Council Meeting Agenda

Tuesday 15 April 2025 at 6.00 pm
Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875

Acknowledgement of Country

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and Bidawel people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council values their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

Council information

East Gippsland Shire Council live streams, records and publishes its meetings via webcasting (youtube.com/c/EastGippyTV) to enhance the accessibility of its meetings to the broader East Gippsland community.

These recordings are also archived and available for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, any members of the gallery who are addressing the council will have their image, comments or submissions recorded.

No other person has the right to record Council meetings unless approval has been granted by the Chair.

In line with the *Local Government Act* 2020, Councillors are able to attend Council meetings electronically or in person and the meetings will be open to the public via livestreaming.

Members of the public are invited to view the Council Meeting livestreamed by following the link on Council's website or Facebook page.

Councillors

Cr John White (Mayor)
Cr Sonia Buckley (Deputy Mayor)
Cr Arthur Allen
Cr Jodie Ashworth
Cr Tom Crook
Cr Barry Davis
Cr Joanne Eastman
Cr Bernie Farquhar
Cr Ian Trevaskis

Executive Leadership Team

Fiona Weigall Chief Executive Officer
Stuart McConnell General Manager Assets and Environment
Sarah Johnston General Manager Business Excellence
Chris Stephenson General Manager Place and Community

Purpose of Council meetings

(1) Council holds scheduled meetings and, when required, unscheduled meetings to conduct the business of Council.
(2) Council is committed to transparency in decision making and, in accordance with the *Local Government Act 2020*, Council and Delegated Committee meetings are open to the public and the community are able to attend.
(3) Meetings will only be closed to members of the public, in accordance with section 66 of the Act, if:
    (a) there are clear reasons for particular matters to remain confidential; or
    (b) a meeting is required to be closed for security reasons; or
    (c) it is necessary to enable the meeting to proceed in an ordinary manner.
(4) A meeting closed to the public for the reasons outlined in sub-rule 3(b) or 3(c) will continue to be livestreamed. In the event a livestream is not available:
    (a) the meeting may be adjourned; or
    (b) a recording of the proceedings may be available on the Council website.

Governance Rules

A copy of East Gippsland Shire Council's governance rules can be found at https://www.eastgippsland.vic.gov.au/council/council-policies

Councillors Pledge

As Councillors of East Gippsland Shire Council, we solemnly and sincerely declare and affirm that we will consider each item on this agenda in the best interests of the whole municipal community.

Vision

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.

Our Strategic Objectives

1. An inclusive and caring community that respects and celebrates diversity.
2. Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.
3. A natural environment that is managed and enhanced.
4. A thriving and diverse economy that attracts investment and generates inclusive local employment.
5. A transparent organisation that listens and delivers effective, engaging and responsive services.

Index

1 Procedural 7

1.1 Recognition of Traditional Custodians 7

1.2 Apologies 7

1.3 Declaration of Conflict of Interest 7

1.4 Confirmation of Minutes 7

1.5 Next Meeting 7

1.6 Requests for Leave of Absence 7

1.7 Open Forum 8

1.7.1 Petitions 8

1.7.1.1 Change of Nature Strip Tree Variety, Houghton Crescent, Eagle Point 8

1.7.2 Questions of Council 9

1.7.3 Public Submissions 9

1.8 Items for Noting 9

2 Notices of Motion 9

3 Deferred Business 9

4 Councillor Delegate Reports 9

5 Officer Reports 10

5.1 Place and Community 10

5.1.1 Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan 10

5.1.2 Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan 384

5.1.3 Economic Development Advisory Committee Unconfirmed Minutes of meeting held 12 September 2024 683

5.2 Assets and Environment 690

5.2.1 CON2025 1722 Sarsfield Recreation Reserve and Community Hall Revitalisation Project 690

5.3 Business Excellence 696

5.3.1 Award Geographic Information System (GIS) Panel of Providers contract (collaborative procurement with Wellington Shire).....696
5.3.2 Endorse Revised Audit and Risk Committee Charter.....699
5.3.3 Proposal for Local Government Commissioner Role - Rural Councils Victoria 719
6 Urgent Business.....723
7 Confidential Business.....723
7.1 Contract Matter.....723
8 Close of Meeting.....723

1 Procedural

1.1 Recognition of Traditional Custodians

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawel people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

1.2 Apologies

1.3 Declaration of Conflict of Interest

1.4 Confirmation of Minutes

That the minutes of the Council Meeting held Tuesday 18 March 2025 be confirmed.

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 20 May 2025 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

1.6 Requests for Leave of Absence

1.7 Open Forum
1.7.1 Petitions

1.7.1.1 Change of Nature Strip Tree Variety, Houghton Crescent, Eagle Point

Authorised by General Manager Business Excellence

Purpose

This report informs Council of a petition submitted by Mr Daryl Butler from Eagle Point seeking a change in the variety of street trees from Acacia Melanoxylon to Ornamental Pear (or a similar tree) in Houghton Crescent, Eagle Point.

Key Points

The petition was received in hard copy on 3 April 2025. The petition states:

"We, the undersigned residents of Houghton Crescent, Eagle Point, request a change in the choice of street trees from Acacia Melanoxylon to Ornamental Pear (or a similar tree). The current trees have been planted in River Drive, therefore continuing this planting theme would be appropriate".

The petition has been received and presented in accordance with Governance Rule 8.7. The petition included 32 signatures, all of which met the governance requirements. *

**Note: A petition with 10 or more signatures that meet Governance Rule 8.7 and is approved by the Chief Executive Officer, is presented to Council.*

Councillors have been provided with a full copy of the petition separately. In the interests of respecting the privacy of signatories, and in accordance with the *Privacy and Data Protection Act* 2014, a copy of the petition has not been included with this report.

Recommendation

That Council:

1. ***receives the petition lodged by Mr Daryl Butler requesting 'We, the undersigned residents of Houghton Crescent, Eagle Point, request a change in the choice of street trees from Acacia Melanoxylon to Ornamental Pear (or a similar tree). The current trees have been planted in River Drive, therefore continuing this planting theme would be appropriate';***

2. ***notes that the petition will be referred to General Manager Assets and Environment for consideration and response; and***

3. ***notes that the Chief Executive Officer will arrange for Council Officers to write to the head petitioner advising them of these actions.***

Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

1.7.2 Questions of Council
1.7.3 Public Submissions

1.8 Items for Noting

2 Notices of Motion

3 Deferred Business

4 Councillor Delegate Reports

5 Officer Reports

5.1 Place and Community

5.1.1 Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan

Authorised by General Manager Place and Community

Purpose

This report seeks Council's approval to refer submissions on Planning Scheme Amendment C172egip to an Independent Planning Panel as the next step in implementing the Paynesville Growth Area Structure Plan into the East Gippsland Planning Scheme.

The report also provides Council with an overview of the recent exhibition of Planning Scheme Amendment C172egip, including the issues raised within submissions, the officer's response to those issues and the suggested changes to the amendment.

Key Points

The purpose of the Amendment is to implement the *Paynesville Growth Area Structure Plan (2016) (as modified December 2023)* ('the Structure Plan') into the East Gippsland Planning Scheme. The Structure Plan was adopted by Council in 2016 and facilitates the growth and expansion of Paynesville for the next 20+ years to provide for much needed housing in East Gippsland.

Paynesville is identified in the Planning Scheme as an area for future residential growth and this is reinforced in the Council's adopted Housing and Settlement Strategy.

The Victorian Government's 'Plan for Victoria' requires the development of 11,000 dwellings in East Gippsland by 2051. The Paynesville growth area accounts for more than 10% of this target.

Paynesville is one of the fastest growing towns in East Gippsland and there is high demand for housing.

The amendment formally sets aside the land for housing and enables further detailed planning according to the following steps:

- identification of the growth area in the Planning Scheme (2009);
- preparation and adoption of the structure plan (2016);
- minor updates to the structure plan (2023);
- preparation and exhibition of the amendment (2023-24);
- consideration of submissions and referral to Independent Planning Panel (now);
- adoption of the Amendment by Council and the Minister for Planning (late 2025);
- Preparation of Development Plan outlining development layout, design and infrastructure (2025-26);
- public consultation on Development Plan and adoption by Council (2026);
- staged subdivision applications and approvals (developer led); and
- housing development (developer led).

Public notice has been undertaken, and written submissions have been received, some of which cannot be resolved as they are opposed to the Amendment without suggesting changes or propose the removal of provisions that are regarded as important. All submissions have been considered by officers and some changes are proposed to the amendment in response.

The officer recommendation is to request the Minister for Planning to refer Planning Scheme Amendment C172egip to an Independent Planning Panel. The Independent Planning Panel would undertake a public process to review and consider the unresolved written submissions and make recommendations to Council about the final form of the amendment.

The Amendment proposes to:

- Introduce new local policy into the Planning Policy Framework (PPF) to guide land use, subdivision and development in the Paynesville Growth Area.
- Rezone land from Farming Zone to General Residential Zone (GRZ) to facilitate residential development.
- Introduce the Development Plan Overlay (DPO) to require landowners to prepare a detailed Development Plan prior to the subdivision and development of the growth area.
- Introduce the Public Acquisition Overlay Schedule 3 to facilitate intersection improvements at 25 Waterview Road Eagle Point.
- Introduce the Environmental Audit Overlay to ensure appropriate investigation of potentially contaminated land.

Council resolved to seek authorisation and undertake public notice relating to Planning Scheme Amendment C172egip at the meeting of 16 July 2024. The Minister for Planning authorised the amendment in August 2024 and the amendment was placed on public exhibition from 25 November 2024 until 31 January 2025. A copy of the Engagement Report is at **Attachment 6**.

83 written submissions have been received, and they are at **Attachment 2**. A Submissions Summary Table is at **Attachment 1** which outlines the written submissions and provides an officer response to the issues raised. The table arranges the written submissions into key themes and provides an officer position on the matters.

Resulting from the assessment and consideration of the written submissions, minor modifications to the amendment are recommended. A table outlining recommended changes to the amendment is at **Attachment 3.** A copy of the amended planning scheme documentation is at **Attachment 4.**

Many submissions raise matters of detail that are not usually addressed at the rezoning stage. A Development Plan will be prepared, subject to public consultation, to address these issues.

A Planning Assessment providing strategic justification is contained at **Attachment 5.** The Planning Assessment provides background information including chronology of steps undertaken to date, outlines the planning scheme controls to be implemented and provides the strategic justification for the amendment.

The role of the Independent Planning Panel is to provide submitters with an opportunity to be heard in an independent forum and to give expert advice to the Council. A Panel Report will make recommendations or provide advice about whether a planning scheme amendment should proceed. Upon receipt of the Panel Report, this will require a further Council resolution, prior to referral to the Minister for final approval.

Recommendation

That Council:

1. ***having formally considered all written submissions received to Amendment C172egip, notes the issues raised by the submissions and the officer's response to those issues, as outlined in Attachment 1;***

2. ***requests that the Minister for Planning appoints an Independent Planning Panel to consider all submissions received for Amendment C172egip as provided at Attachment 2, in accordance with Part 8 of the Planning and Environment Act 1987;***

3. ***refers all submissions to Amendment C172egip, including late submissions, to the Independent Planning Panel appointed by the Minister for Planning;***

4. ***endorses the Officer's response to the issues raised by the submissions and the recommended changes to Amendment C172egip as outlined in Attachment 1 and 3, as the basis for Council's submission to the Independent Planning Panel;***

5. ***notes that officers will also take a Council position to the Planning Panel as follows:***
   a. ***that no substantial infrastructure shall be located within sensitive foreshore locations or below 2.8m AHD; and***
   b. ***that the Development Plan Overlay and Schedule to the General Residential Zone contains provisions to regulate built form in a manner that promotes view-sharing, provision of a spacious neighbourhood character and retention of significant native vegetation.***

6. ***authorises the General Manager Place and Community to make any minor changes to Amendment C172egip which are consistent with the purpose and intent of Council's resolution;***

7. ***notes that if the amendment is approved and gazetted (after an Independent Planning Panel) and the Development Plan Overlay Schedule 10 is applied, then a Development Plan must be prepared, advertised for public comment and approved by Council prior to use or development commencing. The development plan must address a range of matters, including but not limited to:***
   a. ***Infrastructure provision;***
   b. ***Environmental and coastal matters;***
   c. ***Subdivision layout and design; and***
   d. ***Open space.***

8. ***approves the General Manager Place and Community or delegate to advise all submitters to Amendment C172egip of Council's decision.***

Strategic Alignment

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.1 Statutory and strategic planning for land use delivers sustainable outcomes that balance the need for growth with the enhancement of our lifestyle, character, the built and natural environment.

Consultation/Community Engagement/Impacts

Public exhibition of the Amendment was conducted between 25 November 2024 and 31 January 2025 (10 weeks). 126 letters were sent to landowners, adjoining landowners and referral agencies. Two drop-in sessions, telephone and face to face meetings were conducted. A comprehensive YourSay page was placed on Council's website, with a range of fact sheets, background information and links to documentation provided.

A total of 83 written submissions were received. Six of the submissions were supportive (with requested changes), one submission supported without changes and 76 submissions are not in support. A copy of the written submissions (redacted) is at **Attachment 2**. An Engagement Report is attached at **Attachment 6**.

Opportunities and Risks

	Opportunities	**Risks**
Social	Land supply for housing is a critical social need and will support the growth of the community. Coordinated growth in accordance with the Planning Scheme and a Development Plan will provide social benefits, including upgraded infrastructure and services.	If housing growth is not supported in designated growth towns, we will limit the housing choices for our future population which will have an impact on housing affordability.
Economic	Land supply and delivery of housing contributes to the economy, construction industry and employment associated with increased population and commercial and social services.	If the Amendment does not proceed, there will be future negative impacts to the local economy because of housing shortages with impacts on affordability.
Environmental	The amendment requires preparation of expert reports relating to coastal vulnerability assessment, drainage management, flora and fauna, foreshore improvement and public open space. The amendment ensures that sensitive foreshore areas are placed in public ownership to improve environmental values.	Environmental risks can be managed through the detailed planning processes. If the amendment does not proceed, significant areas of foreshore land will remain in private ownership with no requirement for improvements.

	Opportunities	Risks
	Future subdivision approvals must include conditions for environmental management.	
Reputational	The opportunity for Council is to provide strategic direction for landowners and the community for future housing growth in appropriate locations.	If the amendment does not proceed, Council will not have fulfilled its role as the Planning Authority. Developer and community confidence in the rezoning process will be eroded and this will negatively affect East Gippsland's reputation as a place to invest
Regulatory	As the Planning Authority, Council has obligations to plan for land supply.	If the amendment does not proceed, the landowners could seek alternative assessment pathways via the State Government, reducing the role of Council.
Financial	Investment in the rezoning process and Panel costs will provide longer term financial benefits. The DPO triggers the delivery of infrastructure and the requirements for shared costs.	Council will incur substantial financial costs associated with an Independent Planning Panel. There are risks associated with the amendment not proceeding including past expenses associated with the preparation of the Structure Plan, background reports and the planning scheme amendment documentation.

Climate change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations as outlined below.

Legislation

Planning and Environment Act 1987 (including ss. 4, 6, 12, 12B, 60)

Category

Land Use Planning: Consideration is given to climate change in the local land use planning and includes responses to direct and indirect impacts.

Options

There are three options for Council to consider:

1. Refer the submissions to an Independent Planning Panel.
2. Request changes to the amendment and, if substantial, undertake a further public notification and submission process; or
3. Abandon the Amendment.

The preferred option is **Option 1**.

Option 1 progresses the amendment and satisfies Council's obligation to deliver land for housing and to provide strategic direction for housing growth as identified in the Planning Scheme. The Independent Planning Panel provides the opportunity for all submitters to be heard and for any potential changes to the amendment to be further considered, without the need for re-commencement of public notice.

Option 2 would require the changes to be specifically identified, strategic justification to be provided and, if the changes are substantial, the amendment would need to be re-advertised for public submissions. It is important to note that all of the matters raised in the submissions will be considered by the Planning Panel, regardless of whether the amendment is changed, and that Council will have a further opportunity to consider those matters when the Panel Report is received. This option would create a 4-6 month delay and additional resourcing implications. Option 1 does not limit Council's options to change the amendment following receipt of the Panel Report.

Option 3 would require the amendment to be abandoned in full, because the policy changes and rezoning are interconnected and the written submissions fundamentally oppose urban growth, so no substantial changes can be made.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. C172egip Submissions Table [**5.1.1.1** - 14 pages]
2. C172 egip Redacted Submissions Final [**5.1.1.2** - 245 pages]
3. C172egip Summary of changes Final [**5.1.1.3** - 4 pages]
4. C172egip Combined Planning Scheme documents [**5.1.1.4** - 92 pages]
5. C172egip Planning Assessment Final [**5.1.1.5** - 6 pages]
6. C172egip Engagement Report Final [**5.1.1.6** - 7 pages]

Submission Response Table

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
1, 73	Requests for changes to local planning policy required	Criticism too much emphasis on tourism	The proposed local policy changes balance Paynesville's residential and tourism roles. The updated *Paynesville Framework Plan* only identifies the site (currently zoned farming) for a future tourism area which is subject to a future planning scheme amendment.	No action	No	No
		Need for more local policy addressing climate change and adaptation.	The Planning Policy Framework provides state planning policy relating to climate change and adaptation principles and policies at clause 13.01-1S. It is not appropriate to duplicate state planning and policies.	No action	No	No
		Need for clarification and definitions relating to activity centre definition required. Seeking more details in relation to the precinct.	The definition, objectives and strategies pertaining to Activity Centres are clearly addressed at Clause 11.03-1S of East Gippsland Planning Scheme. For Paynesville in particular, a future *Local Activity Centre (LAC)* is proposed. It is noted that *Development Plan Overlay Schedule 10 (DPO10)* will require a *Retail Economic Assessment* to support this.	No action	No	No
		Need for more policy relating to the design of open space, inclusion of green space, verge gardens and habitat corridors.	Clause 56 of the planning scheme addresses good subdivision design including open space and habitat linkages so replicating this in policy is not required.	No action	No	No
		Need for increased local policy relating to town character.	The objectives and requirements of the Schedule to the DPO10 include the preparation of a development plan which will need to adequately address land use and township character. Proposed Schedule 3 to the General Zone ('GRZ3') includes 5 neighbourhood character objectives which seek to achieve diversity, high standard of housing, planted vegetation corridors, open space and provision of infrastructure. There will be incremental change in the precinct to be managed in the zone and overlay controls. There is no need to introduce additional local policy relating to character into clauses 10 to 19. The suggested changes to local planning policy relating to character and density to delete words '*spacious residential character*' and replace with '*provide a variety of lot sizes and housing…'*. are appropriate and provide clarity.	No action Modify ordinance (11.01-1L-02).	No Yes	No No
		Requested clause changes relating to Paynesville settlement relating to lot sizes and densities.	Suggestion to remove reference to policy guidelines to encourage a variety of lots sizes with an average gross lot yield of 8 – 10 lots per hectare. It is agreed that this statement is not necessary and results in duplication of the zone and overlay objectives and strategies. The guideline cannot be prescribed in the zone or overlay controls. The development plan will respond to diversity in lot sizes, housing types and overall subdivision design criteria.	Modify clause 11.01-1L -02 to delete reference to a policy guideline.	Yes	No
2, 15, 23, 28, 33, 36, 38, 39, 41, 45, 47, 50, 54, 68, 77	Community consultation, public notice and planning processes	Criticism relating to timing of public notice, duration of the notice period and the time lapse between the adoption of the Paynesville Growth Area Structure Plan and the preparation of the Planning Scheme Amendment.	Council commenced the preparation of the *Paynesville Growth Area Structure Plan* from 2013 -2015 which included extensive community consultation with landowners and the community, ensuring the PGASP reflected local aspirations and concerns. PGASP was adopted by the East Gippsland Shire Council in 2016. In response to concerns pertaining to timing of public notice, the public exhibition period was extended to a 10 week period to provide additional opportunities for community input. The public exhibition was conducted in accordance with the requirements of the *Planning and Environment Act 1987* and Council's established consultation practice.	No action.	No	No

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
1, 2, 14, 22, 23, 25, 27, 28, 30, 31, 32, 33, 37, 38, 39, 41, 42, 45, 47, 51, 52, 57, 58, 59, 60, 66, 68, 71, 72, 74, 76, 77, 78, 79, 81, 82	Technical and Background Reports	Criticism that the background and technical reports are outdated, do not address new and current legislative requirements and it is not appropriate to defer preparation to the development plan and planning permit phases of the approval processes. The submissions request that new technical reports be prepared to address the following technical matters. - Traffic Impact Assessment. - Social Impact Assessment. - Landscape Character Assessment. - Neighbourhood Character Assessment. - Coastal Hazard Assessment. - Updated statistics. Request to suspend the planning scheme amendment until technical reports are prepared. One submission considers the planning process requiring community members to understand technical reports is unfair.	During the preparation of the Planning Scheme Amendment consultants were engaged to complete a review of the previous work. The review found that the findings were still accurate and sound. As part of the preparation of the Development Plan the developers will be required to complete a number of technical reports to inform the plan and ensure it meets industry standards, best practice and Planning Policy (Local, State and Federal). It is appropriate and consistent with planning practice to defer the preparation of a series of technical expert reports to the preparation of development plan phase in the planning process. The draft Schedule to the DPO10 requires the preparation of a development plan, which will underpin the preparation of the development plan and subsequent planning permit application. The purpose of the Planning Scheme Amendment is to implement the adopted Structure Plan and to rezone land. The current suite of documentation provides adequate justification for the current amendment. Furthermore, it is the officer's view that additional technical and background reports are not required as the Development Plan Overlay provides a process for this in-depth investigation to occur post rezoning.	No action.	No	No
2, 4, 12, 29	Construction management plans	Concerns expressed in relation to amenity issues and interface issues during subdivision construction, such as dust, noise and compliance matters.	A Construction Management Plan is typically required as a planning permit condition for multi-lot subdivisions, usually for each stage of development. It addresses matters such as construction timelines, working hours, transport routes, machinery exclusion zones, stockpile management, drainage and watercourse protection, conservation, dust control, and waste management etc. Including this requirement in a planning scheme amendment is unnecessary, as off-site and interface issues are considered during future planning permit assessments.	No Action.	No	No
3, 6, 10, 13, 14, 17, 36, 40, 47, 67, 68, 79, 82	Paynesville Road	Concerns have been expressed specifically relating the current standard of Paynesville Road, safety issues, speed environment and congestion issues in times of evacuation. Concerns relating to reliance on one road access into the township in times of emergency and evacuation.	A Traffic Impact Assessment Report ('TIAR') is an Appendix to the Structure Plan. The capacity and capability of Paynesville Road (which is a VicRoads road) has been considered as part of the preparation of the Structure Plan. The Structure Plan's implementation section includes objectives, requirements and guidelines relating to movement networks. There are specific actions relating to Paynesville Road, including minimizing a design of future connections, connection to Bay Road, provision of future designated bus route, and transfer of land for off-road pedestrian and cycling corridors. The DPO Schedule 10 carries forward these requirements as part of the preparation of the development plan as well as a updated Traffic Impact Assessment Report. The current speed on Paynesville Road is under review by the Department of Transport and Planning. The upgrade and intersections to King Street and Ashley to Grandview Road and extensions of Fullarton Drive and Bay Road to	No action.	No	No

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
			Paynesville will assist with the distribution of traffic overall, and in times of emergency.			
1, 3, 4, 5, 10, 14, 16, 17, 19, 25, 26, 31, 32, 33, 35, 45, 47, 49, 52, 57, 66, 68, 71, 72, 74, 82	Traffic Impacts	Submissions have raised issues relating to Traffic Impact Assessment as follows. - Impact of additional traffic volume on existing residential road network. - Impact on upgraded intersections to Main Road. - Date of the initial Traffic Impact Assessment Report. - Overall impact of additional traffic. - Entry statement to Paynesville. - Existing intersection to Eagle Bay Village. - Absence of footpaths and increased traffic volumes in Newlands Drive. - Need to provide footpaths with suitable dimensions and construction standards for mobility scooters. - Additional traffic on Main Road and Langford Parade will be detrimental. - Request to reduce speed in Newlands Drive to 50km/p/h.	The Traffic Impact Assessment Report will be updated as part of the preparation of the development plan. This will document the upgrades to existing road network, intersections to existing external roads, new internal roads as part of subdivision of the land, provision of footpaths within the growth area, the provision of an entry road statement to Paynesville Road and a road hierarchy. Furthermore, the Shared Infrastructure Contributions Plan will document the developer contributions, that apportion and equalize the developer contributions and clearly include document sequencing and stages of the infrastructure provision. The finalization of the TIAR and consideration of the development plan will include any requirements of the Department of Transport and Planning (former VicRoads) in relation to Paynesville Road. A section of land at the corner of the Paynesville Road and Waterview Road has been included in the Public Acquisition Overlay ('POA') to ensure that future upgrades to the intersection are able to be facilitated. The landowner has been notified as part of the preliminary steps and public notice associated with the planning scheme amendment.	No action	No	No
2	Environmental Audit Overlay	Opinion was expressed that all of the subject land be included in the Environmental Audit Overlay	An Environmental Audit Overlay ('EAO') is a planning tool that is applied to identify sites that have known, identified or suspected contamination or potential contamination. The EAO indicates that an investigation is required prior to that land being used for a sensitive use such as housing. The landowners within the Structure Plan area have commissioned the preparation of a Preliminary Site Investigation ('PSI'). The purpose of the report is to identify potential risks and contamination, understand the site's history and current status, determine whether further investigation is required, inspect the site with an environmental scientist and identify areas and any pollutants. The PSI report concluded that additional actions need to be undertaken to confirm the contamination status of the land and to avoid the need for the placement of the EAO on the land. The EOA is not required on the balance of the growth area because the contamination risk has been determined as low and is therefore suitable for sensitive uses.	No action	No	No
3, 4, 5, 8, 9, 14, 16, 35, 79	Eagle Bay Village	Several submissions have raised issues in relation to the interface issues, detrimental impact to the existing neighborhood character for the Eagle Bay Village existing residential estate and the presence of pre-existing localized stormwater and drainage issues. Submitters do not agree with the provision of a road connection from Eagle Bay Village	It is good planning practice to promote and facilitate connectivity and legibility in the road and path network in subdivisions. This includes addressing the connection within new subdivisions and connection to the external networks and existing residential precincts. The development plan process will address and detail the siting and placement of new intersections on the northern side of Paynesville Road having regard for the existing intersection with Palm Avenue.	Yes. Modified ordinance to add dot point relating to interface issues.	No	No

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
		(Sunset Boulevard) to the west into the growth area. Submitters have raised concerns in relation to the impact of the proposed increased densities and lack of design guidelines and building standards, which is contrary to the existing restrictive covenants applying to the Eagle Bay Village residential estate. Specific concerns have been raised in relation to impact of additional traffic flow through the existing road network, additional volume and pressure on the existing intersection of Palm Avenue to Paynesville Road. Request to implement 'green belt' interface to Eagle Bay Village. Request for 800metre minimum lot size for character and interface rationale with Eagle Bay Village.	The DPO10 requires the preparation of design guidelines and three-dimensional building envelopes for land for north facing sloping land at 1255 Paynesville Road and 1325 Paynesville Road. The aim of the Structure Plan is to establish character and design objectives from the public realm, which relates to roads, open space networks and subdivision design. It is not intended to control the design of dwellings, over and above the standard zone controls and relevant building standards. The development of the growth area will result in change and an emerging residential neighbourhood character. There will be a change to prevailing densities and lot sizes as a result of the overall objective to encourage housing diversity and development of higher densities at defined locations within the growth area. This is consistent with PPF and the *East Gippsland Housing and Settlement Strategy (2024*). Any pre-existing issues associated with localised stormwater and drainage matters within the residential estate will be addressed outside the planning scheme amendment process. A 'green belt' interface between Eagle Bay Village and new growth area is not considered necessary or appropriate. It is appropriate to add a dot point 5 under Land Use and Township Character *"The subdivision provides appropriate linkages and interfaces to adjoining land"* to address future interface treatments.			
4, 5, 7, 10, 11,12, 14, 15, 16, 20, 21, 23, 27, 29, 30, 37, 41, 42, 43, 45, 47, 56, 58, 59, 71, 80, 81, 82	Impact to Gippsland Lakes, foreshore, flora and fauna considerations	Multiple submissions raise concerns in relation to detrimental impacts associated with increased urban area adjacent to the Gippsland Lakes. Issues raised include such matters as follows. - Wildlife corridors. - Vegetation removal. - Kangaroo management. - Need for additional land at the interface to allow for migrating wetlands. - Ramsar convention implications - Implications of EPBC Act - Overall negative impacts to Gippsland Lakes. - Loss of walking track in foreshore. - Insufficient buffer between roads and proposes reserves. - Proposed zoning for public purposes needs to extend eastwards to Burden Place.	The Structure Plan includes a vision statement which includes outcomes which seek to provide for generous open space linkages, the management and protection of Lake King as an important environmental asset and an objective which seeks outcomes which provide for strong native landscape and environmental character. At section 2.3.4 of the Structure Plan there are six actions relating to the foreshore and Gippsland Lakes environs. The six actions include revegetation and need to design drainage and nutrient stripping assets to prevent adverse environmental impacts. Importantly, this includes the transfer of land (areas below 2.8metres AHD) to public ownership to be managed, maintained and enhanced for ecological values. Detailed plans and technical documents will be prepared as part of the development plan suite of documents. These will include. - Public Open Space Plan (will address linkages, open space and native vegetation). - Foreshore Improvement and Management Plan (will address rehabilitation, vegetation, works, public access, walking & cycling tracks, maintenance obligations and coastal hazard vulnerability). - Flora and Fauna Assessment (will address impacts to flora and fauna). The Ramsar convention is an international intergovernmental treaty which provides a framework for the conservation and use of designated wetland ecosystems throughout the world. Parks Victoria in conjunction with, the Department of Energy, Environment and Climate Action and catchment management authorities have a key role in conserving and maintaining Victoria's Ramsar sites. This	Yes. Minor modifications to DPO10 flora and fauna assessment.	No	No

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
			responsibility includes preparation of management plans that promote the sustainable use of wetlands. The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) will be considered as part of the preparation of detailed assessments required as part of the preparation of development plan for the growth area. Action R6 of the Structure Plan addresses the need for a new alignment for the walking cycling path from Burden Place to Bay Road, to provide greater separation from the wetlands, to facilitate nature vegetation shift over time and enable future construction of a new path alignment. Preparation of the development plan will detail the siting and location of a realigned path. It is proposed to make minor modifications to the ordinance for the Schedule 10 to the DPO to clarify terms and conditions relating to the preparation of a flora and fauna assessment (see late section addressing the DEECA response).			
12	Deletion Significant Landscape Overlay	Concerns that the deletion of the Significant Landscape Overlay diminishes planning controls in relation to scenic, natural and landscape values.	The Significant Landscape Overlay ('SLO') is a planning tool used for protecting and managing significant landscapes in rural areas. The amendment proposes the deletion of the SLO from the land being rezoned to GRZ3. The SLO will be retained on the section of land below the 2.8AHD line until such time as the land is transferred to public ownership and will be rezoned and the SLO removed. The SLO will continue to apply to the land retained in Farming Zone until the tourism project is pursued and advanced further. The SLO is generally not applied to land designated for urban or residential uses, so it is good practice to remove it.	No Action	No	No
4, 5, 7, 14, 15, 19, 20, 21, 22, 23, 27, 28, 29, 31, 33, 35, 36, 37, 39, 42, 47, 49, 50, 53, 55, 56, 58, 59, 66, 67, 71, 72, 74, 76, 78, 79, 81	Increased density and smaller lot sizes. Inconsistent with existing neighbourhood character for Paynesville	Multiple submissions raised objections to proposed higher density allotments, inclusion of medium density and reduction in average lot sizes. Concerns were expressed relating to the proposed extent of growth area. Concerns raised that the combination of the higher density and extent of growth would have a detrimental impact to village and coastal township role and form of the township. Several submissions requested specification of minimum lot sizes. Several submissions requested the rezoning be amended from General Residential Zone to Neighbourhood Residential Zone. Concerns relating to the creation of generic suburban form of residential development. Multiple submissions raised issues that the proposed form of residential growth will in inconsistent with the prevailing town and neighborhood character of Paynesville.	The overall purpose of the Amendment is to foster and encourage higher densities, impose a settlement boundary and encourage efficient and effective use of serviced land for coordinated growth and provision of housing supply. The aim of providing for approximately 1400 plus allotments is to contribute to the diversity in housing types and encourage medium density housing at appropriate locations. New local policy provisions will specifically: - *Encourage a residential character which has a variety of lot sizes and housing types to meet community needs.* - *Facilitate the growth of the town westwards.* - *Promote higher densities in areas in proximity to activity centre, open space and recreational areas.* Council adopted the Housing and Settlement Strategy in December 2023. Paynesville is identified as one of the Growth Area Towns. The General Residential Zone is the most appropriate zone for the growth area and is a zone that is consistently used for residential areas across the municipality. Minimum lot sizes and height controls cannot be prescribed in the General Residential Zone provisions. The planning controls propose a balance between facilitating incremental change and balancing preferred neighbourhood character objectives. This reflects the growth area as part of the coastal environs.	No action	No	No

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
			The development plan will include a subdivision layout that demonstrates a range of lot sizes and densities as part of the Land Use and Town Character requirements of the DPO10 at clause 4.0. There will be an overall development plan that addresses and provides for a range and diversity for future housing.			
1, 5, 6, 10, 14, 16, 17, 18, 19, 23, 25, 30, 31, 32, 34, 36, 42, 44, 47, 49, 54, 56, 62, 67, 68, 72, 78, 82	Medical, dental, allied health, schools, childcare, train, ambulance and emergency services.	Many submissions raise concerns in relation to current lack of a range of services and refer to pressure additional population will place on existing services. Services cited include schools, childcare, medical & dental, emergency services, police and public transport. Several comments were made in relation to negative impact on existing commercial and retail businesses.	It is outside the scope of the amendment to secure state services such as police, ambulance and emergency services. Furthermore, generally other medical and service providers will come as the population increases over time. Such services can be located in the existing activity centre of Paynesville or in the proposed Local Activity Centre that will be provided as part of the overall development. Preliminary consultation with Department of Education and Catholic Diocese of Sale have indicated that there is no need nor interest to allow for additional land for (new) primary schools (based on population projections). The Victorian Government will determine feasibility and needs assessment in relation to such services as police and ambulance.	No action	No	No
72	Employment and services precinct	Submission has raised objection to an industrial zone in Grandview Road.	The planning scheme amendment updates the clause relating to Further Strategic Work (clause 74.02) to include reference to further investigation to rezone land for the Paynesville Employment and Emergency Services Precinct in accordance with the Structure Plan. The planning scheme amendment does not propose rezoning of the land at this stage and does not propose to rezone land for industrial purposes.			
1, 4, 7, 9, 11, 15, 19, 20, 21, 23, 47, 50, 68, 71, 79	Open space and corridors	Several submissions raise the importance of provision of cycling and walking tracks and need for better maintenance and upgrade of the existing walking track network. Need to protect and enhance the ecological significance of the low-lying areas, lake ecosystem and wetlands. Need to consider suitability of species to be planted in reserve and open space areas. Need for more parks and reserve areas.	Integral to the Structure Plan is the central theme and objectives relating to the importance of open space, visual landscape, recreational space and need for increased connection and walkability. The Preferred Urban structure in the Structure Plan and Paynesville Framework Plan make specific reference to landscape corridors for provision of walking tracks. While it is not the role of the amendment to provide detail on connection and walkability, the DPO10 includes specific requirements to design and construct connected walking and cycling paths. The DPO10 also recognises and elevates the importance of connection to the foreshore and enjoyment of the public land adjacent to the Gippsland Lakes.	No action	No	No
1, 3, 6, 10, 16, 18, 19, 26, 28, 34, 35, 41, 42, 44, 47, 54, 59, 62, 66, 67, 71, 78, 81	Inadequate infrastructure	Multiple submissions raised concerns in relation to the proposed rezoning on the basis that there is insufficient consideration of existing and future infrastructure, inadequacy of current sewer services, inadequate provision of a range of community facilities and insufficient footpaths in the existing town of Paynesville. The opinions expressed concerns that the growth area cannot be supported as current provision of infrastructure is not currently available and will not be available into the future.	The efficient and effective provision and coordination of a range of infrastructure and services is a critical element in growth area planning. The subject land has been identified in master planning exercises in partnership with key infrastructure agencies such as East Gippsland Water, as performing a key role in providing serviced residential land. The Structure Plan has considered over an extended length of time, the provision of coordinated infrastructure required for the growth of the town. This includes such elements as reticulated water and sewer services, external road networks, networks of open space and regional drainage and stormwater upgrade and provision. This includes shared infrastructure provision and developer contributions.	No action	No	No

