>
<tr>
<td>Shire wide</td>
<td>Periodic corrections amendments to correct errors and anomalies within the scheme. These generally occur annually and the next one is due to go before Council in March 2018.</td>
<td>Planning Scheme Amendment documents have been drafted and the matter listed for the March meeting.</td>
<td></td>
</tr>
<tr>
<td>Shire wide</td>
<td>Applies an appropriate planning control around Council’s landfill sites to provide a buffer. This amendment will assist EGSC to manage amenity issues such as odour from their assets.</td>
<td>This amendment is in very early stages. Council will be briefed in the second half of 2018.</td>
<td></td>
</tr>
<tr>
<td>Eagle Point</td>
<td>This amendment will implement the Eagle Point Structure Plan (once adopted) and rezone land in accordance with the plan.</td>
<td>This amendment will be prepared subject to the Eagle Point Structure Plan being adopted by Council.</td>
<td></td>
</tr>
<tr>
<td>Shire Wide</td>
<td>Rural Land Use Strategy will provide a place based document that will guide the future use and development of rural land within the municipality.</td>
<td>The first draft of this document was not supported by Council. The document is currently being redrafted.</td>
<td></td>
</tr>
<tr>
<td>Lakes Entrance</td>
<td>Land within the Lakes Entrance Northern Growth Area is covered by a Development Plan Overlay which requires applicants to provide a Development Plan detailing the overall development. Development Plans are then assessed by Council Officers, placed on public consultation and approved or refused by Council. Council officers have assessed a number of these to date.</td>
<td>The latest application is for 110-138 Palmers Road &amp; 30 Thorpes Lane. This development plan has undergone public consultation and will go before Council for a decision in May.</td>
<td></td>
</tr>
<tr>
<td>Shire wide</td>
<td>Smart Planning is likely to implement a state wide amendment mid-year which will change the format of the planning scheme. If this occurs, there will be extensive work</td>
<td>We await further information from the State Government and will brief Council accordingly.</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Description</td>
<td>Status</td>
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</tr>
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<td>--------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Gippsland</td>
<td>The Gippsland Lakes Sustainable Development Plan is prepared in conjunction with Wellington Shire Council.</td>
<td>The draft document has been prepared however more work is required. Council will be briefed on this matter mid-2018.</td>
<td></td>
</tr>
<tr>
<td>Lakes Entrance</td>
<td>Rezones land in Lakes Entrance for the purposes of industry.</td>
<td>Background work has been undertaken and Council Officers are corresponding with the landowners.</td>
<td></td>
</tr>
<tr>
<td>Shire wide</td>
<td>The Design &amp; Development Overlay is a control that covers a large portion of land within the municipality, especially in coastal areas. It has been 10 years since implementation and it has been found that the current DDO’s are causing red tape and not delivering on the key objectives. This amendment will review the DDO schedules and mapping to reduce red tape.</td>
<td>Planning scheme amendment documentation is currently being prepared.</td>
<td></td>
</tr>
<tr>
<td>Bairnsdale</td>
<td>Implements the Bairnsdale CBD Parking Strategy into the planning scheme and applies a parking overlay on land within the CBD.</td>
<td>Background reports and documentation is currently being prepared. Council will be briefed on this matter in the second half of 2018</td>
<td></td>
</tr>
<tr>
<td>Omeo</td>
<td>Scoping of the Omeo zoning land use requirements associated with Stockman Mine to ensure adequate land supply. May lead to changes in zoning and further planning scheme amendments.</td>
<td>Officer assigned to the work and scoping commenced.</td>
<td></td>
</tr>
</tbody>
</table>