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
		Several submissions raised issues relating to current odor complaints relating to sewer services. Several submissions raised concerns relating to current inadequate provision of car parking in the town centre (commercial centre) of Paynesville. Several submissions raised specific localised inundation issues (inadequate drainage infrastructure in Newlands Drive, Sunset Boulevard). Several submissions raised concerns relating to capacity and capability of local existing drainage systems, infrastructure and assets ability to cope with increased development.	The DPO10 requires the landowners to prepare a Public Infrastructure Plan and a Shared Infrastructure Contributions Plan ('SICP'). The purpose is to identify infrastructure contributions for roads, open space and stormwater. The developer contributions approach will require the equalization of land and infrastructure items. The result is that the landowners (the Developers) will pay for and provide for a range of infrastructure items and upgrades. Issues relating to congestion and car parking in the town centre of Paynesville are outside the scope of the planning scheme amendment.			
6, 15, 22, 44, 52, 56	Conversion farming land to residential land	Concerns have been raised in relation to the extent of growth and conversion of farming land.	The strategic position is that the highest and best use of the subject land is its conversion from grazing land to urban development, aligning with the principles and objectives of the HSS. The growth area is ideally located near Paynesville, the gateway to Gippsland Lakes, providing strong opportunities for employment, tourism, and recreation. The land is well-located, capable of being serviced efficiently, classified as low risk regarding natural hazards and not designated as high-quality agricultural land. It supports Paynesville's role as a service centre and has the capacity to be rezoned. Future subdivision and development of dwellings can be achieved affordably while making efficient use of existing infrastructure and community facilities.			
11	2.8metre Australian Height Datum ('AHD') line	Multiple submissions raise issues relating to the 2.8metre AHD as follows. - The accuracy of the 2.8metre AHD line. - The appropriateness of the zoning of the land adjacent to the 2.8metre AHD line. - Request for land to be included in a suitable coastal zone. - Coastal hazard and flooding issues - Request for additional land to be converted to area for foreshore purposes	The Structure Plan (at R1 and R4) establish the principles relating to land adjacent to the Gippsland Lakes by excluding any land less than 2.8 metres AHD as being suitable for future residential purposes. All land less than 2.8metre AHD will be created as Reserve and will vest in public ownership. This is consistent with the Victorian Coastal Strategy and the PPF (State Policy). The amendment has responded to this through the use of the chosen controls and by ensuring that the requirements of the DPO10 embed the principles around no development below 2.8mAHD. As part of the resolution of matters raised in a submission, the landowners have provided survey data which documents the 2.8metre AHD line. The planning maps have been amended accordingly to ensure that the proposed GRZ3 zone matches the 2.8m AHD line. Issues raised in relation to the current zoning of land at 10 Fullarton Drive and the fact that parts of the land zoned for General Residential purposes are below the 2.8metre AHD line are outside the scope of this amendment. The planning scheme amendment has been referred to the East Gippsland Catchment Management Authority as part of the planning process. The EGMCA is generally supportive of the proposed planning scheme amendment, except for requiring all land less than	Yes. Modify map51 zone to exclude all land less than 2.8metre AHD.	No	No

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
			2.8metre AHD not be included in the GRZ3. This has been addressed as per earlier comments. Submitters have requested that all land be included in a suitable coastal zone. There is no such coastal zone in the suite of planning controls forming part of the Victorian Planning Provisions. Coastal processes and inundation processes are being addressed as part of a concurrent update to the planning scheme relating to the flooding provisions and mapping. This project is being progressed in partnership with the East Gippsland Catchment Management Authority and is identified as Further Strategic Work.			
1, 4, 7, 15, 20, 28, 29, 30, 37, 47, 62, 71, 72	Coastal, sea level rise and climate change considerations	Multiple submissions consider that the planning scheme fails consider flooding, inundation, sea-level rise and climate change. Submissions consider that there is a need to update flood mapping provisions. Need to adopt the precautionary principles in planning principles.	Climate change impacts are addressed at clause 13.01 of the PPF. State planning policy at clause 13.01-2S contains objectives and strategies relating to Coastal inundation and erosion. The Development Plan Overlay (DPO10) requires a Foreshore Improvement and Management Plan (FIMP). This plan must assess coastal hazard vulnerability, including sea level rise, storm surges, and coastal processes, and propose mitigation measures. It is noted that a separate planning scheme amendment is underway to update flood provisions and mapping within the planning scheme. Further to this, the requirement for a FIMP aligns with Clause 12.02 (Marine and Coastal Environment), which aims to protect and enhance coastal areas.	No action	No	No
20, 27	Plans & Strategies	Multiple submissions consider that the planning scheme amendment is inconsistent with the following documents. - Council Plan and Council Action Plan. - Regional Catchment Strategy. - Integrated Water Management Plan. - Need to include reference to CSIRO 2022 Gippsland Lakes Report	The planning scheme amendment is consistent with strategic objective 2.1 of the Council Plan which seeks to implement statutory and strategic planning for land use which delivers sustainable outcomes that effectively balance the need for growth, lifestyle, character, the built and the natural environment. The Council Action Plan (2024-25) includes initiative 2 which includes the initiation and progression of the HSS and Paynesville Growth Area Structure Plan (page 9). The Action Plan also includes implementing the delivery of actions from the key growth areas plans including the Paynesville Growth Area. The planning scheme amendment C172egip delivers on this initiative and progresses the implementation of the identified growth area for the settlement of Paynesville. Strategic major initiatives 4 (page 12) of the Council Plan Action Plan includes working with local developers and stakeholders to apply environmentally sustainable design principles across new subdivisions and developments. This will be achieved as part of the implementation of the DPO10 and preparation of the development plan for the growth area. Water Sensitive Urban Design ('WSUD') will be incorporated in new subdivisions as part of the Infrastructure Design Manual principles and obligations.	No Action	No	No
4, 5, 33, 36, 41, 43	Net community benefit	Several submissions consider that the only benefit is the subject landowners and as such there is no net community benefit to	The amendment delivers net community benefit. As detailed within the Explanatory the amendment will enable informed decision making in relation to facilitating diversity in housing options and associated land uses while protecting the character and	No Action	No	No

Sub No.	Themes	Issue	Officer response	Action taken	Resolved	Withdrawn
		residents and community as an outcome of the planning scheme amendment. Criticism that council showing preference for landowners.	environmental values for Paynesville. The updated policy framework and DPO10 obligations will balance the increased demand for residential development with character, community and environment factors. This approach has appropriate regard for the planning scheme requirements related to integrated decision making which seeks to balance competing elements of zones, policy provisions and objectives of planning in favor of a net community benefit. The planning scheme amendment is expected to generate positive social benefits for Paynesville and East Gippsland through resulting variety in housing development opportunities and delivery of community infrastructure.			
26, 38, 39, 45	Infrastructure levies and developer contributions	Several submitters consider that there is insufficient information relating to financial arrangements for servicing. Submitters confirm need for developer contributions and need for details upfront.	Developers and government share responsibility for infrastructure delivery, a standard practice for growth areas zoned for urban use and development. Infrastructure funding can be managed through planning provisions, including Infrastructure Contribution Mechanisms, which outline financial obligations. To ensure coordinated infrastructure delivery, the DPO10 proposes a *Shared Infrastructure Contributions Plan (SICP)*, developed in consultation with landowners and approved by the Council. This plan will prioritize key infrastructure such as roads, intersections, stormwater and drainage assets, public open spaces, and foreshore land, ensuring equitable cost distribution among landowners.	No action	No	No
23, 52, 56, 57, 71, 72, 79	Development Plan Overlay planning tool	Multiple submissions raise concerns relating to the exemption from public notice and review rights. Multiple submissions raise concerns in relation to the use of the development plan overlay as a tool to defer the preparation of detailed assessments and technical reports.	The Development Plan Overlay is a widely used tool across the state which does exempt development plans from public notice, an element that councils are unable to modify or change. However, Council has a development plan policy which directs all new and some amended development plans to be subject to public notice before a decision is made. Again, many councils across the state have similar requirements for public notice, despite the state direction. The DPO is the correct Victorian Planning Provisions tool for the implementation of the Structure Plan for Paynesville because it allows for coordinated planning and development.	No action	No	No
16	Aboriginal heritage not adequate protected.	Submission considers that the rezoning has not considered Aboriginal heritage.	The planning permit for subdivision will require the preparation of a detailed Cultural Heritage Management Plan.	Yes. Update to ordinance	No	No
62	Social housing	Provision of social housing inadequate	Council is not the lead agency for the provision of social housing	No action	No	No
72	Version control Paynesville Growth Area Structure Plan	Concerns expressed in relation to the modifications to the Structure Plan between 2016 and 2023	The 2023 version of the structure plan has minor modifications to update statistical data and references. The changes do not alter the intent of the structure plan or make any major amendments to the recommendations or outcomes.	No action	No	No
79	Property values	Concerns relating to devaluation of property values as a consequence of the increased density	Property values is not a relevant planning consideration.	No action	No	No

Supporting Submissions (Landowner Requests)

No	Theme	Issue	Officer response	Action	Resolved

69	Land supply and residential growth	Support for planning scheme amendment and rezoning of land for residential growth. Minor changes to wording in ordinance (DPO10). - Insertion of wording 'to the satisfaction of the responsible authority' and insertion of word 'the'	Agreed to minor changes to wording.	Yes. Minor changes to ordinance as requested.	Yes
69a	Addendum Submission	Provides overall support. Minor changes to wording. - Delete word spacious (11.01-1L-02). - Replace with *'Provide a variety of lot sizes and housing types to meet community needs'*. - Delete policy guidelines – *"Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8 to 10 per hectare"*. - Delete reference to preparation of a cultural heritage management plan.	Agreed minor changes to wording. Agree to deferment of cultural heritage management to planning permit process as part subdivision requirements.	Yes. Minor changes to ordinance as requested.	Yes
70	Land supply and residential growth	Support for planning scheme amendment and rezoning of land for residential growth. Minor changes to wording in ordinance. Word and ordinance changes (DPO10). - Insertion of wording *'to the satisfaction of the responsible authority'* and insertion of word *'the'*.	Agreed to minor changes to wording.	Yes. Minor changes to ordinance as requested.	Yes
73	Support for land supply and delivery of residential growth	Supportive of planning scheme amendment as it relates to land at 229 Bay Road and 1325 Paynesville Road. Request. <u>Schedule 10</u> - Amend diagram 1 in DPO10 to include 229 Bay Road with Paynesville Growth Area. - Amend diagram 1 to include 2.8AHDmetre line. - Modify the limit of area shown an 'future residential zone' to coincide with 2.8metre AHD line contour. - Amend Explanatory Report to correct clerical error and ensure reference to 2.8metre AHD. <u>Foreshore Improvement Management Plan</u> - Refinement of the requirements of the FIMP as listed at clause 4.0 of DPO10 to provide certainty of Council's expectations. - Delete (or modify) requirements for public access and facilities	 Not agreed. Diagram 1 in DPO10 will be deleted. Not Agreed. Diagram 1 in DPO10 will be deleted. Not Agreed. Diagram 1 in DPO10 will be deleted. Agreed. Not agreed. Not agreed.	Yes. Minor changes to ordinance as requested in part.	Not resolved in full.

		which are contrary to environment management. - Confirmation of the spatial area to be the subject of the FIMP. <u>Density of development</u> - Amend strategies clause 11.01-1L-02 to "Provide for a variety of lot sizes and housing types to meet community needs. - Delete policy guideline – *"Policy guidelines – Paynesville. Encouraging a variety of lot sizes in new subdivision on greenfield sites, with an average lot yield of 8-10 lots per hectare".* <u>Three-dimensional building envelopes</u> - Amend DPO10 to provide for development guidelines on future built form. - Amend diagram 1 to DPO10 to shoe those areas where three-dimensional building envelopes will be required. - Amend DPO10 to enable mechanisms to secure three-dimensional building envelopes to the satisfaction of the responsible authority. <u>Cultural heritage</u> - Amend DPO10 schedule to delete the requirement for a cultural heritage assessment at development stge.	Not agreed. Agreed. Agreed. Not agreed. Requested changes are unclear. Not agreed. Diagram 1 will be deleted. Not agreed. Agreed.		

Referral Agency and Community Groups Responses

No:	Theme	Issue(s)	Officer response	Action taken	Resolved	Withdrawn
75	East Gippsland Water ('EGW')	Provide support for the planning scheme amendment, noting support for preparation of Shared Infrastructure Contributions Plan and Precinct Infrastructure Plans.	Noted. No action required.	No action.	NA	Noted.
63	East Gippsland Catchment Management ('EGCMA')	Need to resolve the location of the 2.8metre AHD line prior to the finalisation of Map51zone. EGCMA does not agree to any land below 2.8metre AHD line being rezoned to GRZ.	Agreed, survey data has been obtained and the planning maps updated accordingly to reflect the 2.8m AHD line.	Yes. Modify planning maps.	Yes.	No
65	Friends of Gippsland Lakes ('FOGL')	The submission by FOGL is not supportive of the planning scheme amendment and raises the following matters. - Township of Paynesville as a coastal location is highly vulnerable to coastal hazards, including storm surge, erosion and long-term sea-level rise. The planning scheme fails to adequately take account of the	Many of the concerns of this submission have been addressed throughout this document. We agree that the subject land has a coastal interface and have therefore obtained the survey data to confirm the 2.8m AHD 'line' and have drafted the relevant planning controls to ensure that the principles around no development below this 'line' are embedded. We acknowledge that the submission debates the 2.8m AHD 'line' however this level has been determined by the Coastal Hazard	No action	No	No

		risks and inconsistently applies planning controls, allowing for increased density that is at odds with the character and environmental constraints. - GRZ zone allows for three-storey dwellings without suitable controls to emphasis coastal landscape, climate adaptation and sensitive urban design. - Neighbourhood Residential Zone ('NRZ') is more appropriate zone as it is able to limit building heights, prevent further subdivision and protect landscape character. - The DPO grants excessive discretionary powers to the responsible authority. This undermines transparency, weakens community consultation and risks ad hoc decision making that fails to consider long term effects. - There is a need for stronger environmental protections to protect Paynesville's coastal identify. ecological values and long-term resilience. - The neighbourhood character objectives in the GRZ fail to clearly define local character and do not align with delineated character areas as identified in the Urban Design Framework (2007) ('UDF's'). - DPO10 controls do not implement R8 of the Structure Plan the proposed controls are not generally consistent with the Design & Development Overlay 14 relating to Paynesville township area ('DDO'14'). - DDO14 has a mandatory height limit of 7.5metres. - Objection to the deletion of the SLO control. - The Structure Plan makes recommendations in relation to lot density and size which are not carried through into the planning controls as proposed by the planning scheme amendment. - Higher densities on prominent ridgeline is not appropriate, where larger allotments should be preferred (lots greater than 1000sqm). - Three-dimensional building envelopes are too flexible and have no minimum requirements. - R7 of the Structure Plan requires enhancement of the landscaping which is not prescribed in new planning controls.	Vulnerability Assessment prepared by Water Technology and is supported by state planning policy which states that we must be planning for 0.8m AHD in terms of sea level rise. The Neighbourhood Residential Zone (NRZ) is not appropriate for a growth area because its purpose is for incremental change, hence why GRZ3 is proposed instead which allows for substantial change. A decision was made not to apply the DDO as part of this amendment because it is determined that the DPO10 does all of the heavy lifting in terms of development outcomes. Furthermore, the DDO is being reviewed as part of a separate project and this section of Paynesville will be reviewed as part of that process. The general disagreement with the DPO being applied and its wording is noted however some of that is part of the standard control, administered by the state. Furthermore, the DPO is the best tool at our disposal to ensure coordinated development and to deliver the more detailed planning of specific elements that the community wishes to see. A Coastal Hazard Vulnerability Assessment exists for the whole of the Gippsland Lakes and it is considered to be adequate to inform decision making on the amendment. It is noted that there is a separate project to review the flood mapping for the whole of the municipality. Despite the outcomes of the separate flood mapping project, we are confident that the application of the 2.8mAHD 'line' is sufficient to identify coastal inundation risk and plan accordingly. As previously discussed, the DPO10 requires further investigation into any impacts on flora and fauna and any mitigation measures that must be employed to protect identified species.			

		- Insufficient buffer distance between the foreshore road and recreation reserve, given prevalence of shoreline erosion. - Need to take a more precautionary planning approach, which is more conservation having regard to coastal processes and sea level rise. - There should be a community process associated with the design of the three-dimensional building envelopes. - DPO10 requirements for community consultation are weak. - The Structure Plan is not a comprehensive and up to date integrated structure plan. - Disagree with clause 2.0 which allows the approval of a planning permit prior to the approval of development plan. - Failure to disclose updated background technical reports. There is uncertainty around background information, specifically ecology, biodiversity. - Position that climate change projections have advanced considerably and that the 2.8metre AHD line is not intended to be used as a strategic planning tool. - 0.8metre sea level rise projection is now outdated. Need to use latest available information such as IPCC. - The planning scheme is not consistent with the Marine and Coastal Policy and the precautionary principle in planning. - Need for a full flood study, further hydrodynamic modelling and prepare full technical drainage reports prior to the rezoning of the land. - An updated Local Coastal Hazard Vulnerability Assessment is needed. - Concerns that ay proposed drainage infrastructure will progressively fail due to sea level rise, as the constructed wetland will ultimately be submerged. - Negative impacts on Ramsar wetland and migratory birdlife. - The Structure Plan has not been informed by a detailed biodiversity assessment, which is a failing of the planning process. - The planning scheme amendment is not consistent with a range of open space and urban landscape provisions, with respect to access to spaces and buffers.			

		- The planning scheme amendment results in poorly integrated recreational reserves. - The planning for the reserve areas fails to take into account the need to realign the walking track between Eagle Point and Paynesville, also fails to integrate the additional 50.0metre buffer.				
13	Cemetery Trust	Request inclusion of a buffer between cemetery land and future residential zoned land (10 to 15 metres). Concerns relating to proximity of future LAC and buffer issues with the cemetery. Impact of future traffic on Paynesville Road for turning traffic into the cemetery. Request for a right-hand turn aisle on Paynesville Road.	Buffers can be considered as part of the drafting and consideration of a development plan. Inclusion of right-hand turn aisle are outside the scope of the planning scheme amendment process and future development plan process.	No action	No	No
83	Department of Energy, Environment and Climate Change ('DEECA')	Supportive of the planning scheme amendment. Support for 2.8metre AHD line for rezoning. Supportive of the conversion of land from Farming Zone to Public Conservation and Resource Zone upon the completion of the transfer of land process to a Public Land Manager. Notes that the deletion of the SLO will result in weakening of local planning policy. Notes concerns relating to landlocking kangaroos. Notes requirements for future subdivisions to meet requirements of FFF Act and EPBC Act. Requests additional wording to DPO10 Flora and Fauna requirement. - DPO10 Flora and Fauna Assessment to include reference to avoid and minimize impact, incorporate findings of surveys to protect threatened species and protect habitat, undertake targeted surveys and requirement for preparation of a Kangaroo Management Plan.	Updated wording. DRAFT wording (with color changes). "A Flora and Fauna Assessment *must demonstrate the application of the avoid and minimize principles,* that considers any impacts on native flora and fauna under relevant national, state and local legislation and policy frameworks, prepared by a suitably qualified professional in consultation with relevant agencies and authorities". *The Assessment must make recommendations for future subdivisions design and must regard for any habitat values and occurrence of threatened species identified as part of the report. The Assessment must include targeted surveys of any threatened species and make appropriate links in the preparation of the Foreshore Improvement Management Plan".* It is not considered appropriate to nominate specific preparation of a Kangaroo Management Plan, as this will be considered with other nominated species of flora and fauna. It is anticipated that the Flora and Fauna Assessment will include a section to address the management of kangaroos as part of the overall assessment.	Yes. Modify DPO10 for changes to Flora and Fauna.	No	No

Submission 1

From: [redacted]
To: Strategic Planning
Subject: [redacted] Paynesville Community Plan.
Date: Saturday, 7 December 2024 6:47:56 PM
Attachments: Review of Paynesville Planning documents.docx

You don't often get email from [redacted] Learn why this is important

EXTERNAL E MAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Thank you for the opportunity to submit this review.

[redacted]

Review of Paynesville Planning documents.

EG Planning Scheme

Objective – To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Settlement: (11.01-1S)

Strategy

- Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facility.es.
  Comment: define sustainability in its current usage. Particularly with current knowledge of climate change impacts on community, lifestyle, environments.

  11.01-1R page 5.
  31/07/2018
  VC148

Settlement – Gippsland

- Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership
- **Comment: ADD 'and increased tourist numbers'. This will particularly affect Paynesville if the new tourist centre/park is built at the intersection of Grandview and Water view Streets and more accommodation is developed in the town centre.**

Gippsland Regional Growth Plan page 6.

Map

Comment: Strategic Tourism Investment Areas. Only the very large areas are named. These are ara for 'large view tourists. Need to also look at other environmental tourism activities with fewer environmental impacts – e.g. birdwatching, NB be aware or bird numbers are declining in general and under threat of avian virus. Needs fuding to maintian and build the resource, not just use it for our advantage.

If we are touting environmental tourism we need to add some of the smaller areas:

- **The silt jetties – second largest in the world after Mississippi. Prone to over use by vehicles ad people. Forms part of the cycle 'tour' of the area for local and visitors riders.**
- **Eagle Point – last/largest remaining stand of grey box species in Victoria.**

11.01-1L-01

25/11/2022 page 7.
C162egip
East Gippsland settlements

Strategies:
Design new subdivision within or adjacent to unsewered towns to have lot sizes appropriate for on-site treatment and disposal of wastewater.
Comment: ADD: 'build energy independent townships and new estates '– refer to sustainable communities strategy comment on needing a definition of 'sustainable'. Continuing, fail safe power supply is one of the most requested items during community discussion on dealing with natural disasters. (EG CAN series of three community activities 'Climate Ready Groups ').

11.01-1L-02 page 8.
Growth area towns

Paynesville – Strategies. Page9.

Encourage high quality tourism and eco-tourism facilities that facilitate year-round destination visitation.
Promote a high quality, integrated tourist accommodation facility at the township entrance generally in accordance with the Paynesville Framework Plan to this clause.
Comment: see submission to the Paynesville Framework Plan. Is this the same plan as the Paynesville Structure Plan? Why two names?

Ensure retail and commercial activities located outside the activity centre do not affect the viability of the activity centre.
Comment: define "activity centre". If the centre of the town along the foreshore is meant here, understand that the area is very small and needs to be decentralized for many basic needs eg retail.

Provide a distinctive visual transition into Paynesville by establishing expansive green edge abutting entry roads while maintaining vistas to the Gippsland Lakes.
Comments: sounds like an oxymoron. Views through verge planting?? Which Lakes?

COMMUNITY PLAN PAYNESVILLE.
SUMMARY of Comments:

- **A really good effort on behalf of Staff and council. Congratulations, the work really does reflect the new approach to sustainable urban living.**
- **Missed opportunity to develop an estate which is future proof in regards to energy generation, collection and storage , as other sustainability issues are well planned for**
- **Need to consider future disasters and local solutions eg community refuge points.**

- **TOO much about tourism - a very unstable industry to place so much emphasis on – financial and planning, change of zones etc.**
- **Housing options to include tiny homes and homes for low income and disability, pensioners etc.**
- **Perhaps an apartment block or two for rents, new comers to housing ownership, older age downsizers - two story only , in a section by themselves . To be sustainably independent as with other houses - see comment above.**
- **Movement network is possibly not thought through to the end result of travelers exiting King and Ashley Sts onto Main Road in Paynesville, near the primary school and through local roads, not built to carry larger numbers of vehicles.**
- **These streets are very popular cycling routes – will they be upgraded with off road cycle tracks, especially considering the children. NB these roads lead to the water management and flood mitigatinsite located off Haylock St. VERY popular cycling, walking and running destination and one, we hope, will provide a great set of play areas and environment.**

Options for Growth

1.6.1 Land supply, Lot Yield and Population

Comment:

- **Does the document mean: "there are projected to be 1,025 dwellings (TO BE BUILT?) to accommodate growth over that period'**
- **Expected Pop. Growth from 2021 of 3,636 people to a population in 2041 of 6,250 people. Alternate figures for Population growth - : AI Overview '**The predicted population of Paynesville in **2046 is 9,182'.**
- **Inaccurate stats? - The total maximum lot yield for the area within the structure plan is estimated for the purpose of the structure plan to be 1,375 lots". Compare numbers here and above for house numbers, and expected population as other areas are land banked for development and infill projects are completed.**
- **Included this number into population stats and we are getting a different picture of the population growth "not including demand taken up by infill development of existing residential areas,…"**

Alternate figures for Population growth - : AI Overview The predicted population of Paynesville in **2046 is 9,182.** The population is expected to grow from 6,946 in 2024. The number of dwellings in Paynesville is also expected to increase from 3,887 in 2021 to 5,699 in 2046. As of June 30, 2023, the population of Paynesville was estimated to be 6,491, which was a 0.80% increase from the previous year.

1.6.2 Infrastructure and Servicing

Comment: no reference to building in systems to cope with climate change impacts, natural disasters, improved living standards

- **Neighbourhood solar, wind energy generation (microgrids, community batteries)**
- **Land for community use eg community gardens, cool spaces (heavily canopied open spaces**
- **Disaster shelters – storm, winds, fire**
- **Hard surfaces to be semi -permeable for maximum water retention on site.**
- **Street verges to have water pits or similar, whatever is the latest technique, near proposed tree planting for water retention and over summer watering.**

1.6.3 Traffic

Comment:

- **When were the traffic studies done?**
- **Anecdotes, same as previous studies. <u>Can plans be based on anecdotal assumptions????</u>**
- **Rebuttal of anecdotes:**
  - New development areas are occupied by young families with high movement needs – schools retail, services, social
  - Older people have many reasons for movement – services eg hospital medical in Bairnsdale, exercise groups, retails, many social and volunteer commitments, family visits and care
  - Car ownership – Analysis of car ownership in 2021, indicates ***58%*** *of households in Paynesville had access to two or more motor vehicles*, compared to **56%** in East Gippsland id Profile
  - N.B. cars are larger, trades people are a large proportion of Paynesville Population.
  - Parking on the verge is seen as a legitimate activity, reducing amenities of the street and streetscapes
  - Census 2021: Family composition: N.B. very similar with the rest of Victoria and Australia so can't be used as a mitigating factor reflecting reduced car use.

Single (or lone) parents
Proportion of the total single (or lone) parent population
Male
Female

  - Number of cars per family. Paynesville has **58%** ownership of more than one car, Victoria average is **56%. Stats below are 2021 census data.**

Number of registered motor vehicles

Occupied private dwellings (excl. visitor only and other non-classifiable households)

None
1 motor vehicle
2 motor vehicles
3 or more vehicles
Number of motor vehicles not stated

Note: *Motor vehicles excludes motorbikes, motor scooters and heavy motor vehicles.*

- **<u>Suggest a re-evaluation of this Traffic understanding and designs</u>**.
  'Given the benefits of
  providing a road network that is designed for optimum, rather than maximum volumes of
  traffic, and the long time period over which actual traffic volumes can be monitored, there is
  no tangible disadvantage in modeling and designing the road network based on this figure'

2. OUTCOMES

2.1 Vision

Comment:

- **Define "Local Activity Centre" in more detail, it's on ground needs and size etc, activities, public/commercial.**
- **Given the potential growth of Paynesville, more retail activities should be centred away from the foreshore commercial area. More population (ir more cars, more parking, more congested roads into the centre) , more tourists, (general traffic but often with larger vehicles or vehicles with towing, larger parking sites and more of them) parking issues,** the swans well being**, water impurities in hot seasons, I suggest MORE out of centre basic services would be a better recommendation.**
- **If people are parked on the edge of town, how do they arrive at the centre? <u>Not all tourists cycle!!</u> PCP quote - 'Generous open space linkages and pedestrian/cycle corridors will provide convenient off-**
  road access into the existing town and to connect with public foreshores.
- **Future disaster- needs planning for tourists and residents. Increased congestion on roads which are single lane with one road in and one road out of Paynesville.**

2.2 Achieving the Vision

2.3 Planning and Design Principles

2.3.1 Town character and identity

Comment:

- **future town character will also depend on surviving climate change with resilient residents and infrastructure - again independent community solar/wind energy supplies, proper tree planting - not avenues of single trees but connected canopy, wild life habitat from connected verge gardens and habitat corridors. Etc.**
- **Define 'park-like" – old style European parks and wealthy gardens?? Australia now needs a very different approach.**

https://www.youtube.com/watch?v=BsQzOz6KLoc
https://www.planning.org.au/documents/item/11820
https://www.planning.nsw.gov.au/sites/default/files/2024-05/biodiversity-in-place.pdf

"…landscaped open spaces will create a distinctive park-like townscape and vistas."

Comment:

- **not the open space design for the future.**
- **Follow the 3-30-300 rule for canopy design, INCLUDING PARKLANDS. https://nbsi.eu/the-3-30-300-rule/**
- **Design in disaster refuge spaces for residents and tourists – large numbers in summer season.**
- **Open spaces must provide areas of dense shade with fire retardant properties for the community in heat waves and fire threats.These areas will need portale support services eg Mobile water, first aid mobile generators which can be moved as the crisis changes.**

2.3.2 Urban Land Use

'Tourism development is encouraged on designated land in the study area'

Comment:

- **More details please. Access to township without increasing vehicle numbers on the road? What will the road entry point look like? A roundabout? Lights? Expanded turning lanes for large vehicles (large cars and large caravans and boats?. Increases traffic use at a main intersection.**
- **What will happen to the main road to Bairnsdale? Currently one way in, one way out, with only single vehicle lanes.**
- **Where is the land in the central township area for tourism accommodation? Tourism is a very unstable economic industry to base all these expectations and local changes on. Instability magnified by natural events including epidemics.**
-

'The growth area is intended primarily to accommodate residential land use'

Comment:

- **This quote describes a residential area without heart or vibrancy.**

- **Where are community used/managed halls and meeting spaces? Local café near the parks? Are, e.g. families and seniors, expected to drive to find a local space for their activities? In established areas we take this availability of public use spaces as a norm.**
- **Local disaster refuges? People need local shelter, and NOT be driving towards the main township area for help.**
- **Where is the local school/kindergarten/childcare? Build community connections, not road users, or services for tourists.**
- **<u>Has Council worked out an estimate of the need for services by families with young children?</u> Keep family services local for community strength.**

2.3.3 Movement Network

Comment:

2.3.4 Foreshores and Wetlands

'Foreshore reserves should be accessible for passive recreation (primarily walking and nature watching) where appropriate, and managed for conservation purposes in more sensitive areas'.

Comment:

- **This statement assumes that the areas are only accessible to land bound people. What about boats? – motored, people powered, wind powered. Many access the foreshores as stopping places or for latrine use! If attracting tourists is a prime aim – what about catering for on water tourists eg birdwatchers, who have minimal environmental impact but still bring money to the town?**
- **Managing large boats and fossil fuel driven boats is essential in these areas. Even the best boats leak fuel! They smell and create more noise that is healthy for wildlife. Backwash from motors affects shorelines especially for land nesting water birds and small fauna. Especially of significance in the silt jetties canal.**
- **Hopefully protection of the silt jetties and access roads and user numbers will be managed to better the future outcomes of this area.**

2.3.5 Public Open Space

Comment:

- **See above for the rule of 3-30-300 in designs for streetscapes and open space.**
- **New i2.4.9 Sustainability information is available about new ways of planting to encourage habitat and maintain a balance between species**
  SEE: https://www.youtube.com/watch?v=BsQzOz6KLoc
- **Ensure space is left for group community activities – bush kinder, community gardens, for cool spaces to be used in heat waves. Other disasters refuges.**
- **View the entire urban area as a potential tourist attraction - attract gardeners, sustainable travelers looking for non-fossil fuel eco areas to discover…. I suggest the first activity tourists undertake after settling into accommodation or the caravan park, is to become familiar with their immediate surrounds. Offer eco- information about the area.**

'Local neighbourhood spaces should provide passive and active recreational opportunities for all ages, with play facilities, seating, landscaping and amenities to meet local demand.'
Comment: To this end, each play area should be different in style, materials and equipment to encourage families to move between the play areas by walking or cycling/scootering. Builds local community knowledge, and and will become a tourist attract for families.

2.3.6 Drainage and Water Management
Comment:

- **Where waterways have been buried or obliterated, re-instate their natural flow in the urban areas for aesthetics, wildlife habitat and sensory exploration by children.**

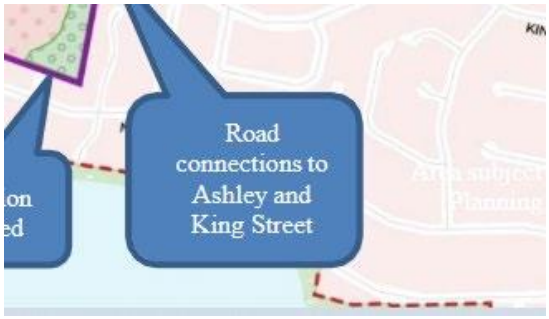
2.3.7 Infrastructure and Subdivision Works

2.3.8 Coastal Inundation
Comment:

- **Has allowance been made for the increase in water runoff because of the increase in impermeable surfaces after significant severe rain events which will cause local flooding?**

2.4.9 Sustainability

2.5 Preferred Urban Structure
Roads from Grandview to Ashley and King Sts.



Comment: <u>This is my principle concern about the Plan.</u>
While the idea of the aesthetically pleasing entrance to Paynesville is commendable, my concern is about

- **the numbers of vehicles which will be diverted from Paynesville road to cross Paynesville to the centre,**
- **the increased number of local residents from the new estate area coming into the township's centre.**

- **Both Ashley and Kings Streets are narrow, and in the primary school precinct.**
- **Increased traffic will create concerns for local residents and impact their neighbourhood amenity and character.**
- **'What happens downthe line?; and on the Paynesville/Bairnsdale roads?**
- **Will large roundabouts or traffic lights be installed at the 'entrance' at Grandview and Waterview and Main Roads to manage the turn into Grandview Road? It's already very busy especially at peak hour.**
- **Traffic turning into Eagle Point and the proposed tourist centre, will need management, and improvement in the road structure and design.**
- **Traffic will need better management at the conjunction of King and Ashley Sts with Main Road in Paynesville. Roundabouts or lights will change the character of the area, from country town to metro feel, just what the planning document wants to avoid for the new area!**
- **What long term improvements are planned for the Paynesville – Bairnsdale Road? Already over used, and a complete traffic block in peak seasons with boats and trailers and caravans and structurally prone to damage. This one road provides a great problem in times of natural disaster, having only one road in and the same road out of the area.**
- **Who is using these roads?**
  - **Residents? Tourists?**
  - **How many vehicles are expected to use the roads? Daily and at peak holiday times? Also, the flow on effect on overall traffic numbers if increased tourism efforts results in an all-season tourism number increase?**
  - **If people are looking for Paynesville Holiday Park, and Allowah Holiday Park, they must be directed to use Main Road. Otherwise there will be large vehicle/van combinations on small local roads with impacts on local neighbourhoods, road structure and resident safety.. Once into Paynesville these smaller roads, tourists will vans still need to navigate neighbourhoods to get to the Pynesville Holiday Park. The shorter, straighter route is via Main Road – King St – Queen Street, which are all wider for carrying larger units.**
  - **What is the impact of heavier, more frequent traffic on these road surfaces?**
  - **Heavier traffic past school zone, slow down areas plus safety concerns. Parking at the school in Ashley St at beginning and end of school days will really narrow the road, and make it more difficult for the increased traffic. The area is also a 'slow' area at these times, delaying traffic.**
  - **These two roads (King and Ashley) were originally local, resident roads. – narrow, twisty, and still ending up at Main Road, with traffic needing to cross both lanes of Main Road to turn right into Paynesville retail centre. Conversely, turning left out of King st onto Main Road or to continue along King St, is also difficult, and has already resulted in a number of local accidents as people try to rush across the street. <u>NB there are no marked pedestrian crossings</u> at this intersection or along Main road except near the school, creating a safety issue fr walkers and cyclists, families and seniors with mobility aids.**

- **What about the neighbourhoods' amenity?**

18

3. IMPLEMENTATION

3.1 Planning Objectives, Requirements and Guidelines

3.1.1 Town Character and Identity

Comment: A great opportunity has been missed to create a new future proof community, with independent water and energy provision. Solar and wind generators owned by community, household water, EV charging station, water management (pretty good plans in the document),community space and meeting areas, disaster ready facilities.

- **R1 parkland landscapes – define please. Open lawns with single trees are no longer the sustainable environmental standard. We need trees with connected canopies and wildlife habitat at their base. Standard = lawn grasses to be replaced by areas of native grasses. Water retained on site near trees and garden beds by using USWD eg water retaining trenches.**
- **R2 - specify canopy requirements**
- **R5 – habitat required , not open landscapes with views.**
- **G2 – use the 3-30-300 suggested tree planting profile. 5**The rule states **every house, school and workplace should have a view of at least three trees, be in a neighbourhood with at least 30% canopy cover, and be within 300 metres of a park. I would suggest an 70 - 80 % canopy cover here in Australia, the 'rule' as developed in Europe with cooler and shorter summers. https://www.abc.net.au/news/2024-11-20/sydney-melbourne-cities-fail-tree-canopy-cover-study-green-space/104614210?utm_campaign=abc_news_web&utm_content=link&utm_medium=content_shared&utm_source=abc_news_web**
- **G3 may need to be adapted to use the 3-30-300 rule.**

3.1.2 Urban Land Use

Comment:

01 – 'Spacious residential character', see notes above under 3.1.1.

02 – 'Medium density residential development, aged care and retirement accommodation' PLUS low income and disability friendly housing.

G2 – Actually encourage smaller lots for Tiny Homes and smaller basic homes. May need to be set in a select area to form a character of their own within the estate. What about 2 story apartment buildings (no higher and not including underneath car parking) in a selected area? That really makes for compact residential living as it sounds to be supported by great open space in the area. Apartments are a really good start for early home buyers and older folk who want to downsize.

3.1.3 Movement Networks

Table 1: Street Classifications

Comment:

- **Access Place and Access Street, both with low posted kmh (15 kmh and 40 mh respectively) and are both in residential zones where we are trying to encourage the population INCLUDING children to cycle. Both should have off road cycle paths. I note that the verges for both types are quite wide and could accommodate a cycle route. If this is not done I suspect that cyclists (particularly children) will continue to use the footpaths for their safety.**

3.1.4 Foreshores and Wetlands

Comment:

O4- why the emphasis on tourist comfort? Zone for low density, low income housing instead, with our rates money.

R5 - include verges of urban streets in this detention of water planning. Build in the requirement to the developers plans. Again don't miss the opportunity to make this an exceptional area of environmentally active development.

3.1.5 Public Open Space

Comment:

- **Lighting needs to protect animal life and habitat, especially of night birds, small mammals and insects**
- **Use park lights which are motion sensitive to detect human sizes shapes.**
- **General community refuge/meeting spaces in disasters. May house centrally located survival equipment.**

Guidelines:

G2: "Development plans for open space areas…"

- **ADD ' to meet the developmental needs of all age groups with <u>different and challenging equipment at each open space, including access to disability equipment,</u> encouraging families to move along the corridor or through the space to experience these challenges.'**
- **Natural material preferred for equipment in a natural- style setting. E.g.as supplied by Natura. https://naturaplaygrounds.com.au/**
- **Remember these areas are key meeting spaces for young families and new parents for playgroups, play dates, celebrations such as birthdays.**
- **For the tourists with children – word of mouth will attract people to visit this sort of play area.**
- **Need for a designated off-leash <u>canine play area</u> in a couple of open spaces. DISCUSS WITH ACCREDITED CANINE TRAINING EXPERTS EG PLAWFUL PAWS MANAGER AND OWNER** [redacted]

Table 2: Open Space Types

Comment

- **All open space areas must provide disability friendly furniture eg tables suitable to accommodate wheel chairs, appropriate BBQs, access to water fountains and taps, low height garbage and recycling bins, appropriate play furniture.**

- **E.g. https://www.playaustralia.org.au/sites/default/files/TheGoodPlaySpaceGuide.pdf**
- **MUST CONSULT WITH DISABILITY ADVOCATES AND DESIGNERS, NOT JUST BUY 'OFF THE RACK'**

3.1.6 Drainage and Water Management

3.1.7 Infrastructure and Subdivision Works

Comment:

- **Plan for each site to contribute to independent energy generation, collection and storage for community use eg microgrids, neighbourhood battery**
- **Wind energy generators in open spaces?? There are some very new and smart designs around now which are compact and effective.**
- **Who would install and pay for energy generation services?**

3.2 STATUTORY IMPLEMENTATION

3.3 DEVELOPMENT CONTRIBUTIONS

3.4 OTHER IMPLEMENTATIONS

Submission 2

From: [redacted]
To: Strategic Planning
Subject: RE: Amendment C172egip - Attention Nicole Reynolds
Date: Wednesday, 27 November 2024 3:28:11 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Thanks for your prompt response Kellinde

1. Thanks for the updated SP
2. The majority of residents along Newlands Drive are permanent residents – given the panel hearing dates are in May and June 2025 – surely an extension of time until the end of January would be appropriate – given the scale and complexity of the amendment?
3. Yes the map on Page 16 of the Structure Plan as updated. The extracted map from the Structure Plan in the explanatory document is unclear. It should be replaced with a clearer map with the properties involved clearly identified as the lands affected by the Amendment.
4. Noted
5. The recommendations in the SP do not include any provisions relating to urban interface issues with existing development along Newlands Drive as well as other existing urban areas – we note that it is to be a policy document in the proposed 11.01-1L-02 Growth Area Towns and is also listed as a background document. The proposed DPO10 Schedule 10 also fails to recognise this existing urban interface? The only mention of any interface issues to adjoining land is under Land Use and Township Character - Utilise landscape buffers or other mechanisms for sensitive interfaces to surrounding rural land.
6. The EAO needs to cover all the land proposed to be rezoned as filling of the land has been carried out which may also result in potential contamination. This is a requirement under the *Environment Protection Act 2017*

Cheers [redacted]

From: Strategic Planning <StrategicPlanning@egipps.vic.gov.au>
Sent: Tuesday, 26 November 2024 2:33 PM
To: [redacted] Strategic Planning <StrategicPlanning@egipps.vic.gov.au>
Subject: RE: Amendment C172egip - Attention Nicole Reynolds

Good afternoon [redacted]

Thank you for your email. I can respond to each of your questions as follows:

1. The 2016 Structure Plan still stands however had some minor updates in 2023 and I have attached it for your reference. I note that the Structure Plan has been adopted by Council and while it is included in this exhibition as a background document, it is not proposed to be amended as part of this planning scheme amendment.
2. Yes, the exhibition period is from 25th November until 10th January. This is two weeks longer than usual to cater for the holiday period. Council also decided that it would be a good time to catch those landowners who have holiday homes in the area in addition to the permanent residential community.
3. The map in the letter can be found on Page 16 of the attached Structure Plan. Is

that the map you were after?

4. The plans and reports are yet to be prepared. The proposed Development Plan Overlay includes a range of plans and reports that need to be prepared by the developer before any development can take place, this will include flora and fauna. The amendment that is on exhibition is only to place the Development Plan Overlay on the land to trigger the need for the reports at a later date, it does not require the reports to be provided now. This is a common approach when rezoning large areas for residential use.
5. As above. The proposed Development Plan Overlay will require plans and reports to be provided by the developer that consider and address drainage, staging, interface issues and other amenity considerations. Again, no development could occur until everything in the proposed Development Plan Overlay has been addressed.
6. The EAO is proposed to be applied to areas where further investigation of potential contamination is required. It does not necessarily mean that the land is contaminated but that further investigated is warranted.

I hope that I have answered your questions. If not, please do not hesitate to contact me on 5153 9500 or via this email.

Kindest,

■ **Kellinde Chester** ■ *Strategic Planning Projects Coordinator*

Please consider the environment before printing this e-mail.

From: [redacted]
Sent: Tuesday, November 26, 2024 11:35 AM
To: Strategic Planning <StrategicPlanning@egipps.vic.gov.au>
Subject: Amendment C172egip - Attention Nicole Reynolds

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Hi Nicole

We have received your letter notifying us of the proposed amendment to the Planning Scheme and would appreciate your help with the following please

1. We can only locate the 2016 SP for Paynesville – we cannot locate the 2023 updated plan referred to in the proposed amendment?
2. The period of exhibition for the draft amendment is over the Christmas /New Year period – is Council proposing to extend the exhibition period in 2025 – we believe that a number of interested landowners will be away
3. The Amendment Map provided in your letter and downloaded off the website is illegible – we are unable to read the map
4. Would it be possible to obtain copies of the supporting reports prepared by the developers

– we are aware of fauna and flora surveys prepared across the land?

5. There appears to be no discussion in any documentation supporting the amendment about how interface issues (e.g. drainage, views, privacy, vegetation, dust, noise, staging of development etc…)between the growth area and existing residential development along Newlands Drive will be addressed - which includes our land.
6. Does the proposed EAO include all the land affected by filling as well as land previously used for farming? If so then the extent of land affected is larger than the EAO mapped land.

At this stage we would appreciate your help to provide us with the necessary information and advice to assist us in considering the amendment further please

Yours sincerely

[redacted]

Submission 2 Cont.

East Gippsland Shire Council

via email

[redacted]

[redacted]

14th January 2025

Dear Sir/Madam

Re – Draft Amendment C172egipps – various lands – Paynesville Growth Area

Thank you for the opportunity to make submission on this important stage of the growth of Paynesville. [redacted]

We would like to thank Council's strategic planning staff for their assistance.

Following up on our email to Council dated 27 November 2024 we raise the following issues with the Draft Amendment as proposed, including managing the interface between new and existing development along Newlands Drive and other existing residential areas.

We request that Council considers the following changes to the draft Amendment **(Attachment A)** and amended in red. We are of the view that these changes might be easily agreed to by Council to address the following key issues.

Issues

- The draft Amendment relies on the zoning and Development Plan Overlay to address a range of complex planning issues. We have spent considerable time and effort redrafting these specific clauses to provide a bit more clarity around the complexity for the community and Councillors. We note that Council has adopted the ***Paynesville Growth Area Structure Plan*** (dated 2016 and updated in 2023). We also note that it is to be a policy document in the proposed ***11.01 -1L-02 Growth Area Towns*** and is also listed as a background document in proposed ***Schedule to Clause 72 Background Document.*** We understand that not being an Incorporated Document or a Reference Document in the Planning Scheme provides Council with a greater deal of flexibility. Subsequently there is great emphasis on the operation of the proposed zones, zone objectives and the structure of the Development Plan Overlay (DPO). This is one of the reasons we have made some suggested changes to Council on the zone objectives and the DPO to address our concerns.

- The 30–40-year timeframe identified in the Structure Plan is extremely important. Unfortunately, the draft amendment does not address this timeframe very well. We believe that by including this timeframe in the scheme, by referencing short and long term outcomes, may assist Council by ensuring good, robust and sustainable urban development over the life of development and DPO.

- Our concerns above are also highlighted by new development in Paynesville. We have provided some photos **(Attachment B)** to highlight examples of residential development that we believe do, and do not, represent the character of Paynesville as a small lakeside town. We have also included photos of very good/desirable urban interface treatment ideas that already exist in Paynesville. We believe these examples could be used again to deal with the interface of existing residential development along Newlands Drive, Grandview Drive and

other existing residential areas. These examples include drainage and pedestrian and bicycle access which are also relevant.

- We believe that the Environmental Audit Overlay needs to cover all the land proposed to be rezoned as we have observed that all the land between Newlands Drive and the Paynesville Road has been, and still is, subject to filling. This filling of the land may also result in potential contamination. This we understand may satisfy the *Environment Protection Act 2017*

We look forward to Council considering these changes in the final draft Amendment to be submitted to the Minister in due course.

Yours faithfully,

[redacted]

ATTACHMENT A – RECOMMENDED AMENDMENTS

We draw Council's attention to proposed ***Schedule 3 to Clause 32.08 General Residential Zone Paynesville Growth Area.*** This contains a range of neighbourhood objectives for the zone.

We request that Council consider the inclusion of the recommended changes in red.

These changes would address the impact of new residential development on the urban interface as well as other issues including affordable housing.

Neighbourhood character objectives

- *To establish a pattern of residential development across the growth area that supports good access, neighbourhood cohesion and reinforces the local character of a small lakeside town.*
- *To consider the effect of new residential development on existing urban areas and provide a range of options to mitigate any adverse impacts on existing settlement.*
- *To provide for diverse types of housing and a range of lot sizes and densities including medium density housing, affordable housing, aged care and retirement accommodation.*
- *To ensure a high standard of design for housing development that reinforces Paynesville's character and environmental values and exceeds the standards for efficiency and sustainability.*
- *To establish native planted corridors in key locations and create distinctive tree-lined street environments that frame road corridors and major entry points.*
- *To provide for open space connections for cyclists and pedestrians that also enhances the visual appearance of the built environment.*
- *To ensure the provision of suitable infrastructure and utilities to efficiently service development and that are designed to enhance local character.*

The proposed amendment also includes ***Schedule 10 to Clause 43.04 Development Plan Overlay***

This draft Schedule includes a number of objectives.

We request that Council consider the following changes as outlined in red.

- *To ensure orderly development of the land that supports the unique character of Paynesville as a small lakeside town.*
- *To provide for development that will create a cohesive and accessible community.*
- *To encourage development that minimises the impacts of new urban development on the existing urban interface along Newlands Drive and other immediately adjoining urban areas.*
- *To encourage high quality development, public realm, drainage infrastructure, open space, community and education facilities that will meet future changes and demands in Paynesville and the East Gippsland region.*

- *To protect the visual amenity of Grandview Road and Waterview Road as major entry points to Paynesville and Eagle Point.*

- *To ensure a well-connected movement network is established in the development that caters for pedestrians and bicycles connecting to the wider Paynesville township, foreshore reserves, Eagle Point and Bairnsdale*

- *To provide for a single coordinated shared infrastructure plan, which delivers infrastructure and developer contributions over the life of the development.*

We also request that Council consider the following changes to Clause 3 to ensure that it is clear that all relevant standards of Recode are applied to all new development.

This is particularly important as new development may impact on existing development given the 30-40 year life of the Structure Plan.

We have also sought to improve site coverage, landscaping and private open space requirements assuming there is to be a mix of development including medium density and affordable housing in the area.

3.0 Requirements of Clause 54 and Clause 55

	Standard	**Requirements**
Neighbourhood Character	A1 and B1	None Specified
Integration with the street	A2 and B5	None specified
Street setback	A3 and B6	Walls of buildings should be set back at least 7.6 metres from the front street. Side street setbacks in accordance with standards A3 and B6 continue to apply.
Building Height	A4 and B7	None Specified
Site coverage	A5 and B8	The site area covered by buildings should not exceed 50 per cent.
Site Permeability	A6 and B9	The site area covered by pervious surfaces should be at least 30 per cent.
Landscaping	B13	New development should provide or retain: • At least one canopy tree, plus at least one canopy tree per 5 metres of site width;

	Standard	Requirements
		• A mixture of vegetation including indigenous species; • Vegetation in the front, side and rear setbacks; and • Vegetation on both sides of accessways. A canopy tree should reach a mature height at least equal to the maximum building height of the new development.
Side and rear setbacks	A10 and B17	A new wall not on or within 200mm of a rear boundary should be set back at least 5 metres. Side setback requirements in accordance with standards A10 and B17 continue to apply.
Walls on boundaries	A11 and B18	None Specified
Accessibility	B25	None Specified
Daylight to existing windows	A12 and B27	None Specified
North-facing windows	A13	None Specified
Overshadowing open space	A14 and B29	None Specified
Overlooking	A15	None Specified
Private open space	A17	A dwelling should have private open space consisting of an area of 75 square metres, with one part of the private open space to consist of secluded private open space at the side or the rear of the dwelling with a minimum area of 35 square metres, a minimum dimension of 5 metres and convenient access from a living room
	B28	A dwelling or residential building should have private open space consisting of: • An area of 75 square metres, with one part of

	Standard	Requirements
		the private open space to consist of secluded private open space at the side or the rear of the dwelling or residential building with a minimum area of 35 square metres, a minimum dimension of 5 metres and convenient access from a living room; or • A balcony or roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
Design detail	A19 and B31	None Specified
Common Property	B33	None Specified
Site servicing	B34	None Specified
Front fence height	A20 and B32	A front fence within 3 metres of a street should not exceed 1.2 metres in height

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis plan and/or report demonstrating how development of the site responds to:

- Site features including vegetation to be removed and retained, topography, views and adjoining development conditions
- The Neighbourhood Character Objectives specified within this clause
- Plans showing proposed landscaping works and planting including tree species and mature height.
- A schedule of materials, colours and finishes to be used in the development.

  A plan identifying the service areas, such as waste and recycling areas, utilities and services

Council's attention is drawn to proposed ***Clause 4 Requirements for Development Plan***

There are a number of issues associated with the implementation of the Development Plan and its relationship to the Structure Plan.

We request that Council consider the following changes in red.

A Development Plan must include the following requirements:

Urban Structure

- *Provide an urban structure that is generally in accordance with Diagram 1.*

Residential Development

- *Provide for a range of lot sizes and residential densities, within the urban structure, which caters for ongoing changes in housing demand and occupancy.*
- *Provide the opportunity for a diverse range of residential housing such as medium density housing, affordable housing, aged care and retirement living.*

Local (Neighbourhood) Activity Centre

- *Identify the location and preferred land uses of a Local (Neighbourhood) Activity Centre in accordance with the approved Local (Neighbourhood) Activity Centre Assessment.*

Urban and rural interface

- *Utilise landscape buffers, drainage reserves, public open space, pedestrian/cycle paths and other mechanisms for sensitive interfaces to surrounding urban and rural land including existing residential development along Newlands Drive and other existing adjoining residential development.*

Coastal foreshore areas

- *Identify areas on the north-facing slopes at 1255 Paynesville Road (Lot 1 PS318977) and 1325 Paynesville Road (Lot 3 PS307152) that will require three-dimensional building envelopes to be prepared.*
- *Prepare design guidelines, in consultation with the Office of the Victorian Government Architect, to inform the preparation of three-dimensional building envelopes on individual lots, where required, to include consideration of:*
  - *Views to and from Lake King through the management of maximum building heights from natural ground level.*
  - *Side boundary setbacks to avoid continuous built form.*
  - *Viewing corridors from the road network and public realm, including public open space, towards Lake King.*
  - *Reasonable sharing of views from dwellings to Lake King.*
  - *Setbacks from sensitive foreshore coastal areas.*

Public Open Space

- *Identify a network of open space linkages that accommodates natural drainage patterns and existing native vegetation.*
- *Identify streetscape treatments and landscaping to ensure development appropriately fronts streets, open space and public areas.*
- *Include off-road pedestrian and cycling connections through the growth area with linkages to surrounding urban areas, existing and future planned foreshore paths and where practical to existing footpaths.*
- *Provision of appropriate public facilities in local open space, suited to the function of the open space.*
- *Maximise the safety of public open spaces through informal surveillance of streets and public spaces from dwellings and streets.*

Public Infrastructure Plan

A Public Infrastructure Plan which addresses the following:

- *Integrated stormwater management that incorporates water sensitive urban design techniques to protect natural systems, integrate stormwater treatment into the landscape, improve water quality, and reduce and mitigate run-off and peak flows, including consideration of downstream effects and impacts on existing urban land.*

- *Provision of a road network providing a high degree of connectivity including the location and details of any required:*

– *Upgrade of existing roads or intersections.*
New roads and intersections.

– *Access points to the primary road network.*
– *Pedestrian crossings or safe refuges.*
– *Pedestrian and cycle corridors.*

- *Public transport infrastructure within easy walking distance to dwellings and key destinations, in consultation with relevant agencies and authorities.*
- *The future of the Paynesville Cemetery and any need to expand the cemetery in the future*
- *Provision of suitable infrastructure and utilities to efficiently service development and minimise maintenance costs while meeting user needs.*

Staging of development

- *Prepare a detailed staging and sequencing plan indicating how the development of the growth area is to proceed.*
- *The staging plan is to co-ordinate the provision of services and infrastructure priorities based on the 30–40-year period anticipated for development*

Foreshore Improvement and Management Plan

A Foreshore Improvement and Management Plan is to be prepared for the proposed public foreshore area shown in Diagram 1. This Plan is also to consider Point Fullarton wetlands and adjoining public areas, to the satisfaction of the responsible authority. The Foreshore Improvement and Management Plan should:

- *Demonstrate how the land is to be rehabilitated including the provision of vegetated buffers to prevent wetland degradation and provide habitat.*
- *Demonstrate how works and future use of the land will protect and enhance the environmental values of the Gippsland Lakes, wetlands and fringing areas.*
- *Provide convenient public access to reserves and the provision of facilities suited to the natural foreshore environment, including interpretive facilities.*
- *Demonstrate how the visual impact of development when viewed from Lake King is minimised.*
- *Identify a new alignment for the walking/cycling path from Burden Place to Bay Road, generally in accordance with Diagram 1 to provide greater separation from the adjacent wetlands and facilitate a natural vegetation shift over time.*
- *Outline short and long term ongoing maintenance obligations, including drainage management obligations if drainage assets are proposed to be located within the foreshore.*
- *Address coastal hazard vulnerability including risks associated with sea level rise, storm surge and coastal processes and mitigate any identified short and long term risks.*

Cultural Heritage

To provide a cultural heritage assessment prepared by a suitably qualified professional in accordance with relevant guidelines and identifying how Aboriginal cultural heritage places will be managed in the short and long term.

Flora and Fauna

A Flora and Fauna Assessment, that considers any short- and long-term impacts on native flora and fauna under relevant national, state and local legislation and policy frameworks, to be prepared by a suitably qualified professional in consultation with relevant agencies and authorities.

Local (Neighbourhood) Activity Centre Assessment

A Local (Neighbourhood) Activity Centre Assessment to be prepared by a suitably qualified professional to the satisfaction of the Responsible Authority. This assessment is to consider the relevant planning guidance provided by the Department of Transport and Planning for activity centres and the Responsible Authority.

The assessment must determine the size and final location of the centre, based on the everyday needs of future residents within a 20-minute walk, cycle or local public transport trip. This is an important factor in creating healthier communities, lowering greenhouse emissions and delivering 20-minute neighbourhoods.

This assessment is to identify suitable land uses having regard to the accessibility of the site, the proximity to surrounding residential development, access to Paynesville Road and potential changes in community demands over a 30–40-year period.

This assessment is also to consider providing access to local goods, services, employment opportunities and servicing the needs of the surrounding community.

The local (neighbourhood) activity centre must not adversely affect the primary role of the existing Paynesville Activity Centre.

Infrastructure Contributions

A Shared Infrastructure Contributions Plan, which identifies all items for infrastructure contributions, the proportion of each lot to be provided for roads, open space, and stormwater, drainage purposes and a clause that explains how the equalisation of land and contributions for the infrastructure items is to operate, including reference to staging and sequencing. The Shared Infrastructure Contributions Plan must include:

- *A timeline for the delivery of infrastructure contributions that reflect changes in costs in the short and long term.*
- *Land for the construction of landscaped shared path corridors, areas of foreshore reserves, and the Paynesville Road/Grandview Road/Waterview Road intersection.*
- *Construction of landscaped shared path corridors.*
- *Construction of new roads and/or upgrades to existing roads including provision of a footpath along Newlands Drive*
- *Construction of stormwater drainage infrastructure including main drainage, wetlands and retarding basins, and on-site water storage in accordance with water sensitive urban design principles, as identified in the approved Development Plan.*
- *The provision of the public open space and associated infrastructure as identified in the approved Development Plan.*
- *Construction of public transport infrastructure.*
- *Construction of improvements in accordance with the Foreshore Improvement and Management Plan.*
- *A Community Infrastructure Levy (CIL) for the construction of other community or social facilities capped at the sum identified by Department of Transport and Planning at the time the planning permit is issued.*

Bushfire Management

The Development Plan must include a requirement for any subdivision and development to provide a Site Management Plan that addresses bushfire risk during, and where necessary, after construction to the satisfaction of the CFA. The Plan must specify, amongst other things:

- *The staging of development and the likely bushfire risks at each stage including the risks to existing adjoining urban lands;*

- *An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2018, where bushfire risk is managed to ensure a BAL rating of no greater than BAL12.5 is required;*

- *The measure to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape and protect residents and property from the threat of fire; and*

- *Adequate opportunities for access and egress for residents, construction workers and emergency vehicles.*

Community and Stakeholder Consultation

The Development Plan must be developed in conjunction with the local community and relevant public authorities as determined by the responsible authority.

Consultation is to include a range of engagements over the life of the Development Plan.

This will incorporate those necessary activities to support changes in community demands and the development over time. Such activities are to include community workshops, public meetings and the like aimed at informing new and the changing design concept. This will provide transparency in the planning and development process in the short and long term.

ATTACHMENT B – PHOTOGRAPHS

Photo 1 – Most current development doesn't meet neighbourhood character objective or reinforce "the local character of a small lakeside town"

Photo 2 – As for Photo 1

Photo 3 – This older development area includes street trees but does it reinforce "the local character of a small lakeside town?

Photo 4 – An example of a good urban interface with pedestrian/cycle access in Paynesville

Photo 5 – An example of a good urban interface with pedestrian/cycle access in Paynesville

Photo 6 – An example of a good urban interface with drainage management in Paynesville

Photo 7 – An example of a good urban interface with pedestrian/cycle access in Paynesville

Photo 8 - An example of a good urban interface with good vegetation and privacy in Paynesville

Submission 3

From: [redacted]
To: Strategic Planning
Subject: CM: Paynesville growth area.
Date: Monday, 16 December 2024 9:08:16 AM

[You don't often get email fro[redacted] Learn why this is important at https://aka.ms/LearnAboutSe[redacted]derIdentification]

EXTERNAL EMAIL.: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

Dear Sir/Madam

I am writing to express my concerns over the proposed changes. As a first point it would be helpful if any maps included in correspondence be made legible. Neither the one in the email or the one in the written letter were able to be read clearly.

In addressing the proposed development we note that it is of a considerable size. I should mention here [redacted] Sunset Boulevard backs onto what is at present agricultural paddocks but will in future be the housing development.

Eagle Bay village was, when developed, promoted as being Paynesville's premier housing estate. It has a predominantly older population and quiet streets, all part of the serene lifestyle it was advertised as having. Towards the end of Sunset Boulevard is an easement which will be used as an access road into the proposed new development. While we note that this is the purpose for which it has always been intended we do not think it will be suitable for such a large development with the considerable numbers of vehicles which will be using it.

We have lived on [redacted] for nearly fifteen years and in this period of time the traffic to and from Bairnsdale has increased significantly. At first it was probably around twenty to thirty cars passed, now it is regularly around one hundred. Quite the increase. To have access to the new development through Eagle Bay village would be problematic as the streets were never intended for use as a main thoroughfare and would not cope with those amounts of traffic. Quite often cars are parked on the side of the street limiting traffic to one way at a time. As such any new development would be better served by having access from the Paynesville road which can easily be widened and would need a slip lane. Many people also have boats and caravans parked on the road or nature strips limiting visibility when exiting driveways. And as is often the case with older people there tends to be younger children visiting regularly and as there are no amenities for play these children often play on the streets.

As a further point there is the issue of drainage. From people we have spoken to the whole of the stormwater drainage system in Eagle Bay village is totally inadequate for the current situation. Any slightly heavy rainfall leads to many properties being inundated, particularly the ones on Sunset Boulevard that back onto the proposed development. Any development of that site would need to include proper consideration to addressing this so as not to exacerbate the already problematic situation. If the development were to make matters worse in this regard then I can see it becoming a legal issue as insurance companies are increasingly loath to insure properties that are continually inundated making the premiums unaffordable for many which would leave them with no option but to seek redress through legal channels. A situation we are sure council would prefer to avoid.

We hope that our concerns will be given due consideration and thank you for your time.
Regards
[redacted]

Submission 4

[redacted]
11/12/24

Planning Department
East Gippsland Shire Council
273 Main Street Bairnsdale VIC 3875 Australia

Subject: Objection to Proposed Land Rezoning below Eagle Bay Terrace

Dear Councillors,

I am writing to express my strong objection to the proposed rezoning of land in front and beside Eagle Bay Terrace. While I understand the need for responsible growth, I have significant concerns about the negative impact this rezoning will have on the area, particularly for young families like mine and the wider community.

1. Traffic Congestion and Safety Hazards
The proposal will dramatically increase traffic along Eagle Bay Terrace and adjoining streets. As it stands, these roads are not equipped to handle a significant rise in vehicle numbers, leading to potential safety risks for pedestrians, cyclists, and children. This is particularly concerning given the lack of traffic-calming measures or safe pedestrian pathways in the area.

2. Strain on Local Infrastructure
Our schools, childcare centres, medical services, and recreational facilities are already under pressure. Adding a substantial number of new residents would overwhelm these essential services, reducing the quality of life for existing families and making the area less attractive to newcomers.

3. Flood Risks and Water Management
The area in question has natural drainage systems that could be disrupted by increased development. Paving over natural spaces with impermeable surfaces increases the risk of localized flooding. Residents downstream from this site may face waterlogging and property damage due to inadequate drainage infrastructure.

4. Impact on Wildlife and Environmental Concerns
Eagle Bay Terrace is a haven for native wildlife, including kangaroos, echidnas, and numerous bird species such as wedge-tailed eagles. Rezoning for high-density housing would lead to habitat destruction, threatening these species and diminishing the natural beauty that draws residents and visitors to the area.

5. Noise and Light Pollution
Higher-density development brings increased noise levels from vehicles, construction, and human activity, as well as light pollution that disrupts the area's tranquility. These changes will make it difficult for families to enjoy the peace and quiet they currently cherish.

6. Loss of Visual and Social Amenity
Rezoning to allow smaller blocks and higher-density housing is inconsistent with the

established character of Eagle Bay Terrace, and that of Eagle Bay Village, which features larger blocks and open spaces. This aesthetic contributes to the area's appeal and should be preserved.

7. Questionable Economic and Community Benefits
While the proposal may benefit developers, the broader community gains little and stands to lose significantly. At VCAT, decisions have often emphasized the need for developments to balance economic goals with community wellbeing and environmental sustainability—criteria this proposal fails to meet.

8. Precedent for Further Overdevelopment
Allowing this rezoning sets a dangerous precedent for future overdevelopment in East Gippsland. Once rezoned, it becomes difficult to prevent similar developments, leading to a cumulative loss of the region's unique character and natural assets.

For these reasons, I strongly urge the Council to reject the proposed rezoning. This development does not serve the best interests of Eagle Bay Terrace, or Paynesville residents or the broader East Gippsland community.

Thank you for considering these concerns.

Yours sincerely,
[redacted]

Submission 5

[redacted]
11/12/24

Planning Department
East Gippsland Shire Council
273 Main Street Bairnsdale VIC 3875 Australia

Subject: Objection to Proposed Land Rezoning at Paynesville

Dear Councillors,

I am writing to formally object to the proposed rezoning of land in Paynesville, and in particular, front and beside Eagle Bay Terrace. As a young family living in the area, we have several serious concerns regarding the potential impact of this development.

1. Increased Traffic and Safety Risks
Rezoning for higher-density residential use will inevitably lead to a significant increase in traffic volume along Eagle Bay Terrace and surrounding streets. This poses serious safety risks, particularly for young children and families who use these roads for walking, cycling, and other activities. The existing road infrastructure is insufficient to support the added traffic, which could result in congestion and accidents.

2. Overdevelopment and Loss of Neighborhood Character
Rezoning will lead to smaller residential blocks that are out of character with the current area. Eagle Bay Terrace is valued for its spacious and peaceful environment, which will be compromised by dense development. This will impact not only residents' enjoyment of their homes but also property values in the area.

3. Environmental and Wildlife Concerns
The proposed rezoning threatens to decimate local wildlife habitats. The area is home to numerous native species, and further urbanization will destroy these habitats. This is inconsistent with East Gippsland Shire's commitment to environmental conservation and sustainable development.

4. Precedent and Overreliance on Infrastructure
At VCAT, objections that emphasize community infrastructure limitations have been successful. Rezoning will strain local schools, medical facilities, and recreational spaces, none of which are designed to handle a large influx of new residents.

5. Community Disadvantage
Rezoning decisions at VCAT have been overturned where the social and environmental costs to existing residents outweigh the purported benefits. In this case, the rezoning benefits a limited group of developers at the expense of long-standing community members.

We urge the Council to consider these issues and reject the rezoning proposal. The current zoning provides a balanced approach that respects the unique character of the area and the needs of its residents.

Thank you for your time and consideration.

Yours sincerely,
[redacted]

Submission 6

From: [redacted]
To: Strategic Planning
Subject: re EAST GIPPSLAND PLANNING SCHEME,,AMENDMENT C172egip
Date: Saturday, 28 December 2024 10:21:19 AM

You don't often get email fro[redacted]. Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To the planning authority,

We have serious concerns regarding the rezoning from farmland areas to residential for the proposed growth plan

EAST GIPPSLAND PLANNING SCHEME

AMENDMENT C172egip

1) There is far too much proposed growth for Paynesville at the expense of losing the character of this small lakeside town.

2) There are already two lifestyle villages in the process of being built, and possibly a third one to be approved.

3) How will the town cope with the extra population with the facilities or infrastructure we have available? As it is the population significantly increases over various periods during the year.

4) The current medical and dental providers are already overloaded with the current demand. This situation has to be addressed before any further development occurs.

5) We only have one main road in and out to carry the proposed extra traffic. How is this road going to cope?

Regards,

[redacted]

[redacted]

Submission 7

To Whom It May Concern,

I am writing to formally object to the East Gippsland Planning Scheme Amendment C172egip, which proposes to implement the Paynesville Growth Area Structure Plan (PGASP) into the planning framework. While I understand the need for growth and development, I have several concerns regarding this amendment.

The land currently below the walking/cycling track is suitable for wetlands restoration due to its low-lying nature and unsuitability for development. However, both this land and the adjoining Fullarton Point are expected to be submerged in the future. Therefore, three considerations need to be addressed in this planning:

- Provision for the migration of wetlands
- Adaptation of the walking/cycling track, while preserving its character
- Preservation of neighbourhood character

These matters are strongly supported by Local, State and Federal Policies.

Failure to adequately plan for these issues will have wide-reaching effects – Environmental degradation, Loss of Recreational Amenity, Loss of Character, Decreased Tourism, and a declining Economy.

The transfer of privately owned foreshore land to a public authority and subsequent rezoning to Public and Resource Conservation Zone (PCRZ) is a positive step, but the acquisition should extend to land above the present walking/cycling track to enable the existing Public Open Space along the foreshore at Eagle Point to extend from Eagle Point to Burden Place. This would decrease the visual impact of housing development and allow for wetland migration, extensive revegetation and re-routing of the walking/cycling track where necessary.

Policy examples:

“In all scenarios, robust and sound strategic planning of settlements is needed to ensure that economic growth and prosperity can be sustained without adversely affecting the local marine and coastal environment (which in many cases is the attraction) and liveability for the community” (Marine and Coastal Policy, DELWP, 2020, p. 42)

“Protect and enhance Paynesville’s significant landscapes, wetland and foreshore areas and the environmental values of the Gippsland Lakes” (1.01-1L-02 _East Gippsland Planning Scheme)

“neighbourhood character’ (also relevant to town and settlement character) means the cumulative impact of property, public space, infrastructure, and environmental values, whether great or small, on the look and feel of a place. (8.7 East Gippsland Housing & Settlement Strategy, East Gippsland Shire Council. 2023)

(Housing Development) It will be important to make sure this is achieved without compromising the character or amenity of towns or settlements.” (East Gippsland Housing & Settlement Strategy, East Gippsland Shire Council, 2023, p. 7)

"Community feedback has emphasised the importance of environmental values in contributing to the character of East Gippsland's towns and settlements. Victorian Government and local planning policy includes strong objectives for the protection of environmentally sensitive areas and landscapes. (8.7 East Gippsland Housing & Settlement Strategy, East Gippsland Shire Council. 2023)

(Ensure that..) the benefits of marine and coastal Crown land are available to current generations without compromising the ability of future generations to enjoy similar benefits." (Marine and Coastal Policy, DELWP, 2020, p. 42)

"Maintain ecological corridors and promote linkages (such as migration pathways) and habitat adaptation to climate change (for example, through landward movement of habitats in response to sea level rise) across public and private land, and between the marine and coastal environments." (Marine and Coastal Policy, DELWP, 2020, p. 27)

"Maintain important public visual corridors on public land associated with significant landscapes (including seascapes) in the marine and coastal environment (including views from within the landscapes and views of the landscapes)." ((Marine and Coastal Policy, DELWP, 2020, p. 29)

"Consider options to maintain public access and allow for coastal habitat migration, where marine and coastal Crown land foreshores are lost due to sea level rise, erosion or inundation" (Marine and Coastal Policy, DELWP, 2020, p. 33)

No Shortage of Residential Supply:-

At a municipal level, there is 30 years of residential supply across East Gippsland, showing that there is ample capacity to accommodate housing and population growth across East Gippsland's settlements." (East Gippsland Housing & Settlement Strategy, East Gippsland Shire Council. 2023, p.45)

In conclusion, while I acknowledge the potential benefits of the proposed amendment, I urge the planning authority to carefully consider the environmental, social, and economic impacts and take necessary measures to mitigate any adverse effects. I request that my concerns be addressed before proceeding with the amendment.

Thank you for considering my objection.

[redacted]

Submission 8

From: [redacted]
To: Strategic Planning
Subject: [redacted] C172egip to East Gippsland Planning Scheme
Date: Tuesday, 7 January 2025 1:13:58 PM

You don't often get email from [redacted] Learn why this is importar

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it may concern,

We understand and appreciate zoning and building guidelines are the responsibility of local government and property developers. We as residents would hope that you would consider the following recommendations:-

1. Minimal block sizes of 800 sqm. This is to help maintain the values of existing premises and avoid a 'sea of roofs' as is the case of some Melbourne suburbs. As a volunteer fire fighter of more than 20 years if a fire incident happens in one house it becomes very difficult to protect the houses around it, when built too close together.
2. Inclusion of a green belt between existing estate of Eagle Bay Village and the new estate to help protect existing wildlife. This has been done between the Toonalook Estate and Eagle Bay Village. Which provides a safe walking/cycling trail that many people use and appreciate.
3. Access to new estate during development/building process only to be from Main Road. Residents of Eagle Bay Village are concerned about heavy traffic along Palm Avenue and Sunset Boulevard would damage the road structure and potential hazards for families and children living in those areas.

Thanking you for consideration of the above.

Kind regards,

[redacted]

Submission 9

[redacted]

To Nicole Reynolds (Principal Strategic Planner)

East Gippsland Shire Council

RE: Amendment C172egip to the East Gippsland Planning Scheme

Implementation of the Paynesville Growth Area Structure Plan (2016 and updated 2023)

I am writing to you for consideration to the change of rezoning the planned development of the above planned area. I have owned my property fo[redacted]nd still remember the agent at the time of purchase tell me that I would never lose my view because the land behind my block was classed as a farming zone (rural land) and that would never change.

I know I can't stop development going ahead; however, I do have a few suggestions which I have discussed with other residents in my estate for you to consider for the proposed development site.

1. We have lots of wildlife in the proposed development site. Many Kangaroos frequent the area on a daily basis, many carrying young joeys and believe the proposed area is more than likely a breeding area and we would not like seeing them forced to move on. I suggest a green zone be incorporated into the proposed development site including parklands and a greenbelt to protect natural environment.
2. The Eagle Bay Village Estate [redacted] was developed with Strict covenants in place to protect the area's value and of course beauty of Paynesville, these guidelines were put in place to maintain a certain style of living.
3. Size of building structure, materials used to build, mandatory 9ft ceilings in all homes, Limitations on backyard structures i.e. sheds, garages etc. Planting of trees that only grow to a maximum height (7m) and gardens specifics so not to introduce noxious plant material.
4. Maintaining a minimum house block size of 800m2 would be paramount to any new development to maintain valuations in the area. Anything smaller than 800m2 would only encourage the LEGOLAND feel to an already unspoiled development. I personally feel that a development with smaller block sizes of 400m2 would only devalue the existing homes in the area. I really don't want 3 townhouses looking down into my backyard instead of my already unspoiled view I've become accustom to.

Summing up No Small Blocks lets maintain what you've started and have backyards for children to play in safely and maybe a pet dog. Let's maintain the standard of living we have become accustomed to. Let's maintain the lovely streetscapes and gardens residents have accomplished.

Yours Sincerely

[redacted]

RECEIVED EGSC
- 8 JAN 2025
INFORMATION MANAGEMENT

Submission 10

[redacted]

Thursday 9 January 2025

Manager Planning & Development
Martin Richardson
East Gippsland Shire Council
P O Box 1618
Bairnsdale 3875 Email: Strategicplanning@egipps.vic.gov.au

Dear Martin,

Objection to Amendment Implementation of the Paynesville Growth Structure Plan

I purchased my home [redacted], I have witnessed a lot more housing subdivisions being developed. In this time there has been no new infrastructure or utilities within the area.

Currently the following developments are happing, without infrastructure happening.

- Palm Lake Resort an over 50's lifestyle housing for approximately 250 homes and at least another 250 cars.
- Another over 50's lifestyle housing within the coast estate, approximately 100 homes and at least another 100 cars.
- New subdivisions behind the football over and in Newlands drive., not certain how many properties let say 250 homes and at least 250 cars.

Since I have lived here the only new infrastructure is the Ambulance station, this has only been completed in December 2024.

The reason for my objection is:

- Paynesville road is single lane and full of potholes that are not being fixed.
    - The proposed two new roads in the new subdivision will be entering into Palm Ave. This will create a bigger congestion and wait times onto Paynesville Main Road. Currently I experience growing wait times to turn onto Paynesville main road. The speed limit within the estate is far too high and very dangerous with the moving in of young children and older generations.
- No cycling or pedestrian paths to and from Bairnsdale to Paynesville. Within the estate
    - No walking or cycling paths within our estate to the Eagle Point – Paynesville foreshore track. The only way is to walk on the main road to Burden Place to the foreshore track, then back on the Waterview Road and turn onto Main Road back into my estate.

- Lack of Drainage within the whole area.
    - Drainage issues within our estate currently. I have complained in the past as I get flooded out at the front of my house. This is due to block storm water drains. The man-made storm filter lakes are full of rubbish and weeds and not cleaned out regularly.
- Fire service needs to be investigated, currently it is a volunteer basis service, and they are struggling to service and maintain the infrastructure we currently have.
- Train service to Melbourne is very limited, with only one bus connection with the current train timetable. Limited car parking to leave your car at the station.
- Bus service is very limited from Paynesville to Bairnsdale.
- Bairnsdale hospital will not be able to handle more people including the age population without the support of Doctors, Nurses and all aspects of the health care.
- Limited parking at the local IGA store, its bad enough without the tourist season.
- Limited parking along the Esplanade main street, without the tourist season.
- Kangaroos who currently roam free around the proposed area where are they going to go. Currently I often see the hop around in my estate.

I understand the shortage of housing however the infrastructure should be in place before more housing subdivisions are approved.

Regards

[redacted]

[redacted]

Submission 11

113

RECEIVED EGSC
09 JAN 2025
INFORMATION MANAGEMENT

[redacted]

Manager Planning and Development

East Gippsland Shire Council

Strategic Planning Unit

I am writing to formally object to the Amendment C172egip to the East Gippsland Planning Scheme Implementation of the Paynesville Growth Area Structure Plan (2016 and updated 2023)

Point 1.5 Figure 1.

The study area marked encroaches very closely to the northern extremity of Lake King.

This is a major habitat for native fauna and must be preserved in its natural state.

The Paynesville Eagle Point walking track hosts many thousands of walkers, cyclists and all abilities mobility vehicles constantly throughout the year in a safe and pleasant environment. This track should be maintained with an extensive buffer to the south to protect the character of the track and safety of the resident fauna. To have this track denigrated to a footpath beside a road thoroughfare would be disastrous for the area and its' participants. The area north of View St is a perfect example of protecting the Lake edge and the Lake in general.

2.3.4 Foreshores and Wetlands

This point partially addresses some concern. Development of any sort to the edge of the walking track would not adequately protect the ecological or recreational value of the walking track itself, wetland and foreshore.

I would like to see a detailed survey of the 2.8 metre AHD line as it will have a bearing on what happens and where. This no doubt exists somewhere but I have not seen it.

2.3.5 Public Open Space

Open space should and associated landscaping needs to be designed separately from developers. Separate leftover plots are not what are needed to adequately protect wetland, flora, and fauna foreshore areas providing greenbelt corridors connecting neighbourhoods.

2.3.6 Drainage and water management

Large hard surfaces such as houses and roads within the vicinity of the lake edge will drain, together with associated pollutants into the lake system. Once again the area the area north of View St is a great example of natural filtration between roads, housing and the lake system. It is also a recreation area used by many including myself.

There are not many areas of Lake Foreshore without development very close by.

A once in a lifetime opportunity exists keep this part pf Paynesville an enviable place to live.

Once the recreation and ecological values of foreshore and wetlands are gone, it cannot be retrieved at a later date.

This and subsequent councils in the near future have the chance to do this right. Many towns have not.

[redacted]

Yours sincerely

[redacted]

Submission 12

From: [redacted]
To: Strategic Planning
Subject: Fwd: Re Concern for large trees and future development west of Woodland Ct Paynesville
Date: Friday, 10 January 2025 12:13:03 PM
Attachments: IMG_6733.jpg
IMG_6732.jpg
IMG_6724.jpg
IMG_6725.jpg
IMG_6729.jpg
IMG_6728.jpg
IMG_6735.jpg
IMG_6734.jpg
IMG_2645.JPG
IMG_2644.JPG
IMG_2646(6).JPG

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it may concern,

I sent this letter of appeal to council members last December, 2023, about preserving the large gum trees in the new development area west of Woodland Court. This letter included photos of the trees in question and their gps coordinates. As in the Coast Development and the old school property on Newlands Dr., large trees have been saved. So why not this latest proposal?

Martin Richardson wrote back saying that in back of my property, 4 Woodland Court, there will be a little forest. The scraggly gums have no large trees among them and are most likely only saved to serve as carbon credits.

In this time of unprecedented climate change, cutting all the existing large trees in the proposed development is contrary and devastating for our environment, ambient temperature and a comfortable lifestyle.

To put an overlay without vegetation ("Remove the Significant Landscape Overlay from land proposed for residential rezoning) in the Amendment C172egip to the East Gippsland Planning Scheme in the formal Notice of Preparation of the Amendment required to be given under Section 19 of the Planning & Environment Act 1987 **is unacceptable.**

I am formally lodging my protest to this proposal.

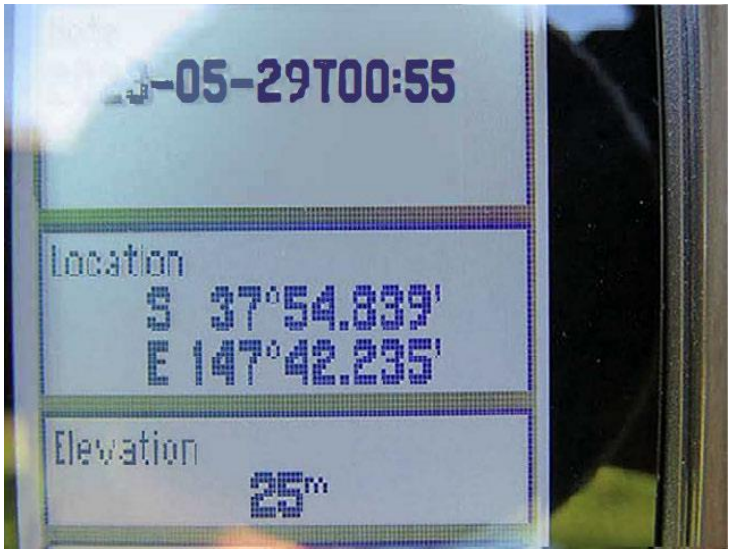
Sincerely,
[redacted]

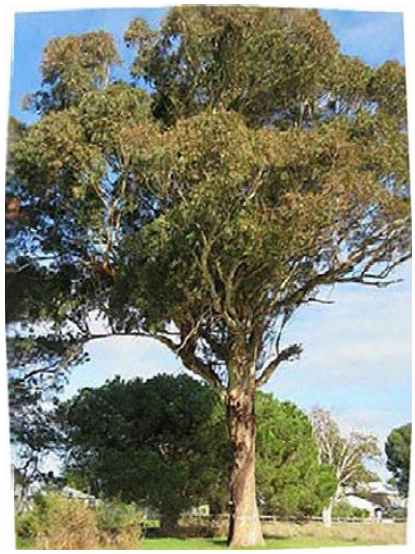
--- Forwarded message ---------
From: [redacted]
Date: Mon, Dec 11, 2023 at 1:48 PM
Subject: Re Concern for large trees and future development west of Woodland Ct Paynesville

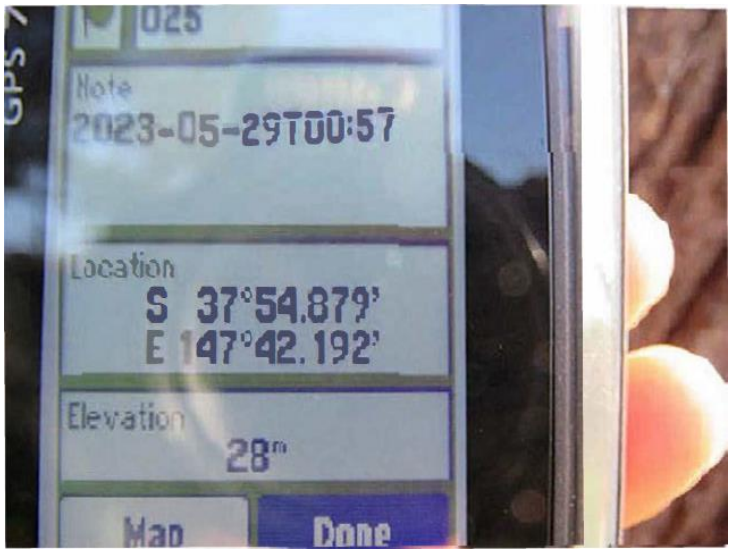
To: <cr.greacen@egipps.vic.gov.au>, <cr.crook@egipps.vic.gov.au>

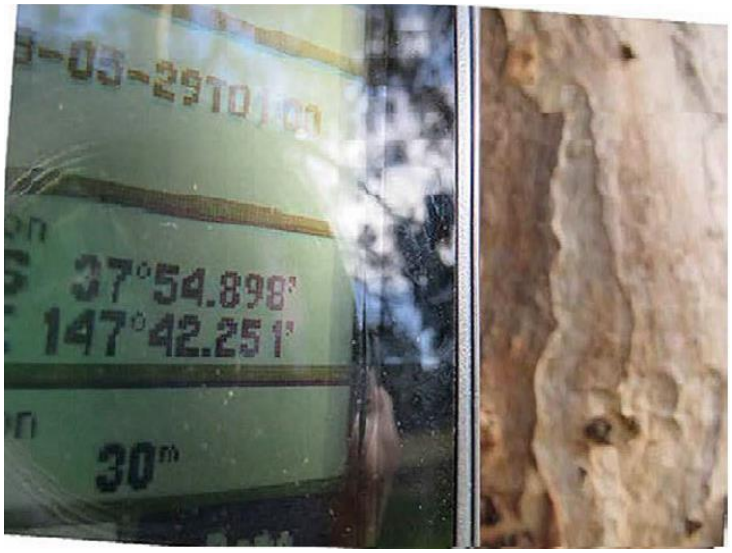
Dear Cr Jane Greacian OAM and Cr Tom Crook
I spoke to you, Jane, a while ago about my concerns for the beautiful large trees in the area west of Woodland Court in Paynesville. After five giant trees were cut down where Ilfracomb Street now is developed, and was told by a council member they weren't cut down (most likely because of an overlay without trees superimposed on the overall plan), I wanted to bring to your attention to the area west of my home that will be developed soon.
So I have photographed the large trees along with their gps coordinates for awareness by the Council. There are a few more magnificent trees as well nearer Grandview Road which I have not been able to access.
Attached to this note are photos of the trees as well as photos of their gps coordinates. Also are photos of the stumps of the large trees that were "not cut down" to develop Ilfracomb Street.
Thank you for the work you do on Council and your willingness to consider my concerns as well as those of my neighbours on Woodland Court.
Sincerely,
[redacted]

Location
S 37°54.843'
E 147°42.303'
Elevation
30m
Map
Done


-05-29T00:55
Location
S 37°54.839'
E 147°42.235'
Elevation
25m




025
Note
2023-05-29T00:57
Location
S 37°54.879'
E 147°42.192'
Elevation
28m
Map
Done


37°54.898'
147°42.251'
30m

Submission 13

[redacted]

13 January 2025

East Gippsland Shire Council
273 Main Street
Bairnsdale Vic 3875

Attention: Nicole Reynolds

Ref: Planning Scheme Amendment C172egip

Implementation of the Paynesville Growth Area Structure Plan

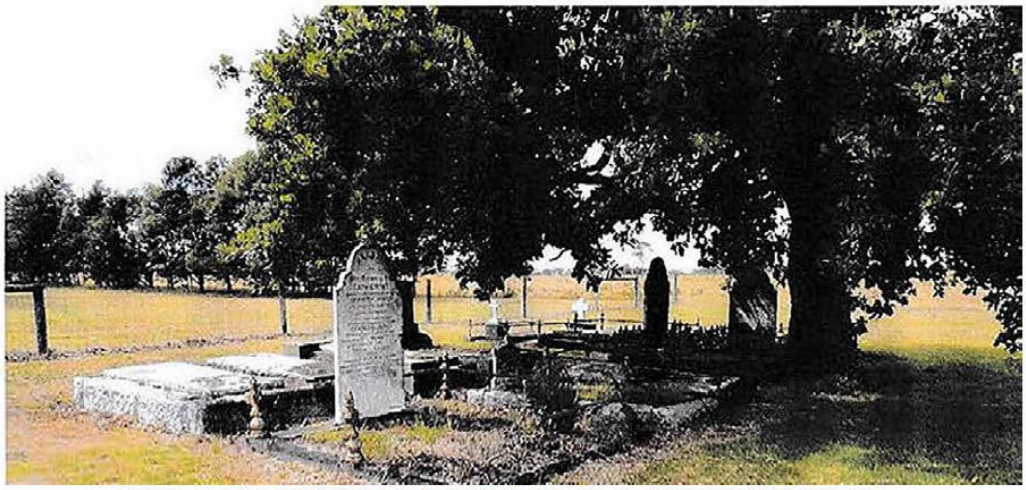
Dear Nicole,

Further to our meeting held on 9 January with Martin Richardson in attendance, I take this opportunity to formally submit the concerns of the Paynesville Cemetery Trust regarding several aspects of the **Planning Scheme Amendment C172egip.**

The Trust consider that it would be prudent to include a buffer zone between residential development and the Cemetery grounds along the southern and western boundaries. I note that on an amended drawing shown to me at the meeting, the Planning Document now shows a reserve to the southern boundary. We consider that a similar reserve should also apply to the western boundary.

Firstly, the amenity of properties we believe would be enhanced with say, a 10 - 15 metre reserve between the rear fence of any property and the cemetery grounds. It would also allow for any previous un-documented burials that may exist in these areas to remain undisturbed.

Secondly, such buffer zones would assist in preserving the sanctity of the James family enclosure in the south-west corner of the cemetery site with a reserve area between the cemetery and any residential development. See photos below.



James Family enclave in the South-West Corner of Paynesville Cemetery

Looking south along the western boundary of the Cemetery

As the Cemetery is also a place of reflection and serenity, the limitation of any commercial development close to the western boundary should be considered in any plans for this area.

For example, it is noted on part of Planning Scheme Amendment C172egip, Map 51, that the land to the west of the Cemetery is deemed as "General Residential Development". It is further noted that on the Proposed Plan of Subdivision accompanying Application for Planning Permit No. 5.2023.449.1, there is proposed access to Lot 1 which is denoted in the *Development Solutions* letter dated 15 May 2024, Ref: 23108 accompanying Planning Permit No. 5.2023.449.1 as, "*.....supporting a future small activity centre in addition to the proposed access to Paynesville Road and a portion of residential development. This will ensure ability to stage development with suitable access and the ability to create residential development to support a small activity centre.*"

Hence, the additional turning traffic in this area could impinge on the quiet solitude of the Cemetery, notwithstanding that the cemetery is already located on an access road to Paynesville.

Furthermore, with the development of additional infrastructure as proposed along Paynesville Road, it would be prudent to consider adding a right-hand turning lane to allow safe access for vehicles travelling in an easterly direction, to turn into the Cemetery carpark. This matter is noted in this submission to assist the Council in their lobbying to Victorian Roads who we understand have overall control of roadway planning along Paynesville Road. The safe access for funeral processions and relatives to turn into the Cemetery grounds is a high priority for the Trust.

We ask that matters noted above be considered as part of the overall planning process and that any specific matters that the Council may agree upon be incorporated in any future planning guidelines for prospective developers.

On behalf of Paynesville Cemetery Trustees

[redacted]

Submission 14

Nicole Reynolds
Email: strategicplanning@egipps.vic.gov.au

I am writing to protest about elements of the Amendment C172egip to the East Gippsland Planning Scheme Implementation of the Paynesville Growth Area Structure Plan (2016 and updated 2023).

There are several reasons underpinning my protest.

1.:NEIGHBOURHOOD CHARACTER

The proposed development north of Eagle Bay Terrace has a distinct lack of a well defined Neighbourhood character provisions. The overlay simply designates “Neighbourhood Character Areas” (or NCAs). But what does that mean?

Eagle Bay Terrace for example has block sizes 1000 to 1400m2 with housing that have substantial setbacks and building envelops that provide an open look. This provides good view sharing and an uncluttered view of the shore from the lake. There are no provisions for the new housing to reflect the neighbourhood character of the uniqueness of the Terrace as to block sizes, setbacks,and building envelops. Height restrictions should also apply to allow for view sharing and the visual look from the lake.

Town Character and Identity Objectives are equally devoid of specific references to protecting and enhancing the unique ‘coastal ’character of Paynesville; other than making rather vague statements on providing “good connections and relationships with foreshore open space” (O8) and maintaining “a vista to the Gippsland Lakes” (O6).

I protest that the unique character of Eagle Bay Terrace in particular could be lost through this proposed development without more stringent and detailed requirements.

2. TRAFFIC CONGESTION

I note that two of the four exits from all of the proposed development north of Paynesville road run into Palm Avenue. Not only will this cause congestion in Sunset Blvd, a quiet residential street where children play but there is no indication of how the traffic will be managed where Palm Avenue intersects with Paynesville Road.

I protest that this situation is not acceptable for traffic flow, congestion, safety, and liveability. Even if a plan was to be devised what guarantee can council and developers give residents that authorities they have no say over will provide the needed investment in traffic management on the Palm Ave/Paynsville Rd. (lights, roundabout).

3. FORESHORE MANAGEMENT

Though the current plan shows some provisions for foreshore management I see that there are some real concerns about the overall proposal.

The closeness of Fullerton Rd north of Eagle Bay Terrace to the foreshore does not allow for any graduation of effects of flooding on the road and housing or the effects of housing

on salinity, acidity, and native habitat. None of these effects occur up to a hard line in the real world and further buffers should be imposed. There are likely to be affects over time where the foreshore affects the road and the road affects the foreshore. A coastal survey should at least be undertaken by developers before this rezoning application proceeds.

The narrow band of land between the houses on EagleBay Terrace and the line of development proposed along the lake King foreshore will not allow for the block sizes needed to maintain the aforementioned neighbourhood character.

4. LACK OF AMENITIES AND INFRASTRUCTURE.

The increase to population that this development proposes will put undue strain on the liveability of the coastal township the council's settlement and housing plan says should be preserved. I doubt this will be possible with the proposed development.

Appointments at the medical centre, the dental clinic, the dentist and the like are difficult to get now with long waits.

No police station exists and wait times for police response is long now with the current population.

There are insufficient child care facilities now with long wait times and limited days available.

Berths for boats are limited and hard to get now without adding more people to the township.

One, one-lane road in and out of the town could see a Mallacoota situation arise where the town could be cut off in case of fire and the only evacuation might have to be by boat.

Respectfully submitted

[redacted]

Submission 15

From: [redacted]
To: Strategic Planning
Subject: Planning Amendment C172egip: submission from a concerned Paynesville Resident
Date: Friday, 31 January 2025 4:59:10 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

To: Strategic Planning Section
From: [redacted]

Comment re Planning Amendment C172egipp:

I do not support the proposed amendment on the following grounds:

1. Need to protect Paynesville's coastal village character

After much research [redacted] chose to retire to Paynesville two years ago, with the intent to grow old in a small, quiet village with access to good amenities, lakeside character and the fine sense of community that can only be found in small villages. We thought that we had found this in Paynesville.

We deliberately chose to avoid larger suburban-style developments because they typically lack the character and community connections that we have found here.

If we had wanted to live in a large modern generic-style suburb, then we would have had many choices between Berwick, Cranbourne and Bairnsdale.

We have invested our life-savings and our emotional capital in Paynesville as it is today; and we now feel that this investment may be devalued due to the proposed new suburban development under this planning amendment.

This objection pertains particularly to the proposed scale and density of new housing development, as the proposed General Residential Zone 3, which would likely lead to traffic congestion, insufficient parking space and frequent overcrowding of Paynesville's business and tourism precinct, which has very limited space to expand to cater for a larger permanent population.

Major road intersections would likely become bottlenecks during peak traffic times; and the increased traffic generally would detract from the peaceful rural / regional nature of Paynesville.

Social impacts from increased population should be understood and addressed in the planning documents before approval. This should apply to healthcare, public transport, active transport, policing, schools, child care, aged care, etc.

2. Flood, storm surge and sea-level rise impacts

The plan does not adequately take into account likely or potential flood levels under well-accepted scientific projections of climate change scenarios. The Precautionary Principle should be applied in setting safe margins for infrastructure and biodiversity corridors: i.e. development should be set well clear of the worst case flood projections.

Council is committed to adopting and promoting climate resilience, and this should apply to location of infrastructure and allowing adequate set-backs for foreshore and wetland retreat

as water levels rise.

3. **Green spaces and biodiversity**

   The plan should provide for larger and more shady parks, open spaces, and adequate biodiversity corridors to promote climate resilience for wildlife and native plants.

4. **Better public consultation**

   Residents should always have the opportunity for input, which may be limited or denied following land rezoning and approval of a Development Plan Overlay. This would be unfair and counter to democratic principles.

5. **Update studies**

   Relevant studies requiring update include flooding, biodiversity, social impacts and public services and infrastructure.

Simply: we need a better plan to secure Paynesville's unique character into the future, before new development is foist upon us.

[redacted]

Submission 16

[redacted]

Tuesday 14th January 2025.

Martin Richardson,
Manager Planning & Development
East Gippsland Shire Council
P.O.Box 1618
Bairnsdale 3875.

Dear Martin,

Objection to Amendment Implementation of the Paynesville Growth Structure Plan.

I am [redacted] and have lived in the Paynesville area for the past [redacted] years. I love the area, with the views of the Lakes, the abundance of birds, & animal life that are in the area.
I am deeply disappointed that the Council want to go ahead with the proposed changes to Paynesville. We are yet to see what provisions have been made to the infrastructure and utilities in the area. All I have seen over the past 13 years is the new Ambulance Station and the beautification of the Esplanade (which just leads to a traffic jam in peak periods), but what else?

Is there provision to upgrade or provide for the following?

1. Sewage – water treatment??
2. Water supply – pressure is very poor. I have a 2 story house on a half block, and cannot water the garden and use washing machine at the same time. I have had it checked. Will the water and sewage in the area be upgraded to cope with the increase demand?
3. There are rare birds that come down to Eagle Point/Paynesville from North Queensland, and only migrate to this area, also Eagles nest in the area. Will they be protected?
4. The Kangaroos use the wetlands where the walking track would be moved to - what would happen to them?
5. It is known that part of the wetlands are Aboriginal Heritage listed. Will this area be protected?
6. There has been a lot of homes built in the Paynesville area, from Coast Estate towards Newland Arm, Palm Lake Resort, and another Retirement Village to be built. With the increased population there needs the infrastructure to keep up with demand. Especially Doctors and medical facilities.
7. There is not enough car parking in Paynesville, so why would the Council propose to beautify the Main Street, and get rid of car parking. It could be done without moving the car parking from the shops.
8. With the proposed roads off Palm Avenue, and Sunset Boulevard into the proposed new estate, would cause traffic issues with trying to get onto Paynesville Road. This road is an accident waiting to happen now let alone with increased traffic from a new estate.
9. Drainage in Eagle Bay Village is poor, and many people get flooded as the drains cannot cope. Once again, a poor infrastructure now, let alone what will it be like with more estates?

10. Bairnsdale Hospital would not be able to handle more people. Medical services including Specialists are needed to cope.

I hope the Council will take into account all the residents letters of disapproval and work in the best interest of the residents of Paynesville.

Yours Sincerely,

[redacted]

Submission 17

From: [redacted]
To: EGSC Feedback
Subject: Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan
Date: Saturday, 18 January 2025 5:24:42 PM

You don't often get email fro[redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Dear Sir or Madam,

I would like to object to the rezoning of this land due to several issues.

The lack access to the town, the poor quality of Paynesville Road, lack of medical facilities

Regards

[redacted]

Submission 18

From: [redacted]
To: EGSC Feedback
Subject: GloBlank Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan
Date: Saturday, 18 January 2025 5:47:55 PM

You don't often get email fro[redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

Dear Sir or Madam,

I am concerned about this new development due to the current lack of medical services. Also, has there been any consideration for sewerage and water supplies?

Regards
[redacted]

Submission 19

From: [redacted]
To: Strategic Planning
Subject: Implementation of Paynesville Growth Area Structure Plan
Date: Wednesday, 22 January 2025 11:57:03 AM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

To whom it may concern:

I wish to register my objection to the following:

Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan

I don't believe this plan has factored in the many things that contribute towards retaining the village/small town atmosphere that the current full time residents enjoy. Our area has already surpassed the growth rate that was initially forecast (in July 2016) and again since it was last updated (in December 2023) and at the current rate of growth this area will not cope given that we do not have the infrastructure to accommodate the growth rate.

My concerns are:

Medical facilities:

- We do not have enough Doctors within the Paynesville/Bairnsdale area per ratio of people, and most practices are not taking new patients. It is difficult to entice new Doctors to relocate them and their families this far from the city.
- The Bairnsdale Hospital is a wonderful asset, however it does not have the staff or facilities to service the large area and number of people that already rely on it's services. Most specialist appointments, operations, ongoing treatments, etc means long distance traveling for the patient and carer, with huge out of pocket expenses.
- Dental and Allied Health services are also overworked with residents having to make appointments months in advance (in some cases Dental Practices are also not taking new patients).
- Ambulance - this service is very much in high demand given the current demographics of our area, accidents and having to wait at the hospital for patients to be admitted.

Infrastructure:

- Our water and sewerage system would require substantial upgrading to accommodate the extra growth in population. Many residents are already complaining that the water quality and pressure is not good. Our

sewerage system is not coping and is evident with the constant smell of sewerage near Progress Jetty in Paynesville. Is this a sign that our sewerage is being pumped or is seeping into the Lakes system, thereby creating another environmental problem?

- Footpaths in local areas have not been constructed, even though residents have lived there and paid rates for many years. This is dangerous for older people walking on roads or on mobility scooters.
- Roads are in a state of constant disrepair, which is dangerous for ambulances and the amount of traffic created by the current users. The amount of traffic has build up significantly over the last few years since the development of the newer subdivisions. Having one road in and out of Paynesville, which draws on Raymond Island and the Eagle Point areas is another major problem, especially if there were fires similar to 2020 and if residents had to evacuate.
- The train system, although cheap at the moment, can be unreliable, often replaced by buses with longer delays.

Police:

- With the addition of extra housing there needs to be a permanent Police Station situated in Paynesville, which should also incorporate the Water Police. Currently the Police have to travel from Bairnsdale which causes long delays. The amount of crime has escalated within our area so there needs to be a constant Police presence for residents to start to feel secure. The higher growth will also incur higher criminal activities.

In closing I believe that not enough thought has been given to the rural aspect of our local environment or in protecting our wildlife. Instead it seems that the main intention is to develop and build as much and as quickly as possible. To develop just for the sake of it will destroy this area for future generations. This plan does not have enough green open spaces or room for the local wildlife left to enjoy. To lose the wildlife would be detrimental - there are not many towns left where you have to stop to give way to swans, ducks, echidnas, koalas or kangaroos.

We will only get one chance at preserving this "heart" of the Gippsland Lakes before the entire area is full of high density living with houses that look aged, unkempt and ugly. You only have to look at The Coast to see how multiple houses deteriorate over a short period of time which detracts from our otherwise lovely town. The water views, especially upon entering the town should be kept available for all to enjoy.

Yours sincerely,

[redacted]

Submission 20

From: [redacted]
To: Strategic Planning
Subject: CM: Objection
Date: Wednesday, 22 January 2025 6:51:47 PM

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Gippsland Shire Council
Strategic Planning Unit
PO Box 1618
Bairnsdale, Vic. 3875
e: strategicplanning@egipps.vic.gov.au

I wish to lodge my objection to the proposed rezoning and development of the land adjoining Eagle Bay Terrace, Paynesville under the Paynesville Growth Area Structure Plan 2016 for the following reasons.

The planned rezoning and development of the land conflicts with and is inconsistent with the following key objectives and Shire key requirements as mentioned in this document:

2.3.4 Foreshores & Wetlands - Protection of the recreational and ecological values of foreshore and wetland areas on Lake King shall be of the highest prority.

The land north of Eagle Bay Terrace adjoins Lake King and provides substantial wetland open space for the abundant native fauna. Develpment would directly threaten these animals and affect the nearby wetlands of the lake.

2.3.5 Public Open Space - Landscaped open space corridors will connect neighbourhoods and the existing town and foreshore areas for pedestrians and cyclists, providing a district movement network. Open space should be designed and landscaped to provide habitat for wildlife and assist with drainage functions through water sensitive urban design.

The suggested residential zoning, whilst not having a finalised Development Plan, will likely have medium-high density housing in an environmentally sensitive area.

2.4.9 Sustainability - Residential development within the growth area should provide a range of housing choices in neighbourhood environments designed for sustainability, through water sensitive urban design, energy efficiency, promotion of walking and cycling and public realm design measures intended to support a cohesive and accessible community.

Again, whilst no Development Plan has been finalised, it has been indicated that the development will be of medium-high density allotments conflicting with this objective.

Furthermore, the plan to accomodate over 1,300 dwellings, that would add an additional approximately 4,500 people to the population of a town with a population of about 5,000 in an area roughly 3 times the size shows a huge increase in housing density and which will irrevocably change the character of the town of Paynesville, place significant impact on the road and services infrastructure of Paynesville and outlying townships.

Lastly, two of the five strategic objectives in the East Gippsland Shire Council – Council Plan 2021-25 are:

Planning and infrastructure that enriches the environment, lifestyle, and character of our communities
A natural environment that is managed and enhanced

I believe should seek to better utilise this land to meet these key objectives that the proposed rezoning and

development will fail to acheive.

Yours sincerely

[redacted]

Sent from my iPhone

Submission 21

From: [redacted]
To: Strategic Planning
Subject: Re: Planning Objection
Date: Wednesday, 22 January 2025 6:53:07 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

[redacted]

22nd January 2025

Gippsland Shire Council
Strategic Planning Unit
PO Box 1618
Bairnsdale VIC 3875
e:strategicplanning@egipps.vic.gov.au

I wish to lodge my objection to the proposed rezoning and development of the land adjoining Eagle Bay Terrace,Paynesville under the Paynesville Growth Area Structure Plan 2016 for the following reasons.

I am writing to formally object to the proposed development of high-density housing or any housing on the natural land that backs onto the environmentally sensitive wetlands and lake in Paynesville.

This land, rich in biodiversity, is home to an extraordinary range of native wildlife, including eagles, pelicans, black swans, kangaroos, echidnas, blue-tongue lizards, and countless other species that live, hunt, and breed in this area. Approving this development would not only devastate this critical habitat but also undermine the environmental stewardship that the Council once pledged to uphold.

In 2016, this Council recognized the ecological significance of this land and committed to protecting it in its planning meetings. This stance reflected a genuine understanding of the area's value, not just for its wildlife but for the broader community who cherish this natural sanctuary. Reversing that commitment in 2025, to pursue a development that would increase the town's population by 34% with 1,364 additional homes, represents a betrayal of that earlier vision and the trust of Paynesville residents.

Australia has one of the worst global records for habitat destruction due to urban development. This trend has led to alarming declines in numerous species, destabilized ecosystems, and further endangered our unique fauna. Allowing this development to proceed would contribute to this troubling legacy, turning a thriving natural habitat into yet another casualty of unchecked growth.

Key Concerns

1. Loss of Habitat and Wildlife:

The proposed development would permanently displace and destroy the habitat of approximately 100 kangaroos, echidnas, blue-tongue lizards, and countless bird species that are an integral part of the ecosystem. The wetlands and lake provide critical breeding and feeding grounds for eagles, pelicans, and black swans, all of which would suffer from the loss of this habitat.

2. Impact on Wetlands and Lake Ecosystem:

Wetlands are globally recognized as vital ecosystems that support biodiversity, improve water quality, and act as natural buffers against flooding. Developing land adjacent to these wetlands will disrupt their delicate balance, leading to erosion, pollution, and degradation that will have far-reaching consequences for both wildlife and residents.

3. Community Well-being and Character:

Paynesville is a small town with a unique character, defined by its connection to nature and the surrounding environment. Increasing the population by 34% through high-density housing would place unsustainable pressure on local infrastructure, diminish the town’s charm, and fundamentally alter the quality of life for residents.

4. Irreversible Environmental Damage:

Once this land is developed, the damage cannot be undone. The wildlife will be gone, the natural beauty will be lost, and future generations will inherit a poorer, less vibrant Paynesville.

Our Call to Action

I urge the Council to reconsider this proposal in light of the long-term environmental, ecological, and community impacts. There is a growing recognition, both globally and locally, of the need to protect natural habitats and prioritize sustainable development. Instead of pursuing high-density housing in such a sensitive area, the Council should honor its original commitment from 2016 and preserve this land for the benefit of wildlife and the community alike.

As residents of Paynesville, we value our natural environment and the unique wildlife it

supports. We do not want to see this irreplaceable habitat sacrificed for the sake of development. We ask that you listen to the voices of those who call this place home—human and otherwise—and make the right decision to protect this land for generations to come.

Thank you for considering this urgent matter.

Sincerely,

[redacted]

[redacted]

Submission 22

From: [redacted]
To: Strategic Planning
Subject: Planning Scheme Amendment C172egip
Date: Thursday, 23 January 2025 2:08:49 AM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

With reference to

Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan,

As a Paynesville land owner, I wish to raise my objection to implementing the above without further investigation into environmental and spatial planning for Paynesville as a whole.
If this housing estate proposal is any indication of the future of Paynesville housing development, the character of same will be lost to tight urban sprawl, robbing us of spacious green areas in which to relax and enjoy Paynesville's quiet lifestyle.

Regards
[redacted]

Submission 23

From: [redacted]
To: Strategic Planning; EGSC Feedback; Cr Sonia Buckley; Cr John White; Cr Joanne Eastman; Cr Arthur Allen; Cr Jodie Ashworth; Cr Tom Crook; Cr Barry Davis; Cr Bernie Fanguhar; Cr Jan Trevaskis
Subject: Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan
Date: Tuesday, 21 January 2025 11:52:48 AM

Some people who received this message don't often get email from [redacted]. Learn why this is important

EXTERNAL EMAIL This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

[redacted]

I have a number of concerns regarding the planning scheme amendment and would request that it be suspended until a number of critical issues are addressed, which I will outline below. I also question the overall Structure plan, given that it was conceived in 2016 when our population was around 3,500 . Also I believe this plan was written with very **limited community consultation**. I do not consider 50 public responses adequate to reflect the community. Then holding 'drop in' sessions, as part of the consultation process, at the end of December when people are busy and distracted, is at best a nonsense, and at worst, could even be considered underhanded. Consultation must always be robust and transparent. Also, considering the median age of the population of Paynesville, online options should not be the only options. Paper alternatives and well planned public sessions should always be considered.

I am concerned there is a DPO (development plan overlay) on the structure plan. I understand if and when rezoning is approved the DPO exempts future planning applications from notice and review. This would mean the erosion of the rights of people to object to planning applications on the future development. This is a dangerous precedent and one I vehemently oppose. **Rezoning** itself is a major concern to me also and I would not like to see rezoning changed. I would like to see it remain low to medium density ensuring the **village profile** of our town remains.

The lack of existing infrastructure, including but not limited to, **medical services**. They are inadequate now and will continue to be more inadequate with the influx of more residents. The existing medical service in Paynesville is overloaded and the Bairnsdale hospital is currently unable to cope and will continue to be stretched. Given the ill-considered approval of three more retirement villages in the area, there could be serious consequences for the already aging population of Paynseville.

I am also concerned the requisite environmental assessments have not been undertaken or undertaken in more recent times, which include heritage assessment, landscape assessment and sewerage capacity. I am aware of recent fines handed to East Gippsland Water regarding the release of sewage into the lakes. This is most distressing. If EGW services are not adequate now, they will be overstretched with unfettered residential growth.

There are other issues I have identified and will be happy to discuss these in person at the 18th February meeting with councillors.

Kind Regards, [redacted]

Submission 24

From: [redacted]
To: Strategic Planning
Subject: Paynesville strategic plan
Date: Thursday, 23 January 2025 7:38:17 PM

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

1- Please make sure that there are footpaths wide enough for mobility scooters as well as pedestrians to pass each other.
2-Bench and Seating in areas where people can just enjoy the outdoors.
3- Water fountains
4- Nature strip plants and NOT gum trees as they make such a mess of streets, block drains and drop branches
4- Blocks not less than 500 sq mtrs as this is a beautiful lakeside town and we don't want it looking like a housing commission area.

Sent from my iPhone

Submission 25

From: [redacted]
To: Strategic Planning
Subject: Progressive Growth Area Structure Plan C172egip
Date: Sunday, 26 January 2025 2:18:18 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

I am convinced that this plan has been put forward ***before*** the absolutely vital research has been done in many areas, such as a social impact assessment, consideration of sea level rise, updated traffic impact assessment predictions, neighbourhood character assessment and an assessment of the needs for upgraded medical facilities.

Surely the plan should be constructed *at the completion* of all these studies.

Thank you,

[redacted]

Sent from my iPad

Submission 26

23 January 2025

Strategic Planning
East Gippsland Shire Council
PO Box 1618
Bairnsdale Vic 3875

Dear East Gippsland Shire Council,

Planning Scheme Amendment C172egip

As a local East Gippslander for [redacted] years I support the East Gippsland Planning Scheme and the future area for growth and the promotion of this beautiful area as a major tourist destination. Whilst I'd love the region to remain a quiet, country haven, I am not naive to realise the need for growth and change for the area to continue to be prosperous and successful.

I have read your detailed explanatory report and plans for the Paynesville-Eagle Point development area, however, I have not found and information on the bigger picture and flow on affected areas. Paynesville road being my main concern. Increased traffic would place more burden on the Lake Victoria Road intersection, which is already difficult to manage a right hand turn from Newlands Arm toward Paynesville.

The lack of cycle friendly roadways and the lack of provision for major cycle infrastructure within the framework is also concerning.

I notice the references to "efficient, safe walking network" and "increase the proportion of trips made by cycling" for a transport system that "is safe and supports health and wellbeing" in clause 18 - Transport, but I do not see any details of said infrastructure.

Whilst the Paynesville - Bairnsdale road was updated and widened a few years ago, the verge is not maintained and is a very dangerous road for us cyclists that live in Paynesville and ride the road several times a week. The width of the verge is actually not too bad for road cyclists, if it was kept swept and clear of grasses growing up through the bitumen, although, I would never recommend a family or non-confident persons to

[redacted]

[redacted]

attempt to ride that road. Nor would I ever ride the Forge Creek road again since the Armco barriers were put right on the edge of the road years ago.

With expected traffic to increase dramatically over the next the decade, a dedicated bike path is critical. I realise it will be a very difficult and an expensive proposition, however, I believe it will add enormous benefit and tourism potential to Paynesville area and a sooner rather than later approach would be better for the engineering costs, which will only increase the longer we wait.

May I suggest a pedestrian/cycle bridge be built across the Mitchell River from Eagle Point to Riverbank E Road. This would make use of the quiet road on the East side of the Mitchell River and riders could avoid the busy Paynesville Road.

I hope my concerns and views will be considered and thank the EG Shire for their open planning policy and encouraging the community for their comments.

Sincerely yours

Submission 27

From: [redacted]
To: EGSC Feedback
Subject: EM: Planning scheme amendment C172egip
Date: Wednesday, 22 January 2025 3:41:46 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

My name is [redacted] and as a concerned resident and rate payer of the Paynesville township, I am asking Council to suspend the amendment process and direct the planning officers to ensure that all planning assessment decisions are based upon relevant and the most up to date recommendations of the:

* CSIRO 2022 Vulnerability of the Gippsland Lakes RAMSAR site
* Marine and Coastal Act 2018 (objectives and planning principles)
* DSE Victorian Coastal Inundation Dataset
* Social Impact Statement and Traffic Assessment based upon more recent data than the 2011 Census information.
* Neighbourhood Character. Unlike Fullarton Drive or Eagle Point planning assessments there are no provisions to support character and identity of neighbouring communities.
* Proximity to the Gippsland Lakes system. High density residential zones so close to an already endangered delicate lakes system are only going to increase the environmental pressures on this amazing part of the East Gippsland Shire.

Sent from Gmail Mobile

Submission 28

From: [redacted]
To: Strategic Planning
Subject: Submission related to C172egip
Date: Sunday, 26 January 2025 9:45:19 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Submitter

[redacted]

Dear Sir/Madam,

I write to express my concerns about many apparently deficient elements in this Amendment to the PGASP. I am an interested party because as a long term resident of Paynesville I am concerned that relatively high density housing in large numbers and with insufficient infrastructure planning is going to impose social and financial costs on Paynesville residents and indeed general members of the East Gippsland Community.

My concerns are primarily those outlined in the resolutions passed by over 200 concerned residents at a recent open public meeting. These resolutions were to:

Ask Council to suspend the amendment process and direct the Planning Officers to undertake urgent planning assessments that were never done or if done, are now too outdated (being completed in 2015/16) to be meaningful:

We respectfully demand the following assessments be undertaken:

1. A comprehensive and up-to-date **Social Impact Assessment** that considers:
   - access to basic **public health** services for existing and future residents - (not considered by the 2016 study)
   - **public safety** (police response times - (not considered by the 2016 study)
   - **access to childcare / schools** - account for higher population projections
   - **mobility** needs for **elderly / disabled** - (not considered by the 2016 study)

2. Updated **traffic assessment** based on latest census data (not 2011 census data)

3. Undertake a comprehensive **Neighbourhood Character Assessment** to define and delineate all of Paynesville's neighbourhood character areas

4. provide much wider **pedestrian/cycling/wildlife corridors** - 15m wide vegetated strips are completely inadequate

5. undertake **Land Capability Assessments** for the entire growth area, which include:
   - a sewerage capacity assessment -never done
   - updated Coastal Hazard Vulnerability Assessment - must incorporate most recent data and science
   - visual landscape assessment - never done
   - environmental and heritage assessment - not done / incomplete assessment for some of the site only

6. **Low Density Residential Zones** are also warranted

Although the Plan mentions the seaside nature of Paynesville and a wish to preserve that unique character, there is nothing in the planning documents nor the Amendment that I can find that would differentiate the area under assessment from any high density urban area in Cranbourne or Tarneit. The development of this area is going to place an enormous load on the current facilities (newsagent/Post Office/supermarket) which already have insufficient parking to accomodate the current residents of Paynesville and I can find no intent to duplicate or upgrade these facilities to cope with a significantly larger population.

[redacted] King Street drain which will be subject to stormwater flows from this entire area. In its natural (or modified open land) state, rainwater can to soak into the ground or slowly move to the lakes. Urbanisation is going to see huge increases in stormwater flows and subsequent pollution of the canal system in Paynesville and thus subsequently, the Lakes. Has consideration been given to more frequent and higher density rainfall events that are predicted to arise as a result of global warming?

I also understand that Victorian Government modelling of sea level rise means that much of the "open space" set aside in the PGASP, and including the stormwater management structures on the shores of Lake King, may well be underwater within 50 years. It cannot be claimed that the Plan makes significant areas of public space available when modelling suggests that that public space will have disappeared well within the lifecycle of this proposed community.

What do I want Council to do?
I would like Council to do as per the resolution of the public meeting noted above and suspend the Amendment process until such time as Council Officers or a competent and Community trusted consultant addresses the matters raised and provides that information back to the Community.

I also wish it noted that I believe that the members of the community are significantly disadvantaged in processes such as this. A large amount of technical information is presented which is only fully understood by those persons working constantly in the area, and thus largely having affiliations with developers. It is not reasonable to expect a lay person to understand and respond to such technical documents, and when a cogent and well prepared response from a person with knowledge in the area is available the process does not allow a respondent to simply say "I support document X", but requires each individual submitter to rephrase the response in their own words, thus lessening the clarity and intent of the source document.

Yours sincerely,

[redacted]

Submission 29

TO - East Gippsland Shire Council.
REF: Paynesville Growth Area.
Structure Plan July 2016
[Updated December 2023]

Firstly, my feelings on the proposals set out by the East Gippsland Shire Council in relation to the future development of Paynesville and Eagle point, may be considered to be selfish by some. You may see it as a point of view from a person who does not believe in progress. I think that progress in inevitable, however, that can't diminish my personal feelings in relation to the future growth proposals being put forward by Council for the Paynesville region.

I am [redacted] of age and like many around my age, Eagle Point and Paynesville was the *`nice, quiet and beautiful'* area to move to when my working career ended and retirement commenced. The attraction was exactly this, a quiet area with an affordable home and lifestyle. [redacted] arrived here six and a half years ago from NSW and haven't looked back. We have great neighbours and they have also expressed their view that Paynesville is a peaceful village within a quiet environment and that is what attracted them to this area in the first place.

My issue with so-called `progress' is the angst that comes with living in an area now that will be undergoing large development programs. Before moving here, we originally considered moving to the Mildura area. Having worked on the NSW side of the Murray River many years ago and still having friends in the area, we visited Mildura to see if it would be a suitable move after so many years away. A friend had moved into a new home there and has since spoken to us then about the issues they had been experiencing over their last three years there.

The surrounding areas were undergoing residential building projects. The noise of heavy machinery, heavy vehicles and building contractors with their noisy activities, was constant all day long. The dust was a big problem with them and they told us that each day they would wipe down the dust from outdoor settings and next day it would appear again. The roads were always covered in a film of dust. The dust settled everywhere and years of noise and inconvenience was quite detrimental to their retirement lifestyle. The frustration over a long period of time with these issues can also impact on the mental health of a person.

This is not what I want in my retirement. Selfish? Perhaps. But I do not want to have my remaining years being subject to this type of activity when we are here due to it being so quiet and without a large volume of traffic, though that seems to be an increasing problem now.

[redacted] borders a large area to the West that has been designated by Council to be residential shortly. Any new residential building activities taking place in the future will mean the predominantly Westerly winds will blow dust and noise directly into our homes. The traffic increase in what is now a very quiet street will create issues of unwanted and constant vehicle noise, and the possibility of road trauma between local traffic and the relevant industrial vehicles used in land development and house construction. As any residential area expands, so will traffic volumes and our streets are narrow, and in some cases twisting. Sight distances are marginal and again, this can easily lead to road trauma issues with an increase in vehicular traffic.

Mental health issues are not a pleasant experience and I honestly believe any prolonged building projects adjacent to where you are trying to enjoy your retirement, could easily have a negative impact on your health. I also believe many locals will have similar feelings.

Many submissions will have been made in regards to infrastructure problems so I won't touch on this other than to say that it has been well documented that medical facilities are an issue in Paynesville. This, and other infrastructure issues are being submitted by others.

In the warmer months Paynesville has become a growing tourist destination and finding adequate parking is often difficult in the main part of the village now with the local cafes and hotel being so well patronised. Excellent for the business people, but it can be quite inconvenient for locals going about their daily lifestyle, particularly the elderly.

However, in looking at what I see as a catastrophic impact eventuating on this area from the East Gippsland Shire Councils proposals, we also need to take into consideration the RAMSAR Site Management Plan – Community Consultation Report of May 2024, as it has an impact on the future development issues for this area.

RAMSAR, being an international convention, carries sway with how we have to treat our wetlands and waterways, and as a result, has a great relevance to the management of the surrounding areas that border on any of the 67 RAMSAR sites in Australia. Australia has been a member of RAMSAR since 1975 so this is not a new factor regarding the environment and in particular, the Gippsland Lakes precinct.

Our area is home to many breeds of migratory birds and this is mentioned in the RAMSAR report. We use the word `Conservation' when this subject comes up in any arena, and `conservation' should always be considered to include, not only the habitat of migratory birds, but also species that are native to the area. In fact many locals have been monitoring the arrivals of the usual migratory birds each year to their regular breeding habitat. It would be shameful to push them away from the area. As well, the RAMSAR report states that some migratory shorebirds are reported as *`threatened'* and others *`endangered.'*

In relation to native species, in the area of Eagle Point and Paynesville there is no disputing the fact that we have the Australian Hobby, both black shouldered kites as well as Whistling kites, Nankeen Kestrel and Peregrine Falcons, to name a few birds of prey. Their habitat, as described in `The Field Guide to the Birds of Australia' in general, includes the environs of wetlands, lakes and rivers as well as open woodlands and grasslands.

Reduction in this type of land form to be replaced by a largely residential environment, is certainly not `conservation' but is in fact destruction of their natural habitat by not taking into consideration adequate protection of our birdlife, both native and migratory.

Included in the RAMSAR report is another aspect of conservation that should ***not*** be discounted and that is the danger to `Shoreline alignment.' This will include the Silt Jetties that should always take a prominent part in considering, not only the effects of increased tourist numbers over time, but the effects of an increase in the local population. The Silt Jetties will experience an increase in visitors for activities such as bird watching, fishing, or the basic visiting of the area from our local tourist industry point of view.

But it applies to a danger to all of the shoreline within the RAMSAR report. With massive increases in the planned residential areas to be opened up, this will mean an increase in a population that will be using parts of the shoreline for recreational purposes, not only on the shore edge itself, but in the adjoining waterways.

The matter of algal blooms has to be considered as an increasing threat and can be considered as a possible result of an increasing residential area. Here we have to look at nutrient pollution and changes in water flow through re-allocation of land use, particularly residential subdivisions. Eco Rules can be put in place, the problem will be non-compliance, not only by residents, but by industries including building construction as well. Algal blooms causal issues are not a proven fact taken into account in the 2024 RAMSAR report, however, it is phenomenon that has been considered as a viable problem in other parts of Australia and this includes general increases in residential zones.

RAMSAR has also noted the matter of including buffer transition zones outside of the actual RAMSAR boundary that will include areas further afield with indirect influence on our lakes. The management of private land adjacent to the RAMSAR boundaries is required to negate the threats impacting the ecological character of the area.

So, a massive increase in homes and resulting population increases as intended vide the East Gippsland Shire Council proposal, will definitely be considered a threat to the ecological character of the area and will surely impact negatively on the management of the RAMSAR nominated areas in our region. Most importantly, and to finish my views, I have to say that variations to local ecosystems will ultimately lead to a detrimental effect on the local native flora and fauna of the Paynesville and Eagle Point regions, a very important feature of the East Gippsland Lakes area.

Yours Sincerely
[redacted]
26 January 2025.

[redacted]

Submission 30

From: [redacted]
To: Strategic Planning
Subject: C172egip submission
Date: Thursday, 30 January 2025 6:01:37 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

Good evening
Further to my concerns below is the obvious one I didn't list

- Biodiversity.

At a time when the planet is cooking, and we're experiencing the physics of a warming ocean, heightened carbon and the like (as evidenced by storms, wildfires, heatwaves et al) ... plants and trees are more important than ever. The land proposed for this housing has both establish trees and thick patches of hundreds of developing native gums. These provide opportunities in to the future for carbon capture, habitat and amenity. They assist with managing water tables. The grassland is habitat for insects and reptiles, and assists with the broader eco systems. The existing dam, which never runs dry, is suggestive of a perched aquifer that enables plants to flourish. The dam provides further habitat. The Ramsar listed wetlands are home to both endemic and migratory birds.
None of this should be compromised for 'Development'.
You can't purchase Biodiversity and Ecology at Bunnings ....
Please consider the parameters of the EPBC Act 1999. Environment Protection Biodiversity Act.
Regards
[redacted]

From: [redacted]
Sent: Monday, 27 January 2025 6:18 PM
To: 'strategicplanning@egipps.vic.gov.au'
Subject: C172egip submission

Good afternoon
Objection to C172egip.
I email in response to the above Planning Amendment.
There is an urgent requirement to suspend proceedings until Planning Officers complete reassessments of the impacted area. There are gaps in the data, and with the initial assessment completed in 2015/16, the foundational data is stale and lacking relevance in many domains. It's so outdated and is not reflective of Best Practise.
The current 200+ hectares impact the land on which wildlife flourishes, in particular the Kangaroos. These are not going to be quietly 'shepherded' to another area, as livestock may be, and to retract the available space for them to flourish fails to align with the Purposes of the Wildlife Act 1975. Specifically, *1(a) to establish procedures in order to promote— (i) the protection and conservation of wildlife.*

Paynesville is a unique community and the existing study does not take in to consideration access to public health services. Existing services can barely cope – try getting an urgent appointment at the GP clinic! There are inadequate Police resources at present. This proposed addition of housing and associated infrastructure places additional load on strained resources. Families bring with them the need for child care and schools, which are intrinsically limited in Paynesville at present.

Traffic is increasing, even without this current proposal, and the plans for roundabouts are inadequate to address the limited access in and out of Paynesville. Data used in planning is based on 2011 Census and nothing more recent.

The building of residential properties +/- retail/commercial sites add to the burden of effectively addressing extra load on the landscape. What assessments have been completed to determine the capacity of the sewage system to cope? There is no clear indicator that the visual landscape has been thoroughly assessed, let alone the environmental and cultural heritage aspects.

Thorough assessment of the impacts of the current Climate Catastrophe on rising sea levels seem narrow. Climate impacts both built and natural landscapes, and to add extra housing to a vulnerable area is irresponsible. Run off from housing activity, both during build and long term, in to the Ramsar Listed wetlands is a risk that appears to have been given scant regard.

Ultimately, the joy of Paynesville is significantly compromised by this proposal, which is founded on outdated data.

I request that fresh data be collated, taking in to account The Precautionary Principle.

This is my submission.

Regards [redacted]

Submission 31

From: [redacted]
To: EGSC Feedback
Subject: Submission Guide for Paynesville planning scheme amendment C172egip.
Date: Saturday, 25 January 2025 2:46:34 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

East Gippsland Council.

To whom it may concern,

I'm writing to you regarding the Submission Guide for Paynesville planning scheme amendment C172egip.

I have been a resident of Paynesville since June 2022 after moving from Melbourne due to massive increase with traffic and high-density housing.

The infrastructure in Paynesville is already showing signs of collapse.

. typical wait time for a doctor's appointment in 2022 was 1 week, now up to 3 weeks.

. typical wait time for a dental appointment in 2022 was 1 month, now up to 3 months.

. if I have a sudden medical episode there is a 6 to 8 hrs. wait time at the Bairnsdale Hospital ED

department, then told I should have gone to my GP.

. Paynesville is in desperate need of better medical facilities, GP's.

. untreated sewerage seems to be pumped into our waterways- the stench along The Esplanade foreshore.

. the Vicmap Basemap VicGride 2022-Aerial shows Council approved 59 lot Subdivision, given that

most households have 2 cars this will put an extra 120 cars on our roads.

I ask that Council suspend the amendment process and ask the Planning Officers to undertake urgent planning assessments to replace the now outdated assessments, which was completed in 2015/16.

I would ask the following assessments be undertaken.

. access to basic public health services for existing and future residents – not considered by the

2016 study.

. public safety – police response times – not considered by the 2016 study.

. access to childcare/schools – account for higher population projections.

. mobility needs for the elderly/disabled – not considered by the 2016 study.

. updated traffic assessment based on the latest census data – not 2011 census data.

. undertake a comprehensive neighborhood character assessment to define and delineate all of

Paynesville's neighborhood character areas.

. provide a much wider pedestrian/cycling/wildlife corridor, 15m wide vegetated strips are not

adequate.

. undertake land capability assessments for the entire growth area, which include.

a sewerage capacity assessment – never done.

updated coastal hazard vulnerability assessment, needs to incorporate most recent data/science.

. visual landscape assessment – never done.

. environmental and heritage assessment – not done/incomplete assessment for some of the site.

. low density residential zones are also needed.

Regards.

[redacted]

[redacted]

[redacted]

Submission 32

From: [redacted]
To: EGSC Feedback
Subject: submission guide for Paynesville planning scheme amendment C172egip.
Date: Saturday, 25 January 2025 3:47:12 PM

You don't often get email fro[redacted]. Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

East Gippsland Council

To Whom it may concern,

I am writing in regards to the submission guide for Paynesville planning scheme amendment C172egip.

Having moved here [redacted] to start the next phase of our life in retirement in Paynesville, we thought how great and beautiful a place it is. But, the infrastructure in Paynesville is already showing signs of collapse. In the short time living here we have seen an increase in cars, housing and people but the infrastructure is not coping with this.

We need more doctors due to increase in residents and the wait time is now at an all high. The same can be said for dentists. Some doctors and dentist surgeries are not even taking on new clients.

To see a specialist at the hospital which we do not have enough of is a long wait till they come to Bairnsdale and that is usually once a month. So, you have to travel to Sale or Traralgon and for a lot of the elderly this is a long journey. Most times my wait time has been 3 months. Tests done at the hospital take up to 6 weeks to get results back to the doctor. [redacted]

Driving into do shopping in Paynesville, came across a woman in a motorized scooter trying to cross Main Road and with the amount of traffic she was there a long time. You want to stop but, worried that someone may come roaring up behind you and slam into you. There are limited footpaths in isolated locations which force these people to drive on the roads. Also a few crossings along Main Road for them to use may help. Footpath is needed on road down to the cemetery as well. You have walk part on road.

We have a beautiful foreshore but, some days you cannot walk along it due to the stench. Why this has not been attended to and the matter fixed do not know. Rumor is that it is raw sewerage being pumped into the waterways. Not good for tourists you want to come and visit and spend money in Paynesville. A good walking track along the foreshore would be great. (e.g. like Metung)

. the Vicmap Basemap VicGride 2022-Aerial shows Council approved 59 lot Subdivision, given that

most households have 2 cars this will put an extra 120 cars on our roads.

I ask that Council suspend the amendment process and ask the Planning Officers to undertake urgent planning assessments to replace the now outdated assessments, which was completed in 2015/16.

I would ask the following assessments be undertaken.

. access to basic public health services for existing and future residents – not considered by the

2016 study.

. public safety – police response times – not considered by the 2016 study.

. access to childcare/schools – account for higher population projections.

. mobility needs for the elderly/disabled – not considered by the 2016 study.

. updated traffic assessment based on the latest census data – not 2011 census data.

. undertake a comprehensive neighborhood character assessment to define and delineate all of

Paynesville's neighborhood character areas.

. provide a much wider pedestrian/cycling/wildlife corridor, 15m wide vegetated strips are not

adequate.

. undertake land capability assessments for the entire growth area, which include.

a sewerage capacity assessment – never done.

updated coastal hazard vulnerability assessment, needs to incorporate most recent data/science.

. visual landscape assessment – never done.

. environmental and heritage assessment – not done/incomplete assessment for some of the site.

. low density residential zones are also needed.

Regards

[redacted]

Submission 33

From: [redacted]
To: Strategic Planning
Subject: Ammenment C172egip
Date: Tuesday, 28 January 2025 3:44:52 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL E MAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

I object to this ammenment as it has no consideration of the local resident.
No more high density housing should be allowed until the proper infrastructure is implemented.
Such as footpaths and upgraded facilities along all the waterfronts, fix existing roads upgrade of sewerage system of which East Gippsland Water has stated is under pressure now without added homes.
The new high density housing at the top of King St has caused an increase of traffic and noise its not what we want for a waterside town.
No current studies have been undertaken for this and no consultation with residents, I think the council as a whole are backing the developers and forgetting about the ratepayers.
Again I strongly object to this will keep objecting until council uses commen sense instead of developers money.

[redacted]

Submission 34

From: [redacted]
To: Strategic Planning
Date: Tuesday, 28 January 2025 3:10:55 PM

You don't often get email from [redacted] Learn why this is important.

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Don't agree with the new planning for Paynesville, not enough infrastructure, 1 small hospital in Bairnsdale that can't cope and not enough doctors, some medical centres not even taking new patients, 1 tiny supermarket and not to mention the poor wildlife with more people, cars. Paynesville unfortunately growing way to fast to accommodate more new homes and people it's needs to slow down and consider infrastructure projects first.

[redacted]

[redacted]

Submission 35

To:
Feedback@egipps.vic.gov.au. 26/01/2025

RESPONSE TO:-
PROPOSED
SUBJECT: PAYNESVILLE GROWTH AREA
STRUCTURE PLAN
July 2016
(Updated December 2023)

I have been a resident of Paynesville since [redacted] retired here from the [redacted] suburbs of Melbourne. We spent many of our vacations in Paynesville over the previous 20 years and enjoyed the friendly rural atmosphere offered by its residents and the surroundings. Paynesville's location by the Gippsland Lakes and the nearby hills make it a unique place to live as so many other residents agree and is an environment worthy of preservation.

I live in [redacted] which is adjacent to where the subject major housing development is proposed. This development bodes a quantum leap in population numbers and a significantly more intense housing density which has startled many of the local residents in that it threatens the expected peace and tranquillity of their neighbourhood.

We are led to believe that our street is to become a main access road to the proposed development adjacent to the uneven house numbers. This proposal will make a normally quiet street become a major thoroughfare and the increase in traffic density will become a road safety hazard. Especially at the intersection to Sunset Boulevard and Palm Avenue where a drivers line of site is impeded by the existing gate pillars. It is my firm opinion that access to the new development should be from entry and access points on the Paynesville to Bairnsdale Road as a primary requirement.

The housing density immediately adjoining the existing Sunset Blvd properties should be considered to have more spacious blocks to compliment the existing properties. Paynesville like Bemm River and Malacoota have only one main access road and prone to isolation in the event of a bush fire.This is a major concern as we will experience a more fire prone environment into the future and should be considered when defining the spacing between properties to ensure adequate access and egress for fire equipment in an emergency.

It has been mentioned during the many discussions among the many concerned residents that the infrastructure required to support such a large housing development has been alarmingly underrated and should be reviewed and made an urgent requirement of the Shire Council and the developer.

Paynesville, Gippsland Lakes and the surrounds have become an attraction for potential residents, vacationers, amateur fishermen, the sailing community and worthy of every effort to be protected from ill planned developments such as offered by the subject proposal.

Signed: [redacted]

[redacted]

Submitter 36

RECEIVED EGSC
29 JAN 2025
INFORMATION MANAGEMENT

To whom it may concern,

I wish to register my objection to the following:

PLANNING SCHEME AMENDMENT C 172 EGIP – Implementation of the Growth Area Structure Plan.

First and foremost – the infrastructure to cover this area is the very most important factor in my opinion: Sewerage: Water: Permanent Police station: Subdivision: with more FOOTPATHS a very necessary consideration.
The residents in a lot of cases have been paying rates to the council for almost 40 years and are consequently getting rather elderly, they really need to be considered so that they do not have to play 'dodgem with the cars' which are becoming increasingly numerous with the very many homes that have been completed and inhabited during the last 12 months.

This brings me to the fact that the entrance to Paynesville is only serviced with one main entry and exit to the town and is an absolute death trap in the case of an extremely urgent need for the necessity to leave the area in the case of a fire or other emergency which in weather such as today – over 40 degrees, which I believe is an ever present possibility.

The powers that be, have had almost 10 years putting thoughts in to this proposal, then they give the residents here 2 weeks to put their thoughts together to let you know of their very real objections to such a terrible plan. People come to this area because of what it offers in peace and tranquility and if that is not what they want they would go to a different area and not even consider Paynesville, the area under consideration in this P S A -Paynesville Growth Area Structure Plan.!! Who is it that wants this plan to go ahead? Obviously not anyone who has put their future wellfare in this area by spending their money in the sure and certain belief that this situation will remain the same and not be subject to the flights of fancy of a group of people who have no interest in the wishes of the residents who have made this their home for better and not for worse as would be the case if this plan is carried out! Imagine what the people of Metung would feel if this situation was to hit their homes? I am sure they would feel exactly the same as the residents here are feeling!!!

We hope and trust that common sense will prevail and this village atmosphere will not be destroyed to make it a 'money grabbing' source of funds for the Council. There are many more objections that could be mentioned, but time does not allow for people to put sufficient thought into detailing them all.

Yours sincerely,

[redacted]

27th January, 2025

Submission 37

From: [redacted]
To: EGSC Feedback
Subject: Planning Scheme Amendment C172egip
Date: Wednesday, 29 January 2025 3:50:45 PM

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Thank you for the opportunity to express our concern about the proposed re-establishment of the previously rejected application.
We all have many worries once again and a lot of work has been done by residents trying to save this area.

1. It is an environmentally important area which won't cope with land clearing and subsequent subdivision.
2. Coastal impacts such as climate change, sea level rise, winds, storms, erosion which is happening now.
3. This land is home to precious wildlife which will have nowhere to go. Also migratory birds which are also special.
4, Residents purchased their home for the position, views and peaceful atmosphere and belief that the area would not be wrecked.
5. The popular walking track would be reworked at a higher level when the water level rises.
6. Roads are another major concern. There are already many 'developments' occurring in the Paynesville area with notably
   smaller blocks (ii.e ?more rates) but especially more people and traffic. The two main roads are narrow and inadequate ()especially in the
   case of major evacuation due to fires and floods. Particularly the neglected bumpy section on the end of Paynesville Road into Bairnsdale
   which feels as though the river is washing away the road underneath.
7. Lack of up-to date information provided to Paynesville residents.

8. Would Council consider guaranteeing payment to residents in this area whose houses are damaged due to poor research?

[redacted]

Submission 38

[redacted]

Re Planning amendment - C172egip

I wish to lodge my objection to the proposed amendment.

My objection is based on the following:

1. the lack of detailed and up to date studies/assessments which are the basis of making any key decision on strategic planning. The current assessments are out of date and there are a number which have not been undertaken e.g. social impact , traffic assessment, and land capability
2. there needs to be an assessment to define the Neighbourhoods' Character of Paynesville so a strategic plan can set out the whole picture rather than a piecemeal approach
3. the Council is working for the community and should put into place clarity of what is expected from developers rather what the developers want to do. There should now be clear expectations, controls on future planning applications (not guidelines) and financial levies set out so all can see how the Council will respect the local community and work on their behalf.
4. community consultation has not been well publicised. What is needed is real community engagement before an amendment is formally set out.

I request that this amendment is suspended to enable a better and more robust approach being undertaken by the Council on behalf of the communities of Paynesville.

Regards

[redacted]

Submission 39

[redacted]

Re :Paynesville Amendment C172 egip objection

I am formally objecting to the planning scheme amendment C172egip.

My objection is set out below using the Council's own description of their preparation of the amendment.

In their notice they stated :

"Amendment C172egip proposes to implement the Paynesville Growth Area Structure Plan (PGASP) (2016 and updated 2023) into the East Gippsland Planning Scheme. The updated policy direction, zone and overlay controls will provide a **robust framework** to facilitate the **sustainable growth** of Paynesville that is **consistent with the town character and environmental assets.**"

My objection is centred around the highlighted points above.

Robust framework - needs to be further developed and be more meaningful

1. There should be a clear update of the planning needs (housing) and suitable land supply. How can key decisions be made if the Council do not know what is really needed over the next 10 - 20 years and what are realistic land sites which make sense of the locality. The Council needs detailed structure planning to ensure the right developments are happening in the right areas to enhance Paynesville rather than making it a place not to live in or visit.

2. Critically the evidence and assessments should be up to date (some are dated 2016) and all appropriate assessments for such a strategic decision should be completed e.g. social impact, traffic, land capability for the entire growth area and environmental impact.

Sustainable growth - growth needs balance to retain the identity of the area. New developments, should not detract, from the beauty of our community and the area.

3. Sustainable growth of Paynesville needs to be controlled and shaped by the communities of Paynesville who appoint Councillors to act on their behalf in a fair and reasonable manner. To achieve this, balance must be achieved with quality assessments, extensive community engagement to shape the growth and then controls placed by the Council to retain the town character and environmental assets . There is no evidence that this is the approach being taken. The Council has a duty to act on behalf of the community whilst balancing growth of housing and economic development.

4. Environmental assets need to be protected and fully considered when making any decisions on development near to the wetlands and coastal areas. The impact assessments should be detailed, fully considered and risk controls agreed with committed funding.

Town character - where is the recognition of what needs to be enhanced and retained

4. This amendment will create the gateway to Paynesville. There should be clarity as to what the character and visual impact will be with neighbourhood plans and real planning application

controls set out to ensure developments are of the right design, size and quality to meet housing needs, rather than whatever developers want to do.

Community engagement - more than consultation is required

5. Planning is one of the key policy areas where local communities want to truly influence what is planned (strategic planning) before decisions are being made or amendments proposed. They will also want confidence in the Council to create controls to balance the outcome of new developments so they enhance the locality as well as deliver housing and economic growth. To date this does not seem to be the case.

6. The Council claims that extensive community consultation was undertaken in 2016. Today there is a growing recognition by the broader Paynesville community that this policy amendment is not just about one neighbourhood, it will impact on all of the community one way or other. Broader engagement will benefit the council greatly , truly listening to their issues and suggestions whilst collecting more detailed and up to date assessments.

Controls and funding - the Council acting on behalf of the community to control development

7. For any area of such significance the Council should have clear planning constraints on land use so any future developers know what will be acceptable and what will not be, when submitting their applications. The Council will be a much stronger negotiating position with developers if it is clear and transparent at pre application what is expected and that should include levies for infrastructure to respond to current and future community needs.

My ask - suspend the amendment

The role of a councillor is challenging and considered to be those who make democratic decisions that shape their communities, connect with community members to understand their needs and represent their interests. They directly influence the well being and progress of their communities (extract from MAV Citizen to Councillor guide).

Councillors can only undertake their role successfully and effectively in making strategic planning decisions (which affect the long term identity and future of Paynesville) by having the most up to date data, assessments and information to present to their communities as stated above. Then also putting in controls for future applications so developments enhance the area and also financially contribute to the infrastructure.

Councillors are accountable to their communities and must be confident that due diligence has been fully undertaken in such a key decision.

This is a statutory process that is transparent and public. The Council may make the case that this is exactly what they are doing. However, the public are now responding with clear objections of genuine concern that the town character and environmental assets will be irrevocable damaged.

The Council should step back from this process and suspend the amendment to respectfully consider those concerns.Thereby giving time to complete the right assessments which are up to date, truly engage their communities by listening to them, to understand and then involve them in finding solutions.

In summary, my call is to suspend the amendment, take time to get all the facts up to date including genuinely engaging the local communities. Then if new amendments are needed put in controls before they are agreed to ensure the Council is balancing the developments rather than developers driving their agenda regardless.

Once in a lifetime decision making is hard - make it easier by taking time to create the best solution for the people of Paynesville now and into the future.

Regards

[redacted]

Submission 40

From: [redacted]
To: Strategic Planning; EGSC Feedback
Subject: Planning Scheme Amendment C172 Feedback
Date: Wednesday, 29 January 2025 7:17:54 PM

[Some people who received this message don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Dear Sir/Madam

As a Paynesville resident l object to the upcoming amendment. My primary concern is the lack of multiple road access and paths for escape should there be a bushfire with the growth you are planning .We will find ourselves in the same place as Mallacoota.

Feel we need more community consultation please. More/better planning required.

[redacted]
Sent from my iPad

Submission 41

[redacted]

[redacted] amendment - C172egip

I wish to lodge my objection to the proposed amendment.

My objection is based on the following:

1. the lack of detailed and up to date studies/assessments which are the basis of making any key decision on strategic planning. The current assessments are out of date and there are a number which have not been undertaken e.g. social impact , traffic assessment, and land capability
2. there needs to be an assessment to define the Neighbourhoods' Character of Paynesville so a strategic plan can set out the whole picture rather than a piecemeal approach
3. the Council is working for the community and should put into place clarity of what is expected from developers rather what the developers want to do. There should now be clear expectations, controls on future planning applications (not guidelines) and financial levies set out so all can see how the Council will respect the local community and work on their behalf.
4. community consultation has not been well publicised. What is needed is real community engagement before an amendment is formally set out.
5. Unbelievably I have just heard that despite over 200 people attending a community meeting we do not have the required 50 objections to require the Council to consider our concerns
6. The Council's C172egip amendment will impact on all of Paynesville - increased traffic, no infrastructure improvements , coastal / wetlands erosion and no commitment to deal with the extra sewerage into Lake King.

I request that this amendment is suspended to enable a better and more robust approach being undertaken by the Council on behalf of the communities of Paynesville.

Regards

[redacted]

Submission 42

From: [redacted]
To: EGSC Feedback
Subject: Planning scheme amendment C172egip
Date: Wednesday, 29 January 2025 6:19:27 PM

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Dear Council Members,

I am deeply concerned about the proposed zoning changes from rural/farming to residential in the Paynesville growth area structure plan (2023).

I ask that council suspend the amendment process and undertake further reviews and impact assessments as the last assessment s undertaken in 2015/16 are now outdated.

Paynesville has specific and special characteristics that draw people here to enjoy a particular lifestyle.

Proposed expansion and development need to be carefully considered and planned with input from the community to maintain all the things we as residents love about our area.

Importantly residents should have the right to object to planning applications. We are entitled to have a say on what developments occur as they will impact our neighbourhood character and liveability.

Our coastal town cannot have large increases in population without the necessary infrastructure required in place first. See below:

- road network expansion and traffic impact assessment
-public transport to Bairnsdale
- improved bike access to Bairnsdale
-Water, drainage and sewerage concerns
- additional provision of areas for private open space and recreation
- preservation of existing coastal reserves and buffer zones to development
- no high density living to maintain coastal amenity
- maintenance of coastal views from the lakes to the shoreline
- additional services for healthcare, education, childcare
-conservation area plan
-additional walking paths
- police and emergency services increased

I ask that Council suspend the amendment process until the above considerations are assessed and undertaken.

Thank you
Regards

[redacted]

Submission 43

[redacted]

Manager Planning and Development

East Gippsland Shire Council

Strategic Planning Unit

I am writing to formally object to amendment C172egip the East Gippsland Planning Scheme implementation of the Paynesville Growth Area Structure Plan (2016 and updated 2023)

I am worried about rezoning of the area and subsequent housing and road development.

The Gippsland Lakes system f quite unique and needs protecting for current and future generations. Protection of the ecological values of wetland and foreshore of Lake King is very important.

It should be kept as natural as possible as well as retaining the all abilities walking track together with a wide green buffer. Not fifteen metres as has been suggested in the planning scheme , certainly significantly more.

With our own local holiday makers together with interstate and overseas tourists visiting the Koalas on Raymond Island, the walking track with its natural wetlands, flora and fauna is an equal and important attraction. Roads and housing encroaching too close will totally destroy the present value of this area. It must be protected from dense housing, pollution and busy roads to retain this beauty for future generations to enjoy. Once it is gone it is gone forever.

There will be progress in the town that must be planned very carefully. Foreshore access, green belts, play areas, safe and adequate entry and exit roads and a myriad of other factors need proper and careful planning. Developer's considerations are second to the community considerations.

[redacted]

Submission 44

From: [redacted]
To: Strategic Planning
Subject: C172
Date: Wednesday, 29 January 2025 8:15:21 PM

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

I wish to object of the strategic plan for Expanding Paynesville to the extent proposed.
I am a local permanent resident
My home is now on the already busy [redacted]
The local doctor is not always available for emergencies and waiting time at Bairnsdale hospital can be extensive
The future planned subdivisions impact on my property
Expansion of the amount of permanent people in this small community will spoil its unique appeal to visitors
Where is the current strategic plan for infrastructure
There is already not enough paved areas for pedestrians and the elderly
The run off from the land behind the existing homes along the western end of Newlands Drive has not been addressed and is impacting on homes, trees and the walk way along the lake regularly used by residents
[redacted]

Sent from my iPad

Submission 45

[redacted]

Re Planning amendment - C172egip

I wish to lodge my objection to the proposed amendment.

My objection is based on the following:

1. the lack of detailed and up to date studies/assessments which are the basis of making any key decision on strategic planning. The current assessments are out of date and there are a number which have not been undertaken e.g. social impact , traffic assessment, and land capability

2. the Council is working for the community and should put into place clarity of what is expected from developers rather what the developers want to do. There should now be clear expectations, controls on future planning applications (not guidelines) and financial levies set out so all can see how the Council will respect the local community and work on their behalf.
3. community consultation has not been well publicised. What is needed is real community engagement before an amendment is formally set out as i have only just been advised of this proposal by neighbours.
4. Council does not seem to have completed its due diligence obligations to move forward with such a old planning application
5. The Council's C172egip amendment will impact on all of Paynesville - increased traffic, no infrastructure improvements , coastal / wetlands erosion and no commitment to deal with the extra sewerage into Lake King.

I request that this amendment is suspended to enable a better and more robust approach being undertaken by the Council on behalf of the communities of Paynesville.

Regards

[redacted]

Submission 46

From: [redacted]
To: Strategic Planning
Subject: Amendment C172 egip
Date: Wednesday, 29 January 2025 1:12:45 PM

[You don't often get email from c[redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

[redacted].

Oppose the Amendment, waste of tax payers money on the foreshore, minimal community input, playground basic, not enough parking, revamp existing BBQ area and leave the statue alone that we celebrate Australia day at and was bought by the community.
Worried about waste of tax payers dollars on something we didn't approve or ask for, not enough infrastructure for so many new homes, eg water, roads, hospital, oppose the foreshore development plan completely.

Sent from my iPhone

Submission 47

From: [redacted]
To: EGSC Feedback
Cc: Cr John White; Cr Sonia Buckley; Cr Jodie Ashworth;
Subject: : Paynesville Planning Scheme Amendment C172egip.
Date: Wednesday, 29 January 2025 8:45:47 AM

You don't often get email fro[redacted]. Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

[redacted]

Ms Fiona Weigall
Chief Executive Officer
East Gippsland Shire Council
CC: Councillors. John White (Mayor), Sonia Buckley (Deputy Mayor) and Jodie Ashworth.
Dear Madam.

Re: Paynesville Planning Scheme Amendment C172egip.

I refer to the proposed Paynesville Planning Scheme Amendment C172egip and wish to lodge an objection. I ask that council suspend consideration of this proposed amendment until such time as it has available up to date statistically and other available information. There needs to be available more time for community consultation (and widely advertised of this) and more thought before more developments are considered and planned for Paynesville. The character of this community / area should be retained and not over developed and due care should be taken to protect the wonderful Gippsland Lakes which we are privileged to have.
The infrastructure needs to be in place before consideration such including upgrade of Paynesville Road, medical and emergency services

- There is a need to ensure that the wetlands around the Point Fullarton area and walking track are retained and protected. That the wild life including migratory birds using this area are taken into consideration.
- That the vegetation in this area including the big red gum trees are protected. Over recent years too many of these tress have been

removed or appeared to have been poisoned for the sake of 'development' which has already been detrimental for the area.

- That it be assured that the walking track from Paynesville to Eagle Point be retained in a sensitive environmentally manner. That it be arranged that provision of this is retained, noting that the Public Parks and Recreation Zone is not shown in the General residential Zone 3 off Fullarton Drive / Burden Place.
- Though may not be fully on this amendments that concerted effort be made to arrange a suitable and safe walking / bike track from Paynesville to Bairnsdale.
- There is a need to ensure that any 'flood' overlays are up to date and provide suitable retention waters from the Storm water Treatment and Detention and do not adversely affect the sensitive wetland area.
- That it be ensured that any developments provide for future predicted changes to water levels.
- That any proposed development in this area do not adversely affect the visual sightings and character from 'our Gippsland Lakes'.
- That it be ensured appropriate height levels of any proposed developments do not adversely affect existing properties.
- That the character of this area be preserved and not be 'paid out' at the expense of short term gains byway development and rate revenue which will be at the expense of future generations.

I feel that the consideration and proceeding with any proposed planning amendments by council without ensuring it is based on the latest statistical information as being inappropriate and therefore ask that the proposed amendment *Paynesville Planning Scheme Amendment C172egip* be suspended until it can be assured it is based on the most up to date information and appropriate community consultation has been provided.

Thanking you.

[redacted]

Submission 48

From: [redacted]
To: EGSC Feedback
Subject: Amendment number C172
Date: Thursday, 23 January 2025 12:27:56 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Dear Mayor and Council members,
I respectfully request that you delay and subsequently modify amendment number C172egip to Paynesville's current Planning Scheme.
Of primary concern to me is the lack of forethought given to health and education facilities. These are already stretched and, with the substantial proposed population increase, will become quite inadequate. A similar problem is likely to exist for water treatment facilities.
Please allow more time for planning and provision of essential services and revisit the impact of current development plans on local wildlife.

Yours sincerely,
[redacted]

Submission 49

feedback@egipps.vic.gov.au

Planning Scheme Amendment C172egip.

I would like to express serious concerns that I have with the Planning Scheme Amendment C172egip.
Like many locals I recognise that there are serious shortfalls in the infrastructure serving Paynesville.
We have just one main road linking Paynesville to Bairnsdale. I have lived in Paynesville for [redacted] years, and throughout that time I have witnessed a vast growth in the amount of traffic using that road. No doubt residents of Langford Parade would have seen an incredible increase in the traffic on their residential street as motorists seek a quicker route than Main Road. At the Bairnsdale end of the trip there is a serious issue with the "Big Dipper" that is developing as the road continue to sink and there is not plan [and probably no funding] to fix it. Some larger vehicles must slow to 40kph to avoid damage through that stretch of road.
Also, Paynesville continues to grow there will also become more challenging for emergency services to respond in good time.
Our medical services for the area are already grossly inadequate. It can take up to five weeks to get an appointment at the medical centre. There are no plans to increase the medical services in Paynesville. The growth in population is right across East Gippsland, not just Paynesville. I have seen no expansion, nor heard of no plans for expansion, of Bairnsdale Hospital.
There is an obvious need to slow the expansion of Paynesville while there is a major upgrade to all infrastructure.

In my opinion a more serious issue is the damage that we are doing to the environment and to the future mental health of our residents.
Right across Australia we are seeing examples of over-development as all levels of government seem addicted to the word "growth". As yet, no one has put the word "quality" in front of the word growth. We are seeing many examples of new suburbs that consist of small blocks accommodating houses that take up just about the whole block. Ariel views show a mass of grey roofs with dark bitumen roads, and no room for a pot plant, let alone a tree or garden.
Studies of the new developments show a rise in the average temperature being generated by the grey roofs and bitumen, and in some cases the plastic grass.
Studies also reveal that garden, trees, greenery are good for mental health, yet we are forcing people to live with a view of a very close palling fence.

There has been much talk of recent years, and much money now being spent, on mental health. There has also been much talk on the challenge of controlling rising temperatures. However, we continue to allow developers to damage people's future mental health, and the health of our environment, for the sake of profit.
The belief of most residents is that the Shire allows this style of development also for the sake of increased income. Short sighted gain at the cost of long-term damage.

The continued growth of Paynesville is inevitable. Can we change to a path seeking "Quality Growth", fix the infrastructure first and increase the average size of housing blocks while at the same time encouraging residents to green space.

Thanks,

[redacted]

Submission 50

From: [redacted]
To: Strategic Planning
Subject: Planning Amendment for Paynesville C172egip
Date: Thursday, 30 January 2025 1:08:49 PM

You don't often get email from [redacted].com. Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

I wish to submit my objection to the above Structure Plan. This is another plan that they are trying to get through without proper consultation with the public. Every time this happens we end up with houses being built on flood plains, in areas where roads are not designed to take the volume of traffic that these houses generate. Each house will have two cars and probably a boat or caravan. On top of that many of these blocks will be subdivided into two blocks, thereby doubling the density of population and traffic.

As a long term resident I believe the people of Paynesville deserve to have a well thought out plan to retain the coastal village feeling. This would include a welcoming entrance to our town (including being able to see across to Lake Victoria), rather than street upon street of houses which will end up looking like slums in 10 to 20 years. You only have to look at the way in which the Coast has rapidly deteriorated in the short term that it has been developed. I can count 15 houses in the street where I live that are empty due to people owning them as holiday homes or AirBnB. Needless to say that these houses are not very well maintained.

If there is such a shortage of homes in this area (as we are led to believe) why are many of them empty? Also, in the new area (at the end of King Street) why are a number of houses that were built 12 months ago already up for sale? Is this developing for the sake of building hundreds of homes just to make people (many of whom do not live here or are not involved in our community) wealthy?

This Structure Plan is only good for the developers who will mess this peninsula up and then disappear to do the same damage elsewhere. They do not care about the long term effects of the wildlife or aesthetic appeal to the next generation of inhabitants. We have a responsiblity to retain as much small town character as possible, which especially includes protecting the wildlife, retaining large green areas and water views for future generations. Once this area is developed there is no way to turn it around. It would be interesting to know who benefits financially from this ill designed plan - who is working with the developers to push it through so quickly?

One of the many bonuses for living in this town is the friendliness and caring of its residents (which you do not get in a large town), along with the feeling of safety (especially for children and the elderly) and the numerous activities available for any age groups.

I cannot see anything in this plan that will allow our residents to retain the peaceful ambiance that we already enjoy in our friendly community. Please take heed of the concerns of the residents and have this plan reviewed with their consultation.

Yours faithfully.

Submission 51

From: [redacted]
To: Strategic Planning
Subject: re planning amendment C172egip
Date: Thursday, 30 January 2025 1:14:16 PM

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it may concern re Planning amendment C172egip.....

I find it very difficult to put into words as to how I feel in regards to the above planning amendment. Due to the lack of preparation and delving into All the necessary work of factual upto the minute data, I would have thought it would have been completed before hand. Have you or are you handing over a BLANK cheque for others to fill in as they go. I am against this amendment being accepted and past.

Reads

[redacted]

Submission 52

From: [redacted]
To: Strategic Planning
Cc: [redacted]
Subject: Planning Amendment C172egip
Date: Thursday, 30 January 2025 2:00:23 PM

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

I wish to register my opposition to the above Planning Amendment for the following reasons.
I object to the rezoning of 130 ha of farmland for residential.
The planning is outdated, it does not properly address key issues of traffic, medical facilities, schools and parking and will change the neighbourhood character of Paynesville.
It removes public notification and objection rights, which takes away our rights to challenge future planning applications.
It lacks enforceable rules on housing density , lot sizes that favour developers over community interests and creates uncertainty about the future character of Paynesville.
The Traffic study from 2016 does not take into account the towns growing population and has made Newlands Drive [redacted] a major road with trucks, Tradies and cement mixers thundering up and down. Newlands Drive is popular with walkers, dog walkers, mothers with prams and bike riders. There are no footpaths and everybody is forced to use the road. It is an accident waiting to happen. The speed limit should be reduced to 50 and signs posted saying dual Road usage.
I would also like to comment on the number of caravans, boats, cars that are parked on nature strips which cut down on visibility, especially if parked on the corner of streets. These people should be fined as per the regulations.
Thank you
[redacted]

Sent from my iPhone

Submission 53

From: [redacted]
To: Strategic Planning; wkain@bigpond.com,
Subject: Planning Scheme Amendment C172egipp Paynesville Growth Area
Date: Thursday, 30 January 2025 2:22:23 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

I am writing to express my concern and objection with regard to East Gippsland Shire's Planning Scheme Amendment C172egipp, Paynesville Growth Area.

I believe it fair to say most residents of Paynesville who move here do so for the small village/country lifestyle it affords. Driving into Paynesville whether on Paynesville Road C604 from Bairnsdale or via Eagle Point was a pleasurable experience with wide open country and lake views. Sadly they are disappearing and will continue to do so even more rapidly than previously.

From the information I have so far gained it seems approval of Planning Scheme Amendment C172egipp
contains very little in the way of quantified guidelines for lot sizes, height restrictions, setbacks, wildlife corridors etc.

I realise Paynesville will not remain the wonderful small village we moved to and it will expand but at least an effort can be made to include far more detail in the Amendment before its approval.

[redacted]

Sent from my Galaxy

Submission 54

From: [redacted]
To: Strategic Planning
Cc: feedback@egips.vic.gov.au; Cr John White; Cr Sonia Buckley
Subject: Planning Scheme Amendment C172 Feedback
Date: Thursday, 30 January 2025 2:29:52 PM

Some people who received this message don't often get email from [redacted] why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Dear Sir Madam
I am writing to voice my concerns regarding the upcoming planning scheme amendments.
I believe council has not considered the priority of improvement to the current infrastructure before implementing major growth of this magnitude.
We have one main road which is single lane in and out, which in peak hours is already very busy at cross roads and roundabouts.
We already have sewerage concerns with overpowering smells/odours which continue with apparently no remediation from Council. I have heard many visitors and residents disgusted by this odour.
We need major works carried out on the current parks, playgrounds, toilets, beach areas etc, we currently have, in order to improve these amenities for locals and our many visitors as well.
Yes, we need more housing, however, more consideration needs to be given to the size and density of these allocations. This would allow for a variety of different types of accommodation, businesses, and types of households.
Our current Medical Practice is a fabulous facility, trying desperately to keep majority of residents happy and healthy. However, it is already often a 2-3 week waiting time to see a GP. This will only get worse.
In summary, I feel Council needs to complete much more vigorous planning and consultation with locals prior to any rezoning taking place, and not leave this to the developers. The only information I have been aware of regarding this issue has been on Paynesville Facebook Pages. I have not received anything in the mail or email from Council.
Regards
[redacted]

Submission 55

From: [redacted]
To: Strategic Planning; [redacted]
Subject: East Gippsland Planning Scheme Amendment C172egip Paynesville Growth Area
Date: Thursday, 30 January 2025 2:37:11 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

I wish to register my objection to the East Gippsland Planning Scheme Amendment C172egip, Paynesville Growth Area.

The locale of Paynesville needs to be protected from a very open ended Amendment which could allow development in an ad hoc manner.

A lot more detail is required before approval is granted.

[redacted]

Sent from my Galaxy

Submission 56

From: [redacted]
To: Strategic Planning
Cc: [redacted]
Date: Thursday, 30 January 2025 2:58:01 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Planning AmendmentC172egip I wish to register my opposition to the above planning amendment for the following reasons I am very concerned about the proposed planning to rezone 130 hectares of farmland for Residential Housing for the following reasons it takes away our rights to object and we also will not get public notification for any future planning applications that means that the council will have total power and control over all of the decisions made for the shire .
The overlay lacks enforceable rules on housing density, lot sizes, and design controls that favor developments over community interest and creates enormous uncertainty about the future character of Paynesville. The new development aroud King Street have Wetlands which are attracting bird life, there are no no signs for motorist to be aware of birds and ducks on the road.
We have only one Medical clinic and
One Pharmacy to service our growing population many of who are young children or elderly.
If the water park area goes ahead we will then loose a lot of parking area for restaurants and shops along the esplanade.

[redacted]

Sent from my Galaxy

Submission 57

From: [redacted]
To: EGSC Feedback
Cc: Cr Joanne Eastman; Cr Arthur Allen; Cr Jodie Ashworth; Cr Tom Crook; Cr Barry Davis; Cr Bernie Farquhar; Cr Ian Trewaskis; Cr Sonia Buckley; Cr John White
Subject: East Gippsland C172egip
Date: Tuesday, 28 January 2025 4:30:57 PM

Some people who received this message don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it may concern

Regarding The Amendment process should be suspended pending urgent assessment by the Planning Officers to undertake planning assessments that were never done or if done, are now too outdated (completed in 2015/16) :

A Social Impact Assessment that considers:

access to public health services - (not considered by the 2016 study) and there is significant pressure on current health care providers

public safety/police response times - (not considered by the 2016 study) and increased population brings increased risks for community

access to childcare / schools- there needs to be increased access to schools and childcare

mobility needs for elderly / disabled - (not considered by the 2016 study) and there are still large areas where there are no footpaths and scooters have to go on the main road.

There needs to be an updated traffic assessment based on latest census data (not 2011 census data)- Roads are already poor and likely to get worse with increased traffic. Roads into and out of Paynesville especially with regard to bushfire and an increased population

The shire should be undertaking a Land Capability Assessments, which include:

a sewerage capacity assessment - Given EGRWC was fined for releasing (illegally) huge volumes of wastewater in 2021 and it would appear they are on a 2 year good behaviour bond, there needs to be some evidence they are prepared for unexpected events in the future.

updated Coastal Hazard Vulnerability Assessment as there does not appear to be an updated assessment since 2016.

When if at all was visual landscape assessment completed and also an environmental and

heritage assessment to be completed

There is a DPO (development plan overlay) on the structure plan. Once rezoning is approved the DPO exempts future planning applications from notice and review. This basically means it removes the rights of people who wish to object to planning applications on the future development, and basically gives the council free rein which is not acceptable. All organisations should be held to account.

Locking in a DPO based on existing outdated studies and structure planning, sets a most worrying precedent for our shire.

Regards

[redacted]

Submission 58

Re Planning amendment - C172egip

I wish to lodge my objection to the proposed amendment.

My objections are based on the following:

1. Lack of clearly defined and up-to-date Social Impact Statement, along with a failure to consider our town's characteristics or capture (or set out to maintain), Paynesville's unique "maritime coastal and country character".
2. Traffic assessments and the 2016 Social Impact Assessment Report have been based on outdated population and traffic data, making results and recommendations irrelevant. New assessments are needed that considers Paynesville's current and projected traffic and demographics, both of which have grown considerably over the last decade.
3. Planning fails to consider the likely risks to our lakes and coastal area. There is a lack of attention to environmental planning and relevant guidelines related to rezoning of coastal land for urban purposes. Instead, the planning amendments promote development in a sensitive area likely to be impacted by projected coastal hazards. Moreover, the siting and design of the rezoned land fails to consider or protect:
   - future communities and assets from coastal hazard risk
   - vulnerable areas from likelihood of erosion and impact on the Lake King foreshore and adjacent coastal reserves
   - appropriate pedestrian/cycling/wildlife corridors - 15m wide vegetated strips are completely inadequate
   - The low-lying Lake King foreshore, which is a vital wetland supporting significant migratory species, including stints, various plover species, and the highly vulnerable Latham's snipe. As the foreshore area supports at least eight protected migratory species (including a migratory species listed as Vulnerable under the EPBC Act) and land the adjoins the internationally significant Ramsar-listed wetlands of Point Fullarton and a nationally significant population of Latham's snipe), a CACP is appropriate and warranted prior to the finalisation of the PGASP.
   - Due to the lack of CACP for the proposed conservation reserve, the siting and size of the proposed PPRZ buffer and lack of detailed consideration of climate change impacts (esp. coastal inundation and erosion) on the future extent and sustainability of our foreshore reserves, may ultimately result in the plan failing to ensure the long-term sustainability of the foreshores significant biodiversity values.
   - The proposed foreshore IWMS fails to adequately consider relevant incorporated plans, a further requirement of the precinct planning guidelines. Of particular relevance is the East Gippsland CMA Regional Catchment Strategy, which acknowledges coastal

inundation as a major threat and supports initiatives promoting habitat retreat for wetlands under threat from sea level rise.

I request that this amendment is suspended to enable a better and more robust approach being undertaken by the Council on behalf of the communities of Paynesville.

Regards

[redacted]

Submission 59

From: [redacted]
To: Strategic Planning
Subject: Amendment C172egip to East Gippsland Planning Scheme
Date: Thursday, 30 January 2025 8:47:43 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

[redacted]

I understand Planning is a very complex process and do not have a detailed understanding of all aspects, however, I do have some concerns relating to the Paynesville Planning **Scheme Amendment C172egip** and ask that Council, ask our Shire Planning officers, to reassess this amendment with updated data, current knowledge and a more detailed assessment of the "special character"(although mentioned several times is not detailed in any sense) which is Paynesville.

Many of the assessments mentioned refer to information collected in 2016 some of which is based on 2011 data and although some information was updated in 2023, the whole planning document is clearly outdated.

The impact of COVID and the changing profile of the community, the number of cash home buyers, the age profile (which changes each year of course), the number and size of cars per house hold, the increasing use of bicycles (including e bikes), the increasing use of mobility scooters, and probably lots more that I haven't thought of, need to be explored in more detail and data needs to be both current and anticipatory.

Although I applaud the purchase of the land on the edge of Lake King, it is clearly not wide enough and much of this will most likely swallowed by rising sea levels and storm inundations – this needs to be considered if we are planning for the future livability of Paynesville.

The proposed 15 metre vegetation corridors seem very narrow to provide safe and encouraging wildlife corridors and a comfortable space for bike riders and pedestrians.

There is no mention of how the extra sewage is going to be managed and this is vital considering the closeness and vulnerability of Lake King and Newlands Arm.

The only main road out of Paynesville is also of concern with an increased population.

I am concerned that without more specific guidelines re lot sizes and landscaping expectations Paynesville could become a lot like Torquay where the intense development has spoiled the character of a seaside village. I am also concerned that the infrastructure needs of the proposed population growth have not been anticipated or explicitly planned for.

I am confident that with more research, current data and more forward thinking that the population and housing goals can be met.

Thank you,

[redacted]

Submission 60

From: [redacted]
To: Strategic Planning
Subject: Paynesville Planning Scheme Amendment C172egip
Date: Thursday, 30 January 2025 5:08:10 PM

You don't often get email fro[redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

Dear council planning staff
Please find below a copy of the email that I sent to the Mayor Councillor John White.

Dear Councillor White

As residents of Paynesville we are writing to request that the East Gippsland Council suspend the amendment process and direct the Planning Officers to undertake a review of the plan with updated and further assessments in a number of areas. We are very concerned that the assessments completed in 2015-2016 are in need of updating.

We request that the council undertake assessments in the following areas.

1. Traffic Assessment due to the increase of traffic since the last assessment.

2. Social Impact Assessment including schools, childcare facilities, public health facilities, disabled and elderly access, and public safety.

3. Corridors for wildlife and pedestrians.

4. Land Capability for the growth areas to ensure that there is sufficient drainage and sewerage for growth areas.

We respectfully ask that the Council consider our requests as we are very concerned Paynesville residents who do support growth of the area, but would like to be assured that such growth is carefully considered and controlled by decisions made after up to date assessments.

Yours sincerely

[redacted]

Submission 61

From: [redacted]
To: Cr Tom Crook; Cr Arthur Allen; Cr Joanne Eastman; Cr Jodie Ashworth; Cr John White; Strategic Planning
Cc: [redacted]
Subject: Paynesville and Eagle Point Growth Area Structure Plan (PGASP).
Date: Thursday, 30 January 2025 6:53:08 PM

Some people who received this message don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

I would like to object to the **Paynesville and Eagle Point Growth Area Structure Plans.** For the following reasons.

For the lacking of service in East Gippsland to service this development would put more strain on it people of East Gippsland that **live** here now.

Shortage of Doctors and very long wait times to see one.
Shortage of police , over a 1000 Victoria wide.
Shortage of Nurses.
Shortage of Medical services,
Shortage of Dentist.
Shortage of Teachers.

For the lacking of infrastructure in East Gippsland to service this development.

Hospital, shortages of staff.
Sewage System, It already discharges in the lakes during wetter seasons ,on larger rain events.
Power, There is a shortage of power on the East coast.
Water,
Roads,
Schools,
The list goes on.

The fire risk is huge, **Paynesville has only one road in and one road out**. Just a few years ago there was the **evacuation of Mallacoota** and now L.A in a America. **This is a very real risk** and these developments are not small they are doubling the population.

Also please look at what is happening in Melbourne, Cranbourne, Officer, Berwick ,Packenham ,Warrigal, it a mess and the pain the rate payers are being put through. It is Mess and it is not progress.

This is all happening **NOW.**

Also the STATE GOVERMENT is almost broke. So very little help for the above.

[redacted]

Submission 62

To: Strategic Planning,
East Gippsland Shire Council

Re: Comments on Planning Amendment C172eglp

I moved to Paynesville [redacted] years ago following an extensive exploration of locations I considered suitable for me to grow old and end my days in. Paynesville ticked all the boxes for me.

I understand most of the reasons why Council has decided to extend the size of Paynesville, and I don't object to change if it's done thoughtfully and considers all the current and future environmental risks associated with climate change. Has all the planning been done to ensure infrastructure, housing and community facilities and important environmental assets will have the best chance of surviving future catastrophes?

It should be a requirement to provide sufficient state of the art facilities for medical and allied health services. Social housing supply is inadequate for the current population. Greater incentives will need to be available to increase the stock of low-cost accommodation that is attractive, sensitive and has convenient access to public transport, bike tracks, the shopping centre and other social inclusion facilities.

There is so much more I could say but essentially, I want to express support for, and agree with all the concerns made by [redacted].

Regards
[redacted]

[redacted] [redacted]

Submission 63

EAST GIPPSLAND CATCHMENT MANAGEMENT AUTHORITY

574 Main Street
(PO Box 1012)
Bairnsdale Vic 3875

OFFICIAL

EGCMA Ref: EG-F-2013-0180
Document No: 2
Council Ref: C172
Date: 30 January 2025

Martin Richardson
Manager Planning and Development
East Gippsland Shire Council

Dear Martin,

Planning Permit Application No.: C172

Subject: East Gippsland Planning Scheme Amendment C172
Paynesville Growth Area Structure Plan

I refer to your correspondence received at the East Gippsland Catchment Management Authority ('the Authority') on 25 November 2024 in accordance with *section 19* of the *Planning and Environment Act 1987*. The Authority understands that Amendment C172 proposes to implement the recommendations in the Paynesville Growth Area Structure Plan (2016 and updated 2023) (PGASP).

The Authority has reviewed the documentation provided and provides the following comments on the proposed amendment.

The Authority notes that section 2.3.8 of the PGASP specifies that all land below the level of 2.8 metres Australian Height Datum (AHD) will be excluded from urban development in accordance with the Victorian Coastal Strategy and State Planning Policy Framework.

This is reflected in section 2.5 of the PGASP in Figure 2 where no land below 2.8 metres AHD has been identified as future residential supply. Further, requirements R1 and R4 in section 3.1.4 specify that:

- R1 – Residential lots shall only be created on land at or above 2.8 metres AHD. All land below 2.8m AHD must generally be included in the foreshore reserve.
- R4 – Extensions of Fullarton Drive and Bay Road must be provided along the southern boundary of the enlarged foreshore reserve to provide, where practical, a road frontage to the reserve.

The Authority is supportive of the above.

In reviewing the draft zoning maps, the Authority has identified that map sheet 003znMap51 shows an area of land below 2.8 metres AHD that is subject to inundation under future climatic conditions, which is proposed to be rezoned to General Residential Zone 3 (GRZ3). Refer to Figure 1 below.

This appears to conflict with the PGASP, the Paynesville Framework Plan in draft clause 11.01-1L-02, and Diagram 1 in draft Schedule 10 to the Development Plan Overlay, which identify this area as future open space for inclusion in the foreshore reserve.

OFFICIAL

The Authority does not support development of this area of land for residential purposes should it be rezoned to GRZ3 as currently proposed.

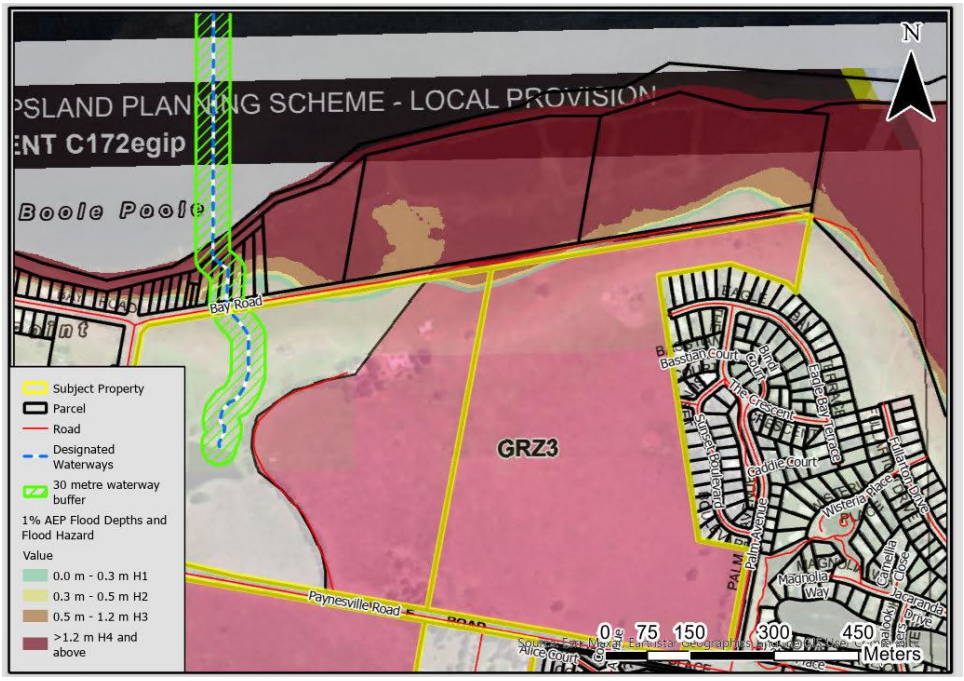


Figure 1 – Year 2100 1% AEP flood depth and hazard and proposed GRZ3 rezoning

Figure 2 – Year 2100 1% AEP flood depth and hazard and Framework Plan proposed future land use

Should you have any queries, please do not hesitate to contact [redacted] 1300 094 262 or email planning@wgcma.vic.gov.au. To assist the Authority in handling any enquiries please quote **EG-F-2013-0180** in your correspondence with us.

Yours sincerely,

[redacted]

The information contained in this correspondence is subject to the disclaimers and definitions attached.

Definitions

1. **AEP** as Annual Exceedance Probability is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

   Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

2. **AHD** as Australian Height Datum is the adopted national height datum that generally relates to height above mean sea level. The elevation is in metres.

3. **ARI** as Average Recurrence Interval is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as, or larger than, the design flood event. For example, floods with a discharge as large as, or larger than, the 100 year ARI flood will occur on average once every 100 years.

4. **Finished Floor Level** is the level of the top layer of the floor. This is the layer of floor that you will see and walk on.

5. **Flood Resistant Materials** are materials used in building construction that are capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. Some examples of this are concrete, metal, brick and some timber. Avoid using materials like carpet, plaster and some timber.

6. **Nominal Flood Protection Level** is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.

Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.

2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for, or makes no warranty regarding, the accuracy or naming of this proposed development location according to its official land title description.

3. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.

4. This letter has been prepared for the sole use by the party to whom it is addressed, and no responsibility is accepted by the Authority regarding any third-party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.

5. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.

6. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.

7. The flood information provided in this letter is generally more up to date than the Flood Overlay (FO) or Land Subject to Inundation Overlay (LSIO). This is because the Authority continually updates its flood information whenever new information becomes available. The overlays mentioned above are maintained by Council and are often out of date (by years in some areas).

Submission 64

From: [redacted]
To: EGSC Feedback
Subject: Re: My beautiful Paynesville, the boating capital of Victoria. I can"t believe what is being purposed for Eagle Bay Terrace and beyond this beautiful estate.
Date: Wednesday, 29 January 2025 9:28:34 PM

You don't often get email fro[redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Please get your act together and just THINK what this is going to be like in 5 years from now with no infrastructure even being thought off in any way what so ever.
It really is breaking my heart as I live at [redacted] and I always thought this was the best place ever to live but due to so many greedy people who DON,T live here don,t even care about any off us.
Regards [redacted]

Submission 65

FRIENDS OF THE GIPPSLAND LAKES
PARKS AND RESERVES

PLANNING SUBMISSION

Amendment C172egip to the East Gippsland Planning Scheme

Paynesville Growth Area
Structure Plan

Date: 30 January 2025

Prepared by

[redacted]
on behalf of
Friends of Gippsland Lakes Inc.
Association No.: A0047246N
contactfogl@gmail.com
[redacted]

1. INTRODUCTION

1 The Planning Amendment C172egip proposes rezoning 130 hectares of farmland within the Paynesville township growth area to General Residential Zone – Schedule 3 (GRZ3). While this amendment aims to accommodate future urban growth, it raises serious concerns regarding environmental sustainability, neighbourhood character, visual amenity, and climate resilience.

2 Paynesville is a coastal township within the Gippsland Lakes region, an area of state and national significance, featuring Ramsar-listed wetlands, sensitive foreshore ecosystems, and visually prominent ridgelines.

3 The township is highly vulnerable to coastal hazards, including storm surges, erosion, and long-term sea level rise, as recognized in both state, regional and local planning policies and climate change projections. Despite this, the amendment fails to adequately account for these risks and inconsistently applies planning controls, allowing for increased development density that is at odds with the existing town character and environmental constraints.

4 A key issue is the blanket application of the GRZ3, which permits three-storey development, higher densities, and further subdivision without sufficient safeguards for visual or environmental protection. This fails to align with local and state planning policies, which emphasize coastal landscape preservation, climate adaptation, and sensitive urban design.

5 The Neighbourhood Residential Zone (NRZ) would be a more appropriate zoning for visually prominent ridgetops and foreshore areas, as it more effectively limits building heights, further subdivision and protects landscape character while still supporting sustainable growth.

6 Additionally, the Development Plan Overlay (DPO) proposed in the amendment grants excessive discretionary powers to the Responsible Authority, allowing permits to be issued before a development plan is finalized. This undermines transparency, weakens community consultation, and risks ad hoc development decisions that fail to integrate long-term planning considerations; particularly when critical land capability and risk assessments that underpin the structure plan are outdated and/or incomplete.

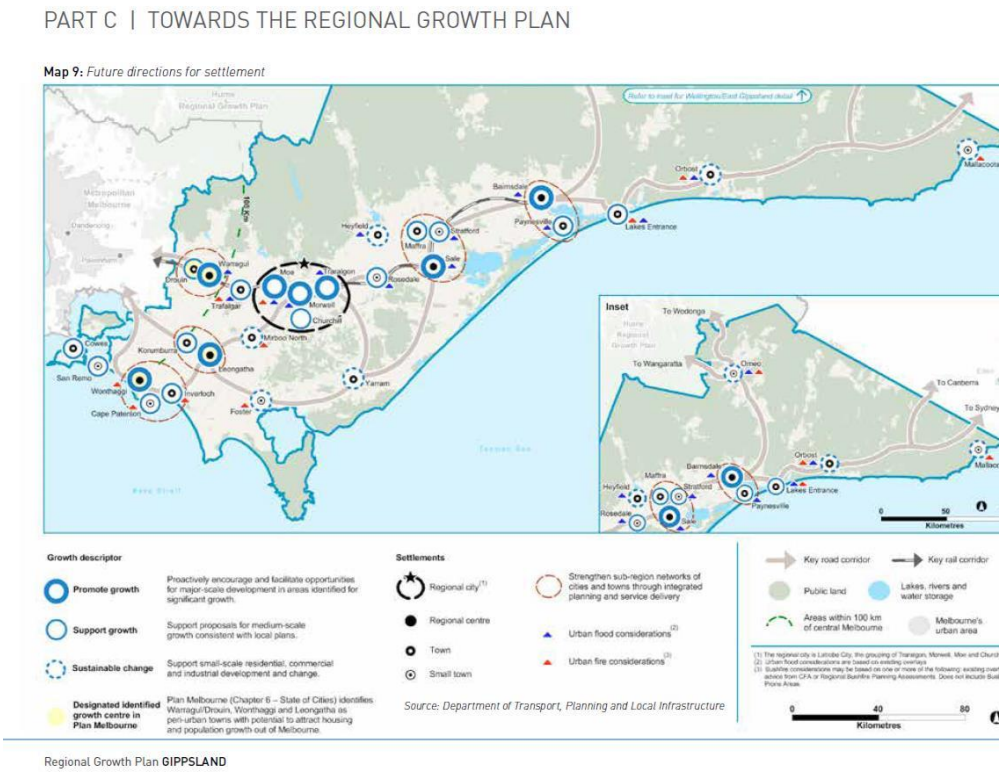
7 Without stronger environmental protections, transparent and enforceable building envelopes, and updated climate hazard assessments, this amendment

fails to achieve a balance between growth, amenity and sustainability. A more precautionary, forward-thinking approach is essential to ensure that future development enhances rather than diminishes Paynesville's coastal identity, ecological values, and long-term resilience.

3. PLANNING EVIDENCE

What is the strategic context for Paynesville?

8 Paynesville is a coastal township located on the Gippsland Lakes region of East Gippsland, approximately 15km south of the regional centre Bairnsdale. The town is a predominantly residential community and popular retirement area. Most industrial and employment services are sourced from Bairnsdale.[1]



[1] Gippsland Regional Growth Plan, p. 56.

9 The Gippsland Regional Growth Plan (the 'Regional Growth Plan') identifies Paynesville as a district town, which is expected to accommodate 'medium-scale growth' consistent with local plans.[2] It acknowledges that district towns perform an important role by providing goods and services to sub-regional catchments and that district towns like Paynesville and Lakes Entrance face pressures for growth.[3]

10 Though it's recognised that Paynesville can support growth, significant natural and policy barriers and infrastructure constraints mean that *high* levels of growth are not possible nor appropriate.

11 Paynesville is identified as a key tourism area within the broader Gippsland region, a popular boating destination with a growing retirement community whilst contributing important economic development to the region.[4]

12 Paynesville is a State Boating Precinct of State Significance[5], underscoring the importance of protecting the coastal landscapes of state significance and the internationally significant Ramsar values of Lake King and the wider Gippsland Lakes region.[6]

13 The Regional Growth Plan recognises that coastal communities like Paynesville are subject to the impacts of climate change and coastal hazards, including coastal inundation and coastal erosion.[7]

14 The Municipal Planning Strategy acknowledges the impacts of climate-induced sea level rise, combined with more severe storm surges is likely to be significant for coastal communities like Paynesville.[8]

15 Clause 11.03-4S 'Coastal settlements' has an objective to plan for sustainable coastal development.[9] Relevant strategies include:

Identify a clear settlement boundary around coastal settlements to

[2] Gippsland Regional Growth Plan, p. 46.
[3] Gippsland Regional Growth Plan, p. 46
[4] Municipal Planning Strategy, Clause 02.03-1 Growth Area Towns
[5] *Victorian Coastal Hazard Assessment 2017 – Technical Report*; p.57
[6] *Victorian Coastal Hazard Assessment 2017 -Technical Report* , p.47-48
[7] Gippsland Regional Growth Plan, p. 46
[8] Municipal Planning Strategy, Clause 02.03-3 Environmental risks and amenity
[9] Relevant policy documents include the Marine and Coastal Policy (DELWP 2020) and the Victorian Marine & Coastal Strategy (DELWP, 2022).

ensure that growth in coastal areas is planned and coastal values are protected.

Limit development in identified coastal hazard areas, on ridgeline, primary coastal dune systems, shorelines of estuaries, wetland and low lying coastal areas, or where coastal process may be detrimentally impacted

16 Specific direction for Paynesville is contained at Clause 11.03-4L-01 'Coastal Settlement', which has the following strategy:

Ensure development does not adversely affect landscape and environmental values and incorporates measures to protect those values.

Discourage small-lot subdivision along river frontages and lakes.

17 Other clauses such as clause 02.03-2 'Environmental and landscape values' recognise the regional significance of landscapes like the Gippsland Lakes which surround Paynesville along its north, east and southern boundaries.

18 Clause 02.03-1 describes Council's strategic directions for environmental and landscape values, which include:

Restoring and maintaining the biodiversity of our rivers, waterways, lakes and wetlands.

Protecting areas of environmental, landscape, heritage or scenic value, particularly coastal/lakes areas; the Nicholson River; the Tambo River; Princes Highway; ridgelines and roadside vegetation.

Protecting sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values.

19 The northern most section of the growth area is covered by the Significant Landscape Overlay – Schedule 2 'Gippsland Lakes'. The overlay includes the prominent ridgetops, north-facing slopes and foreshore areas of Lake King.

20 The overlay's 'statement of nature and key elements of landscape' describes:

The Gippsland Lakes are of state significance as a unique estuarine environment with a network of lakes fringed by Ninety Mile Beach and extensive coastal dune systems.

Within the East Gippsland Shire, Lakes Victoria and King are the most prominent water features in this landscape.

As well as its visual qualities, also recognised by the National Trust, this landscape contains some of the most significant and well known environmental and recreational areas in the state.

The Ramsar Convention notes this landscape as a wetland system of international significance, and there is a diverse array of flora and fauna, including many endangered species

21 The Gippsland Lakes Significant Landscape Overlay includes the following character objectives to be achieved:

To protect locally significant views and vistas that contribute to the character of the landscape, including scenic lookouts and recreation locations with views over the Gippsland Lakes.

To ensure that development in and around existing settlements does not impact on the characteristics of the landscape, particularly the natural and unbuilt character at the edge of the Gippsland Lakes.
To manage the impact of new development on the sense of space and openness in the rural landscape.

22 Clause 11.03-4S Coastal settlements has an objective to plan for sustainable coastal development[10]. Relevant strategies include:

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected.

Limit development in identified coastal hazard areas, on ridgeline, primary coastal dune systems, shorelines of estuaries, wetland and low lying coastal areas, or where coastal process may be detrimentally impacted

23 I have reviewed the amendment within this context.

[10] Relevant policy documents include the Marine and Coastal Policy (DELWP 2020) and the Victorian Marine & Coastal Strategy (DELWP, 2022).

How appropriate is the General Residential Zone?

24 The amendment seeks to rezone approximately 130 hectares of farmland within the township growth area boundary to the General Residential Zone – Schedule 3 (GRZ3).

25 The amendment applies the General Residential Zone – Schedule 3 uniformly across the entire growth area, except for the north western coastal land parcel at the entrance of town that's reserved for "Future Tourism". In making this zoning recommendation, the purpose and objectives of the Structure Plan for urban land use and town character and identity must be considered.
The purpose and objectives of the Structure Plan need to:

- Plan the structure of the growth area previously established in the Urban Design Framework for Paynesville which identified land for the foreseeable long-term urban growth of Paynesville (up to 35-40 years)

- Establish a pattern of residential development across the growth area that supports good access, neighbourhood cohesion and reinforces local identity. To accommodate medium density residential development, aged care and retirement accommodation and a Local Activity Centre in locations consistent with the Preferred Urban Structure

- Support a strong sense of place and local character that builds on Paynesville's existing character and sense of place

- Ensure the scale and location of land uses and activities support the preferred future character of Paynesville

- Provide for a spacious residential character with a variety of lot sizes and housing types to meet community needs

- Provide for different types of housing and a range of lot sizes and densities that will provide for diversity and greater choice in the future community.

26 There are clearly competing directions and objectives here, which seek to both accommodate growth and medium density residential development, while also protecting environmental and landscape values and existing town character.

27 The proposed Schedule 3 to clause 32.08 'General Residential Zone' applies the following neighbourhood character objectives:

- *To establish a pattern of residential development across the growth area that supports good access, neighbourhood cohesion and reinforces the local character of a small lakeside town*.
- *To provide for diverse types of housing and a range of lot sizes and densities including medium density housing, aged care and retirement accommodation*.
- *To ensure a high standard of design for housing development that reinforces Paynesville's character and environmental values and meets contemporary standards for efficiency and sustainability.*
- *To establish native planted corridors in key locations and create distinctive tree-lined street environments that frame road corridors and major entry points, provide open space connections for cyclists and pedestrians and enhance the visual appearance of the built environment*.
- *To ensure the provision of suitable infrastructure and utilities to efficiently service development and that are designed to enhance local character.*

28 I note that none of these objectives clearly define local character; nor align with or expand on the previously delineated local character zones of Paynesville.[11] This may reflect the lack of detailed neighbourhood character assessments, which could have more clearly guided the development of the Structure Plan and its accompanying planning controls.

29 In considering the appropriateness of a single residential zone for the entire township's growth area, I have had regard to *Planning Practice Note No. 91: Using the Residential Zones*.

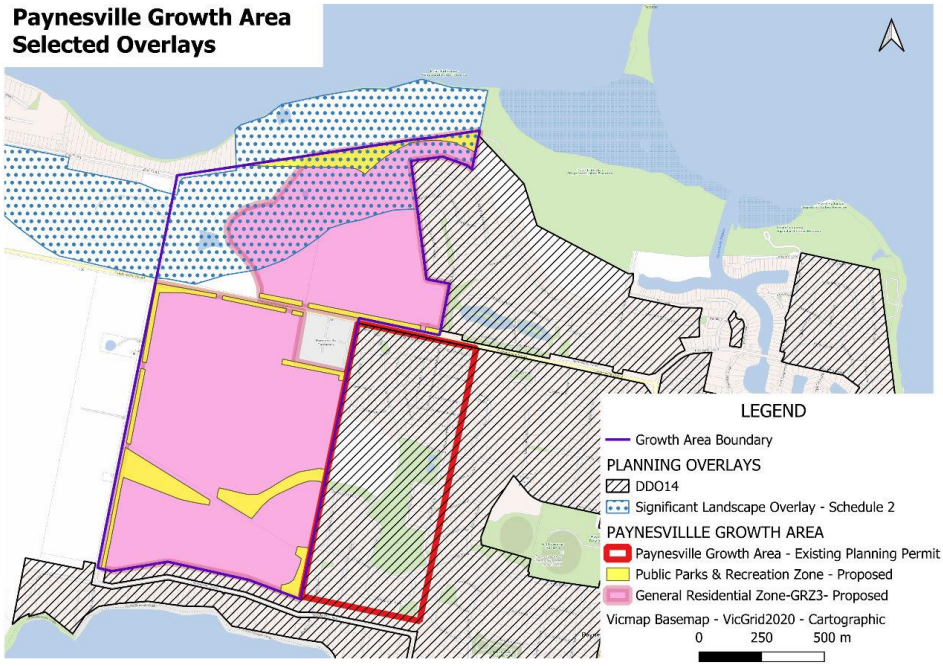
30 *Planning Practice Note No. 91* describes the following role and application for the General Residential Zone:

[11] Paynesville Urban Design Framework (2007), Appendix F – Paynesville Design Guidelines, p.105

Applied to areas where housing development of three storeys exists or is planned for in locations offering good access to services and transport.[12]

31 I note that Schedule 3 of the GRZ does not provide any ResCode variations or alter maximum building height.

32 While a mandatory 3 storey, 11 metre height limit is set out within the zone, the eastern section of the growth area previously rezoned General Residential Zone – Schedule 1, is also affected by a Design and Development Overlay - Schedule 14; where a mandatory building height limit of 7.5 metres applies to the entire "Town expansion area".



I note that the Framework Plan also includes a 'Foreshore and wetlands' requirement (R8) that states:

Development must be generally consistent with the requirements of Design and Development Overlay Schedule 14 – Residential Development in Coastal Settlements: Paynesville.

[12] Planning Practice Note No. 91, p. 2.

33 Significantly, none of the amendment's zoning or overlay control schedules refer to requirement (R8).

34 Furthermore, the DDO14 is not applied in the planning scheme amendment. It is therefore unclear if the 7.5m mandatory height limit applies to the entire growth area or only to unspecified areas close to the foreshore and wetlands? It's imperative that the requirements and structure of a planning scheme provision be clear and unambiguous.[13]

35 The amendment introduces the requirement for three-dimensional building envelopes for land on north-facing slopes overlooking Lake King via the introduction of a Development Plan Overlay – Schedule 10.

36 A Development Plan will identify areas on the north-facing slopes which will require building envelopes. The Development Plan will: Provide design guidelines to inform the preparation of three-dimensional building envelopes on individual lots, where required, to include consideration of:

- Views to and from Lake King through the management of maximum building heights from natural ground level.
- Side boundary set backs to avoid continuous built form.
- Reasonable sharing of views from dwellings to Lake King.
- Set backs from sensitive foreshore areas.

37 It is assumed the Development Plan design guidelines will be generally consistent with the 7.5m height limit set out by the Structure Plan's Foreshore and wetlands requirement (R8). This effectively imposes a double storey limit on any residential development located on the north-facing slopes overlooking Lake King.

38 The existing residential development pattern in adjoining neighbourhood areas conforms to the height limits established by the Design and Development Overlay – Schedule 14. All homes in the adjoining neighbourhoods are single or double storey and restricted to 7.5m in height in accordance with this overlay.

39 I note that the Practice Note states that it is *inappropriate* to apply the General Residential Zone to areas where a planning authority seeks to respect the existing single and double storey character of an area.[14]

[13] Practitioner's Guide to Victoria's Planning Schemes (June 2024), p.19
[14] See Principle 4 in Planning Practice Note No. 91.

40 The Practice Note further observes that:

> *As a general principle, applying a residential zone should align with either existing building heights if they are sought to be maintained, or align with future building heights identified in strategic work*[15].

41 It continues to state that:

> *If an area has an existing single and double storey character that is sought to be maintained, applying the GRZ is likely to be inconsistent with this preferred neighbourhood character outcome.*[16]

42 Within this context, and acknowledging the Structure Plan's direction and objectives for development to respond to the existing scale and character of development, I consider that the Neighbourhood Residential Zone is a more appropriate zone for the prominent ridgetops overlooking Lake King than the proposed General Residential Zone.

Is the Neighbourhood Residential Zone more appropriate than the GRZ?

43 Ensuring housing and neighbourhood character plans are consistent and align with another is an important principle underpinning the application of residential zones.[17]

44 The role and application for the Neighbourhood Residential Zone is described in the Practice Note as follows:

> *Applied to areas where there is no anticipated change to the predominantly single and double storey character. Also to areas that have been identified as having specific neighbourhood, heritage, environmental or landscape character values that distinguish the land from other parts of the municipality or the surrounding area.*[18]

45 I note the amendment proposes to remove the Significant Landscape Overlay – Schedule 2 'Gippsland Lakes' which recognises the significant environmental and landscape character of the prominent ridgetops, north-facing slopes and foreshore areas of Lake King.

[15] Planning Practice Note No. 91, p. 6.
[16] Planning Practice Note No. 91, p. 6.
[17] Planning Practice Note 91 – Using the Residential Zones, p.2
[18] Planning Practice Note No. 91, p. 2

46 I also note the NRZ has been applied across townships and in growth areas in conjunction with a Development Plan Overlay in other municipalities,[19] and is consistent with the Paynesville Growth Area Structure Plan policy priorities, particularly in relation to both public and private visual amenity, and town character.

47 The Neighbourhood Residential Zone mandates a 9m maximum building height and two storey limits. The challenge associated with the application of the General Residential Zone is that it allows 3 storey development of up to 11 metres. A development of this scale, close to the foreshore and on the main entrance to the town seems incongruent in the content of the broader environs and neighbourhood character objectives. On that basis, I submit the use of the Neighbourhood Residential Zone is more appropriate.

48 The Development Plan Overlay recognises the limited development capacity of the ridgetops and north-facing slopes abutting the Lake King foreshore via the requirement for three-dimensional building envelopes. This requirement is secured via an Agreement under section 173 of the Act.

49 The Agreement imposes a three-dimensional building envelope to the north-facing slopes; which can lower the maximum 11m building height, effectively limiting dwellings to just two storeys. Side and rear setback controls further restrict development on land affected by the section 173 Agreement.

50 The General Residential Zone conflicts with the strategic directions outlined in the Municipal Planning Strategy and Planning Policy Framework, as detailed in the 'Strategic Context' section.

51 I note that clause 02.03-2 ‘Environmental and landscape values’ of the Municipal Planning Strategy is particularly relevant and worth highlighting again here. It describes Council’s strategic directions for environmental and landscape values as including:

> *Protecting areas of environmental, landscape, heritage or scenic value, particularly coastal/lakes areas; the Nicholson River; the Tambo River; Princes Highway; ridgelines and roadside vegetation*.
> *Protecting sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values.*

[19] Refer to planning Amendment C74 - Appollo Bay (10 Oct 2014); C80 Daylesford (23 Nov 2021) and C69moyn Port Fairy (3 Oct 2024)

52 As explained in *Planning Practice Note 91*:

> *The 'test' is whether the residential zone implements the relevant strategic framework plan or residential development framework plan in the MPS.*
>
> *The right residential zone will reflect the true development capacity of the land. If land is impacted by special attributes or physical constraints that are identified in the MPS and PPF, then a residential zone should be applied that aligns with these attributes or constraints.*[20]

53 I submit that the role and purpose of the Neighbourhood Residential Zone is more consistent and aligns more closely with the special attributes and physical constraints of the northern growth area.

54 Another key feature of the Neighbourhood Residential Zone that makes it more appropriate than the General Residential Zone, relates to future subdivision potential.

55 Minimum subdivision area provisions can apply to the NRZ whereas the GRZ has no restrictions on further subdivision.

56 I submit that given the limited development capacity of the exposed ridgetops, slopes and the low-lying Lake King foreshore area, any further subdivision on this land is inconsistent with the Structure Plan's policy objectives.

57 Applying the Neighbourhood Residential Zone along with expanded recreational reserves in areas where the Significant Landscape Overlay applies, would better align with neighbourhood character objectives and protect the scenic and environmental values of the Lake King foreshore and wetlands.

58 I submit that the less intensive and low-scale development supported by the NRZ is more sympathetic to the Significant Landscape Overlay decision guidelines:

> *Whether buildings are designed near lakes and waterways to be low scale and set back a sufficient distance to allow for the protection or rehabilitation of a substantial zone of riparian vegetation (e.g. over 100 metres)*

[20] Planning Practice Note 91 – Using the Residential Zones, p.5

The impact of developments visible from all key viewing corridors (e.g. touring routes, highways) and scenic lookouts on the open rural character of these views, and the availability of scenic views lakes and waterbodies.

59 Overall, the Neighbourhood Residential Zone is significantly more sympathetic to the limited development capacity and coastal landscape character values of the exposed ridgetops overlooking Lake King, compared to the General Residential Zone.

Can the amendment's guidelines achieve their desired visual amenity objectives?

60 The amendment proposes the use of various planning tools to achieve key neighbourhood character and visual amenity objectives. Among the most relevant tools, are guidelines relating to lot size, three-dimensional building envelopes, and street layout. The amendment also includes a landscaping requirement (tree planting) to 'soften' the visual impacts of future development.

Each of these visual amenity planning tools are assessed below:

Lot size

61 The Structure Plan (p.21) provides specific guidance on lot size through three Urban Land Use Guidelines (see G1, G2 and G3).

62 These guidelines serve to establish the preferred lot size range of 500-1000m2, permit lots smaller than 500m2 in areas adjacent to open space and natural features and seek to cap maximum lot size to 1000m2 unless their form enables further subdivision without battle-axe lots.

63 I submit the central purpose of these guidelines is to support higher density residential developments wherever feasible.

64 I note that higher density development is less feasible and desirable on the coastal fringe of the growth area because it does not 'reinforce the local character of a small lakeside town'; particularly along the prominent ridgeline and north-facing slopes overlooking the Lake King foreshore area.

65 This would be consistent with the approach taken in amendment C171egip for the neighbouring coastal settlement of Eagle Point, which introduces minimum lot sizes for residential land in sensitive environmental locations that is commensurate with the environmental quality and capacity of the land.[21]

66 Larger lot sizes simply provide the necessary space to implement design elements that can minimise visual bulk and continuous built form to protect and enhance visual amenity.[22]

67 I submit that larger lots enhance the effectiveness of three-dimensional building envelopes in meeting specific design objectives. In this instance, the preservation of coastal character and the reasonable sharing of views.

68 The greater scope for view sharing that larger lots offer was recently demonstrated by a residential subdivision in the neighbouring 10.7ha property on the growth area's north eastern boundary.

69 During the compulsory conference in VCAT[23], those objectors adjacent to the largest lots (1018m^2-1688m^2) resolved their view sharing dispute by negotiating for a decrease in the building envelopes. However, the objectors abutting the smaller lots (600 m^2-829 m^2) did not settle, as the smaller lot size most likely made substantive reductions in building envelopes unviable for the developer.

70 The design flexibility afforded by larger lots, allows for:

- wider setbacks
- more substantial landscaping and vegetated screening
- reduced building density.

71 I submit that the visually prominent ridgetops and north-facing slopes of the northern growth area are unsuitable for 500m^2-1000m^2 lots. This is consistent with clause 11.03-4S which seeks to limit development on ridgelines, the shorelines of estuaries and identified coastal hazard areas, all of which apply to the northern growth area.

72 Lot sizes in excess of 1000m2 however, have greater scope to protect visual amenity in both the public realm (landscape character) and private realm (view

[21] Amendment C171egip – Explanatory Report, p.5
[22] See Knox City Council Residential Design Guidelines (2019); Moorabool Shire Urban-Design-Guidelines (2024); and Good Design and the Coast – Issue 3 (2023)
[23] VCAT ref. no. P1438/2023

sharing).

Three-dimensional building envelope guidelines

73 The Development Plan Overlay requires that landowners / developers prepare the detailed design guidelines which will inform the preparation of three-dimensional building envelopes on affected lots. The guidance given to drafting the guidelines provided by the DPO pertains to consideration (where required) of:

- Views to and from Lake King through the management of maximum building heights from natural ground level.
- Side boundary set backs to avoid continuous built form.
- Viewing corridors from the road network and public realm, including public open space, towards Lake King.
- Reasonable sharing of views from dwellings to Lake King.
- Set backs from sensitive foreshore areas.

74 Minimum setback and maximum height guidelines are critical tools for managing spatial form, scale, and their visual impact.

75 I submit that flexible building envelopes with no minimum requirements run the risk of undermining landscape quality objectives and compromising the character, functionality, and visual amenity of both public and private spaces.

76 This outcome is contrary to the strategies of 12.05-1L, namely:

> *Design development in significant landscape areas including those referenced on the map to this clause that is sympathetic to the character of the area and preserves its aesthetic values.*
>
> *Protect and enhance landscapes, important vistas and visual and environmental qualities of coastal, lakeshore and river-frontage areas, townships, recreation activity centres through responsive siting and design.*
>
> *Protect areas of high landscape sensitivity including visually prominent ridgelines, areas adjacent to the coastline, lakes or rivers and remnant vegetation in cleared areas, views from significant lookout points and scenic roads including those referenced on the map to this clause.*

77 Deferring the preparation of building envelope guidelines, shifts the focus from a transparent and strategically driven framework, to a piecemeal and potentially reactive process, where decisions might prioritize short-term developer interests over long-term community needs.

I refer to the example provided by adjoining ridgetop properties along Eagle Bay Terrace and Fullarton Drive just east of the growth area, which have lot sizes ranging from around 800m^2-1375m^2.

78 I submit that despite the larger lots and the application of building envelopes restricting heights to 7.5 meters, the continuous built form and obtrusive visual bulk of the dwellings is clearly visible from Lake King, the foreshore walking track, and from as far away as the lake foreshore at the Eagle Point Hub. The net result of this sprawling ridgetop development has been significant visual impacts to an important coastal landscape, as shown in the photo below.

Landscaping

79 In addition to building envelopes, the Structure Plan (p.18) adopts requirement R7 which states:

> *Native tree planting shall be implemented on the foreshore reserve and adjacent streets to soften the visual impact of development when viewed from Lake King while providing reasonable opportunities for view sharing from residential lots north of Paynesville Road and complying with bushfire management requirements.*

80 R7 seeks to preserve both private *and* public visual amenity using planted native vegetation, whilst simultaneously seeking to reduce bushfire risk. This

requirement is unlikely to be achieved for two main reasons:

1. Planting native trees large enough to screen visual bulk *from* the lake (public amenity) is likely to impact residential views *to* the lake (private visual amenity). These two distinct visual amenity objectives are to a large extent, mutually exclusive.

2. Planting a sufficient number and density of large native trees common to the area, so as to effectively screen or 'soften' the visual bulk of development from Lake King, has the potential to significantly increase bushfire risk.

Again, these two objectives are not complimentary, since native trees can potentially become a significant fire hazard.

Street layout

81 Another Structure Plan (p.19) guideline (G1) seeks to design street networks that maximise "long distance views *to* the water" but not *from* the water.

82 This guideline omits any consideration of the visual impacts that dwellings may have on landscape quality when viewed from the waters of Lake King or nearby popular foreshore areas, being inconsistent with clause 12.02-1L which seeks to:

> *Manage the coastal foreshore for environmental protection, preservation of landscape quality.*

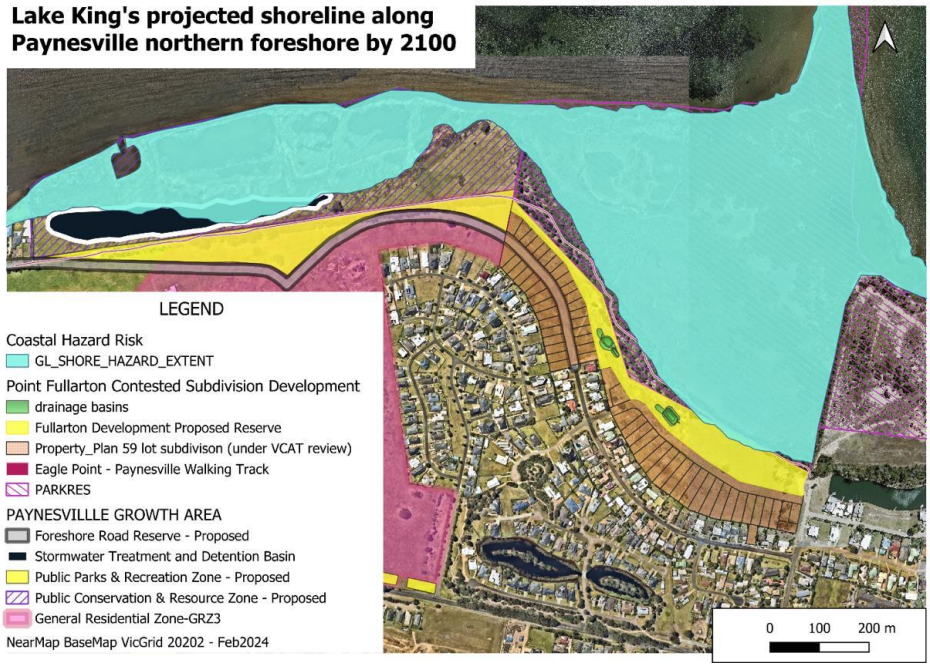
83 I submit inadequate consideration is given to protecting a landscape of state significance, with Lake King recognised as one of the most prominent water features in this landscape.[24]

Detailed case study: Coastal squeeze

84 The proposed rezoning and DPO schedule conditions do not adequately balance the imperative for additional housing supply with the sense of place, neighbourhood character and coastal identity of the surrounding coastal neighbourhood.

85 This is starkly evident in the GRZ3 proposed for the sensitive northern slopes directly below Eagle Bay Terrace; which is afforded poorly designed and

[24] Victorian Government (2006) *Coastal Spaces Landscape Assessment Study*, p.86



ineffectual landscape and wildlife buffers or setbacks to the foreshore reserve.

86 The gap between the foreshore road and recreation reserve narrows to around 10-15m from the conservation reserve for about 50 meters. Shoreline erosion projections by Water Technology (2014) indicate that this section of foreshore is highly erodible and the future shoreline is likely to come within 55m of the curving apex of the road by 2100 (see map above).[25]

87 I note that the Shore Hazard Extent mapping by Water Technology indicates that by 2100, the shoreline is projected to form a bluff just east of the road apex, widening the land corridor noticeably. Though the precise future shoreline boundary is unknown, and subject to the significant limitations of the 2014 *Lakes Shoreline Erosion Hazard Assessment*,[26] it's likely the bluff will become the most significant landscape feature on this section of Lake King, and will most likely replace Point Fullarton as the most northerly point.

88 I submit that the considerable environmental and landscape value of this potentially more climate resilient section of lake foreshore, as both a refugia for

[25] See *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 4: Lakes Shoreline Erosion Hazard*

[26] See section of this submission for discussion of the limitations of Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 4: Lakes Shoreline Erosion Hazard*

retreating habitats, a natural or 'living shoreline' buffer[27] to existing development, and an important vista and viewpoint for future generations, has not been adequately considered by the amendment.

89 The low-lying Ramsar wetlands and coastal habitats of the adjoining Point Fullarton Gippsland Lakes Reserve are particularly vulnerable to sea level rise. The bluff will is likely to become a regionally significant 'climate refugia' for the flora and fauna of the Point Fullarton Reserve.

90 I submit that the amendment has not taken a sufficiently forward looking, integrated coastal zone planning approach to this critically important climate refugia. Preserving environmental and visual amenity values and integrating public access into the future (via a carefully designed walk and look-out) will require far wider foreshore buffers than have been provided.

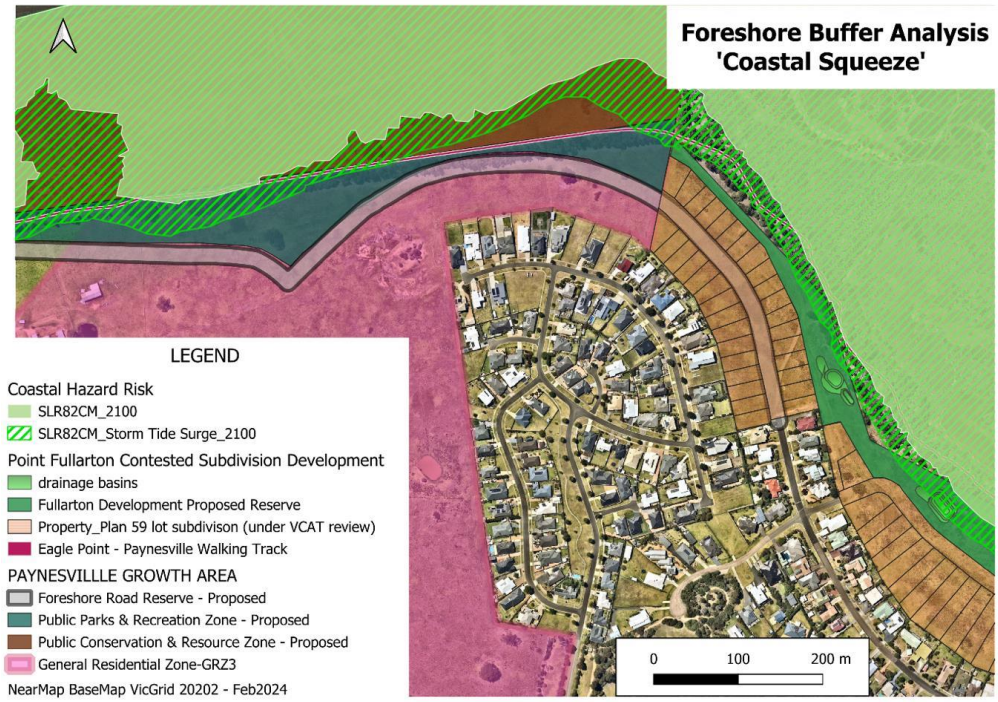
91 Taking a more precautionary, conservative risk-based approach, which respects natural coastal processes, and considers long term environmental, social and economic considerations, would see far wider conservation and parkland buffers applied.

92 I submit that doing so would promote both greater public access to the future foreshore and habitat resilience, by giving Ramsar-listed habitats inundated by sea level rise, room to retreat as the shoreline inevitably recedes.

93 The current reserve and road design exemplifies poorly integrated coastal zone planning in response to reasonably foreseeable coastal hazard risks. The amendment is not consistent with the guiding principles of the *Marine and Coastal Act*, especially ecologically sustainable development, evidence-based decision making, the precautionary principle, and integrated coastal zone planning which is proportionate and risk-based.

94 In this context, the likely planning outcome is the inadequate integration of wildlife and habitat corridors (or climate refugia) with recreational spaces, further undermining the long-term sustainability of Paynesville's northern coastal zone (refer to map on the next page) .

[27] *The Victorian Marine & Coastal Policy 2020* outlines this as a nature-based method (also referred to as 'nature-based coastal defence' or a 'living shoreline'). The creation or restoration of coastal habitats for hazard risk reduction is considered an important Adaptation Pathway Approach to addressing climate change risk.



95 Furthermore, the limited land area of proposed GRZ3 in this tight, sloping corner of visually prominent land, will significantly test the feasibility of three-dimensional building envelopes on even a 1000m2 lot, being the maximum lot size recommended by the plan's Urban Land Use guidelines (G1 and G3).

96 Disregarding the environmental and physical limitations of this narrow choke point and the future lake shoreline corridor, development on this highly visible land will likely significantly impact the area's visual amenity, for both residents and visitors alike. This impact will become more pronounced as rising sea levels further constrict the foreshore reserve.

97 The dense visual bulk of the development is likely to impact vistas from the public realm; whilst the GRZ3's small land corridor (approx. 50m wide from the proposed road) would render setbacks between building envelopes on even 20m+ wide lots all but incapable of achieving a reasonable sharing of views for existing properties.

98 I submit that in this instance, environmental, visual amenity, public access and safety considerations far outweigh the benefits of greater lot yield in the sensitive coastal zone. The entire narrow, sloping corridor ought to be reserved as parkland and a landscape buffer applied in response to the inherent coastal

hazard risks and environmental values of the land.

Integrating visual amenity provisions with overlay and zoning controls

99 I submit that the proponent derived visual amenity provisions (i.e., building envelopes and vegetated screening) and the blanket GRZ3 zoning of the Structure Plan, are unlikely to be effective at achieving key neighbourhood / township character and visual amenity objectives.

100 I submit that the DPO does not adequately rationalise the DDO14 and SLO visual amenity controls. Furthermore, the DPO does not sufficiently decant relevant, measurable requirements into the GRZ schedule 3 nor decant the more subjective requirements effectively and transparently into the DPO.

101 In this respect, a Neighbourhood Residential Zone that specified minimum lot sizes along with an expanded foreshore reserve along the north-facing slopes would provide a more robust mechanism to protect Paynesville's coastal town character, visual amenity, and significant landscape values.

102 Overall, the Neighbourhood Residential Zone is significantly more sympathetic to the limited development capacity and coastal landscape character values of the exposed ridgetops overlooking Lake King, than the application of the General Residential Zone.

103 Significantly, the DPO conditions do not require land owners / developers to undertake a landscape impact assessment, making the effectiveness of the building envelope guidelines difficult to model and assess.

104 I submit that a landscape impact assessment be undertaken which models the effect of various minimum lot sizes, building envelopes, street layouts and tree plantings on the inherently vulnerable and sensitive coastal landscape.

105 The landscape assessment results would provide a more objective evidence-base on which to make coastal planning decisions, particularly in relation to zoning, foreshore buffers, minimum lot size, street layouts, landscaping and building envelope guidelines.

106 I submit that a landscape impact assessment combined with mandatory minimum building envelope setbacks and height requirements would more likely achieve the neighbourhood character objectives of clause 15.01-5S to:

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- *Pattern of local urban structure and subdivision.*
- *Underlying natural landscape character and significant vegetation.*
- *Neighbourhood character values and built form that reflect community identity.*

107 In considering the appropriateness of the mandatory provisions, I have had regard to *Planning Practice Note No. 23*.

108 Planning note 23 stipulates that though mandatory provisions are the exception:

> *...they may be used to manage areas of consistent character [and] sensitive environmental locations such as along the coast*.[28]

109 I submit that establishing minimum mandatory set back and maximum height provisions, provides greater certainty, ensures a preferred outcome and more efficient process than the less transparent, developer-driven guidelines approach.[29]

Benefits of mandatory minimum 3D building envelope design guidelines

110 Developing and implementing minimum 3D building envelope guidelines as part of the structure planning process offers numerous benefits, including:

Enhanced public and private amenity

111 As discussed earlier, clear and enforceable guidelines promote the reasonable sharing of views to Lake King and soften the impact of development on visually significant landscapes.

Predictability for developers and residents

112 Well-defined minimum design envelopes provide clarity for developers and residents, reducing costly disputes and delays during the planning process. The adjoining 10.7ha parcel of land for instance, is now subject to its third

[28] Planning Practice Note 23 | Applying the Incorporated Plan and Development Plan Overlays (2022), p.55
[29] Planning Practice Note 23 | Applying the Incorporated Plan and Development Plan Overlays (2022), p.55

development attempt, following two previous VCAT challenges fought, in part, on the adequacy of building envelopes to address visual amenity impacts.[30]

113 I note that the loss of third-party review rights under the DPO will prohibit affected parties from negotiating changes to building envelopes. Resolving view sharing disputes in the manner described in paragraph 69 all but impossible, making mandatory *minimum* setbacks and height limits more critical for achieving visual amenity objectives.

Preservation of significant views

114 Minimum envelope requirements are more likely to ensure that coastal growth respects the Gippsland Lakes unique environmental and scenic assets, aligning with the clause 12.02-1S which seeks to:

> *Protect and enhance natural features, landscapes, seascapes and public visual corridors.*

Cohesive urban design

115 A clear design framework that establishes minimum setbacks and maximum height limits offers an unambiguous starting point for the design process and provides the basis for the consideration of height, scale, and massing of new development.

Partially prescriptive (minimum setbacks and height limits) rather developer-driven building envelopes are more consistent with clause 15.01-2S, to

> *Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.*

Enhanced community confidence and transparency

116 Community input into design of building envelope guidelines, increases transparency and public trust in critical aspects of the development planning process. The development of detailed building envelope guidelines via consultation with only a narrow group of stakeholders however, can erode public trust and lead to community dissatisfaction with the final outcomes.

[30] See Lake Park Holdings Pty Ltd v East Gippsland SC [2011] VCAT 1491; Lake Park Holdings Pty Ltd v East Gippsland SC [2014] VCAT 1449

117 I submit that the lack of certainty created by leaving building envelope design guidelines to the discretion of developers, is compounded by the exemption of statutory notice requirements and third-party review rights.

118 These restrictive provisions are pivotal to the operation and purpose of the DPO,[31] making it even more critical that the development of building envelope guidelines be an open, inclusive and transparent process.

119 Similarly, the ability to approve or alter a Development Plan without a planning scheme amendment, and no prescribed or easily enforceable process for exhibiting development plan amendments or making submissions,[32] further reduces the level of transparency and accountability in local planning and development.

120 I submit that the inclusion of public consultation conditions to the schedule of the proposed DPO, are at best weak (completely at the discretion of the Responsible Authority since consultation is not a legal requirement), and very difficult to enforce, since no third party notice, objection and review rights exist once the overlay is applied.

121 The incompatibility of forcing public consultation conditions into the DPO schedule are again underscored by *Planning Practice Note 23 - Applying the Incorporated Plan and Development Plan Overlays- PPN23*, which clearly states:

> *Because the DPO has no public approval process for the plan, it should normally be applied to*
> - *development proposals that are not likely to significantly affect third-party interests,*
> - *self-contained land where ownership is limited to one or two parties and land that contain no existing residential population and do not adjoin established residential areas.*

122 I submit that a DPO in this instance, is not supported by a comprehensive, up-to-date, and integrated Structure Plan. The application of the DPO in this context, is not consistent with PPN 23, since:

> a) it is likely to significantly affect third party interests, as demonstrated by approximately 250 concerned residents attending a protest meeting

[31] Planning Practice Note 23 | Applying the Incorporated Plan and Development Plan Overlays (2022), p.9
[32] Planning Practice Note 23 | Applying the Incorporated Plan and Development Plan Overlays (2022), p.8

against amendment C172egip in Paynesville on Saturday 18th Jan 2025.

b) the growth area boundary transects established residential areas along almost its entire eastern and southern boundary, totalling 97 established residential lots.

123 Planning approvals granted without a detailed and comprehensive Structure and/or Development Plan being finalised, risk creating land use conflicts that could undermine community liveability, environmental and landscape protection and the efficient use of land.

Is Section 2.0 of Schedule 10 to Clause 43.04 Development Plan Overlay an acceptable provision?

124 Schedule 10 to clause 43.04 'Development Plan Overlay' applies the following objectives:

> *To ensure orderly and integrated development of the land that enhances the character of Paynesville as a small lakeside town and creates a cohesive and accessible community.*
>
> *To provide for a range of compatible urban land uses, high quality public realm, drainage infrastructure, open space and community facilities.*
>
> *To ensure an integrated and connected movement network, including a pedestrian and cycle network, designed to connect into the wider township, foreshore reserves and surrounding areas.*
>
> *To provide for a single coordinated shared infrastructure plan, which delivers infrastructure and developer contributions.*

125 It must be noted that under the requirements of section 2.0 of the proposed DPO, a permit can be granted prior to the development of the plan, subject to the discretion of the Responsible Authority. The DPO states:

> *A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority that does not prejudice the future, orderly development of the area affected by the*

Development Plan Overlay

126 I submit the above requirement is inconsistent with orderly and integrated strategic planning, because orderly and integrated development is contingent on orderly and integrated strategic planning.

127 I must emphasize that the requirement within the proposed Development Planning Overlay (DPO), allowing for a permit to be granted prior to the completion of a detailed Development Plan, raises significant concerns regarding the DPOs alignment with the principles of orderly, integrated, evidence-based strategic planning.

128 Orderly and integrated development relies fundamentally on the existence of a clear, comprehensive, and forward-thinking strategic framework informed by a range of essential studies and comprehensive constraints mapping.

129 I submit that detailed and timely constraints mapping plays a fundamental role in ensuring that growth area structure planning aligns with the principles of orderly and integrated development. It is an essential tool for identifying and addressing the physical, environmental, and infrastructure-related factors that shape the capacity and suitability of land for development.

130 Detailed and timely constraints mapping and the studies which underpin it, provide a clear evidence base that informs structure and development plans, ensuring that planning decisions are **transparent** and **defensible**.

131 This aligns with the planning policy frameworks emphasis on supporting **public confidence in the planning process** and its commitment to orderly, transparent, consistent and integrated development.[33]

132 Growth area structure planning is critical to ensuring the orderly and integrated development of expanding urban areas. Clause 11.02-2S (Structure Planning), establishes that structure plans should:

[33] See Section 16(2): "A planning authority must ensure that the planning scheme is prepared and approved in a manner that is consistent with the objectives of the planning framework and other relevant state policies, including the integration of land use with infrastructure and environmental factors" and,

Section 24(1)(d): "A planning scheme must provide a framework for the regulation of land use and development that is integrated with other matters such as the provision of infrastructure, environmental management, and the delivery of social services."

- *Coordinate infrastructure delivery and land use planning to provide for sustainable settlement growth.*
- *Ensure land use and development align with long-term strategic visions for urban growth areas.*
- *Minimize land use conflicts and integrate new developments with existing urban areas.*

133 I submit that without a fully developed Structure plan in place, that is informed by a range of up-to-date land capability assessments, development decisions run the risk of being piecemeal, ad hoc, and reactionary rather than sequential, transparent and cohesive.

134 For instance, permission could theoretically be granted to construct the stormwater retention basin without the proponents having met the DPO requirement for a flora and fauna assessment or undertaking a geotechnical investigation of the Coastal Acid Sulphate Soils which are known to be present in the foreshore zone.

135 I submit that under these circumstances, the granting of a permit to use or develop land along or adjacent to the sensitive foreshore, prior to a development plan being finalised, is clearly not consistent with orderly, evidence-based and integrated planning.

136 Requirement 2.0 of the DPO schedule gives the Responsible Authority the power to exercise its discretion and grant a permit that may be contrary to the available evidence, if it takes the view the proposed development "does not prejudice the future, orderly development of the area affected by the Development Plan Overlay".[34]

137 Moreover, I submit that these significant discretionary powers, can be exercised with little restraint or oversight, aside from intervention by the Minister or via a costly judicial review in the Supreme Court.

138 In this context, granting permits without a finalised Development Plan undermines the very purpose of strategic planning, which is to provide certainty and direction for stakeholders, including developers, local residents, and governing bodies.

[34] Schedule 10 to Clause 43.04 Development Plan Overlay 'Paynesville Growth Areas', section 2.0

139 I submit that permitting development in the absence of a finalised Development Plan erodes public confidence in the planning process, as it suggests that development decisions may be driven by immediate interests rather than a well-considered, long-term vision supported by comprehensive and robust risk assessments.

140 I note that the proposed allowance for permits to be granted before the development of a strategic plan, is wholly inconsistent with the principles of orderly and integrated planning. It disregards the critical interdependence between planning and development, thereby jeopardizing the opportunity to achieve sustainable and orderly growth.

141 I implore the Responsible Authority to reconsider section 2.0 of the DPO to ensure that all development is anchored in a robust and orderly strategic planning framework, fostering fair and integrated outcomes that align with the broader public interest and the objectives of planning in Victoria, especially Sec 4 (1a) of the Act which sets out:

> *...to provide for the fair, orderly, economic and sustainable use, and development of land*.

142 Most concerningly, the DPO includes no requirement that the Development Plan be generally in accordance with the Structure Plan, nor require the Development Plan achieve the objectives set out in Section 1.0 of the overlay schedule. This fundamental oversight, reduces the strategic framework to the conditions and requirements for permits outlined in the schedule to the DPO, divorcing the Development Plan from the broader Structure Plan objectives, requirements and guidelines.

The 'refreshed' yet still outdated Structure Plan

143 The original Structure Plan (2016) commissioned five major studies to inform early planning decisions, reflecting selected opportunities and constraints considered significant or relevant at the time. The Structure Plan underwent a very minor update 2023 which mainly updated traffic volumes and population growth figures.

144 Despite claims that "a review and refresh of the PGASP and technical background reports was undertaken in 2023,"[35] the updated 2023 Structure

[35] East Gippsland Planning Scheme Amendment C172egip – Explanatory Report, p.5

Plan failed to include copies of the 'refreshed' technical background reports shown in the Appendices. Upon prompting, council officers did however supply the requested missing reports. Following a careful inspection, no evidence of any changes to the original reports was evident.

145 I submit that the 'refreshed' technical reports are in fact unchanged, being identical to the original 2015/16 reports included in the first Structure Plan (2016).

146 I do acknowledge however that the Structure Plan (2023) was indeed refreshed with some updated data following the 2023 review, though the outdated and unaltered technical reports were not included in the updated Structure Plan.

147 I note the Explanatory Report (p.5) to amendment C172egip states:

> *The Structure Plan also draws on detailed analysis of background information including the assessment of traffic management; drainage; land supply and demand; ecology and biodiversity; natural hazards; cultural heritage; and social impact.*

148 I urge the Responsible Authority to prepare a *Data and Evidence Table* which provides a summary of background reports and the information drawn on in preparation of the Structure Plan to ensure a transparent and robust evidence base supports Amendment C172egip.

149 A lack of technical studies or analysis of coastal hazard risks is evident in both the Paynesville and Eagle Point Structure Plans. These studies or analyses are required to support the finalisation of a deliverable Precinct Structure Plan.[36]

150 The following key reports informed the revised Structure Plan (2023), namely;

- Key Issues and Responses Report, Oct 2015
- Consultation Report, Oct 2015
- Traffic Impact Assessment Report, Jun 2016
- Social Impact Assessment Report, Feb 2016
- High Level Hydrological Analysis, Mar 2016

151 Notably absent from the above list of key reports and early land capability studies are site-specific investigations related to:

[36] Victorian Planning Authority (2021) *Guidance Note: PSP 2.0*; p.19

- Neighbourhood character assessment
- Aboriginal cultural values assessment
- Arboricultural assessment
- Biodiversity assessment
- Bushfire assessment
- Landscape impact assessment
- Land capability assessments (including contamination, sodic soils, coastal hazard vulnerability and erosion susceptibility).

152 It's important to acknowledge that a number of unpublished studies and expert witness statements were prepared in support of a planning application for a subdivision of an adjoining foreshore property currently under review by VCAT[37].

153 However, only some of the reports which informed the revised Structure Plan (2023), are relevant to the growth area, and no evidence exists that a peer review of those old reports and evidence was ever undertaken, in accordance with the Precinct Structure Planning 2.0 Guidelines set out below:

> *Review existing technical studies and commission any land capability studies (e.g. heritage, land capability, etc.) or update existing studies to support early planning decisions.*[38]

154 I submit considerable uncertainty exists around what background information was drawn upon, and how unpublished and/or unreferenced studies were incorporated into the early planning decisions of the Structure Plan. This uncertainty is particularly notable with regards to ecology and biodiversity, natural hazards, social impact and cultural heritage.

155 The following table provides an overview of the key differences between the Eagle Point Structure Plan and the Paynesville Growth Area Structure Plan (see below).

Structure Planning Comparison Table Eagle Point and Paynesville Structure Plans and supporting documents		
Eagle Point Structure Plan 2019	**Paynesville Growth Area Structure Plan 2023**	**Comments**

[37] VCAT ref: P1514/2023

[38] Victorian Planning Authority (2021) *Guidance Note: PSP 2.0*; p.8

Unavailable or not included as a background report in Structure Plan	Key Issues and Responses Report, Oct 2015	
Unavailable or not included as a background report in Structure Plan	Consultation Report, Oct 2015	
Not completed , unavailable or not included as a background report in Structure Plan	Traffic Impact Assessment Report, Jun 2016	Based on 2011 census demographic data
Not completed, unavailable or not included as a background report in Structure Plan	Social Impact Assessment Report, Feb 2016	Based on 2011 census demographic data
Not completed, unavailable or not included as a background report in Structure Plan	High Level Hydrological Analysis, Mar 2016	No consideration of coastal hazard risks
The Public Realm & Infrastructure Plan	Not completed	Deferred to the Development Plan
Significant topographic features (ridgelines / high points) mapped	Not included	Neither plan undertook a landscape impact assessment
Significant view lines shown on maps	Not included	Neither plan undertook a landscape impact assessment
Environmental Values & Cultural Heritage Assessment (date unknown)	Not completed	Deferred to the Development Plan
Vegetation clusters or significant trees identified and mapped	Not completed	Flora assessment deferred to the DP No Vegetation Precinct Plan deemed necessary
No habitat assessment (fauna) undertaken	No fauna assessment	Deferred to the DP

Creek/tributaries and minor drainage lines identified and mapped	Not included	Deferred to the Development Plan
Landscape and/or wildlife corridors identified / shown on maps	Not completed	Deferred to the Development Plan
High Conservation Value vegetation mapped	Not completed	Deferred to the Development Plan
Environmental overlays (e.g., Vegetation Protection Overlay) shown on maps	Not included	
Inundation overlay (LSIO) shown on maps	Not included	Deferred to the Development Plan presumably
Road / Street Cross Sections included	Not included	Deferred to the Development Plan's Public Infrastructure Plan
Neighbourhood Character and Change Areas mapped, defined and delineated	Not completed	Not considered a requirement
Strategic development site plans	Not completed	Deferred to the Development Plan
Public Transport and Path Network Plan	Not completed	
Bushfire risk pathways mapped	Not included	A high level Bushfire Planning Considerations Report was prepared in 2019 and peer reviewed in 2023. To be considered by the Development Plan
Road networks plan	Not included	Deferred to the Development Plan's Public Infrastructure Plan
Natural Hazards mapped (bushfire and 1% AEP flood extant only)	Not included	Gippsland Lakes Coastal Hazard Assessment (2014) and other unspecified Government data

Sea level Rise, Storm/Tide Surge not mapped		considered. To be considered by the Development Plan No Full Flood Study undertaken
Basic Drainage Plan included	Not included	Deferred to the Development Plan's Public Infrastructure Plan
Open Space Network Plan	Not included	Deferred to the Development Plan
Land Use Budget and summary tables not included	Not included	Deferred to the Development Plan
Gateways and Streetscapes Plan	Not included	Deferred to the Development Plan
No contaminated land investigations	Not undertaken	Deferred to the Development Plan, triggered by the Environmental Audit Overlay
Detailed Precinct Area Plans – foreshore and community precincts	Not completed	Deferred to the Development Plan

156 The Precinct Structure Planning guidelines were specifically introduced to 'lift the bar' by encouraging a more integrated approach to planning that can resolve key planning challenges early.[39]

157 I submit the amendment's penchant for deferring critical planning outputs (Public Realm and Water Plan, Movement Network and Public Transport Plan, Environment & Heritage Plan and Street Cross sections) to the application of a Development Plan Overlay and schedule clearly does not.

After all, the missing plans and assessments are all key PSP outputs (see p.69 of the PSP Guidelines) and are necessary inputs (rather than outputs) to an

[39] Victorian Planning Authority (2021) Precinct Structure Planning Guidelines: New Communities in Victoria; p.3

orderly and integrated Development Plan[40].

Is the approach to flooding, coastal inundation and sea level rise adequate?

158 The Regional Growth Plan and local policy within the East Gippsland Planning Scheme identifies Paynesville as being exposed to riverine and coastal inundation. It is recognised that these environmental risks are a constraint to the future development of the township.

159 Relevantly, State policy was substantially updated by Amendment VC171 in September 2021, to implement the Marine and Coastal Policy 2020 and places a clearer emphasis in its objective on managing coastal hazard risk, alongside other climate change impacts.

160 Clause 13.01-2S has an objective:
To plan for and manage coastal hazard risk and climate change impacts.
Accompanying strategies at this clause include to:

> *Plan for sea level rise of not less than 0.8 metres by 2100 and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.*
>
> *Ensure that land subject to hazards is identified and appropriately managed to ensure that future use and development is not at risk.*
> *Avoid use and development in areas vulnerable to coastal inundation and erosion.*

161 In the context of this policy, the amendment seeks to constrain development below 2.8 meters AHD to address the inherent coastal inundation and erosion risks of the Lake King foreshore area.[41]

162 In this respect, the 2.8m AHD inundation level appears to be nominally derived from 1% Annual Exceedance Probability (AEP) declared peak flood level for

[40] Victorian Planning Authority (2021) Precinct Structure Planning Guidelines: New Communities in Victoria; p.69
[41] NB: The gazetted Explanatory Report to Amendment C172egip incorrectly claims development is excluded below 2.9 meters AHD, whilst the Structure Plan refers to 2.8m AHD

Paynesville (2m AHD)[42] plus an allowance for a 0.8m Sea Level Rise.

163 The Explanatory Report accompanying the amendment however states that:

> *An evaluation of the risks and determination of the 2.9 metres AHD 'line' was as a result of work done by Watch Technology in 2016 which looked at the whole Gippsland Lakes system in the form of a Coastal Hazard Assessment.*[43]

164 In this context, the amendment draws on Water Technology's *Gippsland Lakes Local Coastal Hazard Assessment (Apr 2014)* as justification for its approach to coastal hazard risk mitigation.[44]

165 The studies by Water Technology aimed at identifying and assessing coastal erosion and inundation hazards within the Gippsland Lakes region. While sophisticated for its time, the assessment did not model 1% AEP floods that incorporated sea level rise beyond 2040.[45]

166 Subsequent developments in hydrodynamic modelling and data availability suggest the report's inundation levels and erosion extent mapping is now dated, and more recent inundation and erosion modelling and coastal hazard assessments are warranted.[46]

167 Moreover, the authors themselves acknowledge the limitations of their work, particularly in relation to the inundation hazard assessment which omitted modelling the 1% AEP flood with +0.4m (2070) and +0.8m (2100) Sea Level Rise scenarios due to:

> *The uncertainties around future climate change projections, particularly in regard to rainfall, runoff and resultant changes in the estimated 1% AEP*

[42] 1% AEP Flood levels were derived from the Gippsland Lakes Flood Modelling Project (GLFMP) (Grayson, et al., 2004)

[43] Explanatory Report to Amendment C172egip p.9 see also footnote 35 re: typographic errors

[44] NB: the Water Technology report was incorrectly identified as being completed in 2016 in the gazetted Explanatory Report to the amendment (see p.9).

[45] Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment - Report 2 Inundation Hazard;* p. 37

[46] See Cohen et al (2019) CFAST: Modelling and visualisation to improve flood adaptation planning processes in coastal cities, CSIRO Pub.; and Hague et al (2023) The effect of tidal range and mean sea-level changes on coastal flood hazards at Lakes Entrance, south-east Australia, CSIRO Pub.

flood volumes entering the lake.[47]

168 I submit that climate change projections have advanced considerably in the past decade since the Water Technology report was published. I note for instance, that the most recent 2022 CSIRO study of the impacts of climate change on the Gippsland Lakes includes updated climate projections, including a projected 21% increase in extreme (1-in-20 year) daily rainfall events by 2100.[48]

169 Furthermore, the same CSIRO study indicated lower average precipitation but higher extreme rainfall, reduced runoff, lower relative humidity, higher mean temperatures, higher evapotranspiration rates, and far more frequent and intense storms as the 'greatest plausible change by 2050'.[49]

170 Perhaps most alarmingly, are the Annual Recurring Interval (ARI) or frequency projections for extreme weather events like storms and tide surges in the Gippsland Lakes arising from climate change. According to the report, a 1-in-100 year high sea-level (extreme storm and tide) event, is projected to occur approximately every 11 to 16 years by 2030, and between 10 to 100 times *per year* by the end of the century.[50] This translates to storm/tide induced coastal inundation occuring every 4 to 36 days along the Lake King foreshore.

171 I submit the 2014 Water Technology assessment did not sufficiently consider the above effects of climate change in its modelling of projected flood levels and foreshore erosion, a fact acknowledged in the report's recommendations for further research:

> *It is likely that aside from sea level rise, climate change may result in changes to rainfall frequency and intensity which would alter the river inflow regime for the inflowing rivers. However, there is considerable uncertainty as to the magnitude and timescale of such changes.*
>
> *An additional potential impact of climate change which has even greater uncertainty surrounding it is the potential for changes in wind speeds and*

---

[47] Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 2 Inundation Hazard;* p. 3
[48] CSIRO (2022) *Final Report on the Vulnerability of the Gippsland Lakes Ramsar Site Catchment to Bushfire & Climate Change*, Department of Agriculture, Water and the Environment, Australia; p.146
[49] CSIRO (2022) *Final Report on the Vulnerability of the Gippsland Lakes Ramsar Site Catchment to Bushfire & Climate Change*, Department of Agriculture, Water and the Environment, Australia; p.46
[50] CSIRO (2022) *Report on the Vulnerability of the Gippsland Lakes Ramsar Site Catchment to Bushfire & Climate Change*; p.62

directions. There is currently no reliable guidance available on such changes.

The hydrodynamic models used for this study could be modified to test the sensitivity of the system to a wide range of potential climate change conditions, including the impact of salinity, changes to flows, and altered wind conditions.

172 Similarly, the Water Technology study also recognised the data limitations of its erosion modelling, offering the following disclaimer:

The erosion component of the shoreline hazard zone represents the expected maximum extent of potential shoreline erosion to 2100, based on current erosion rates within the Gippsland Lakes.

There will be significant local variability in erosion rates throughout the lakes, with different erosion rates for different sections of shoreline.

Erosion of the shoreline is often episodic rather than a continuous process, with periods of enhanced shoreward migration interspersed with periods of minor or no change; however, without detailed monitoring data it is presently not possible to refine the erosion hazard component further.[51]

173 Put succinctly, the Water Technology model cannot accurately predict shoreline erosion extent at any given location since it lacks precise localised erosion rate inputs; a knowledge gap acknowledged by the following recommendation:[52]

Erosion monitoring throughout the lakes system covering a range of shoreline types, environmental conditions (exposed to waves/currents), and vegetation communities.

174 It's important to note that the erosion extent modelling was based solely on current vegetation communities, and "that the past, present or future impacts of salinity on these communities have not been incorporated" in Water

[51] Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 4: Lakes Shoreline Erosion Hazard;* p.18
[52] Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 4: Lakes Shoreline Erosion Hazard;* p. 71

Technology's erosion assessment.[53]

175 The impacts of salinity are closely related to the rise in sea level. Higher sea levels will increase salinity impacts on fresh and brackish water vegetation communities, such as saltmarsh and fringing reed beds. Prolonged and ultimately permanent saline inundation will result in considerable die-back of the plants and exposure of the shoreline to increased erosive wave and current action. This coastal process is already visible today along the Lake King foreshore proposed for rezoning as a conservation reserve.

176 Hence, the erosion hazard extent maps are indicative only, as salinity impacts on accelerated die-back of fringing vegetation has not been accounted for, and therefore are likely to underestimate the rate of foreshore erosion in the future.

177 Most significantly, the Water Technology model upon which the amendment's principal coastal inundation mitigation measure (i.e., the 2.8m AHD line) is based on, was never intended as a strategic planning tool:

> *It is important to note that the predicted flood levels under the climate change scenarios are sufficient to define the likely coastal hazards under*

[53] Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 4: Lakes Shoreline Erosion Hazard;* p. 71

> *different climate change scenarios but are not appropriate for, nor intended to provide levels suitable for planning purposes.*
>
> *Further refinement of the design flood cases and additional calibration would be required to meet the requirements of a full flood study.*
>
> *Further work…[needs to be] undertaken to allow for the modelling to provide outputs that meet the requirements of a full flood study such that the results could be applied to set levels for future land-use planning.*[54]

178 The report goes on to recommend:

> *A Water Level Frequency Analysis should be undertaken for the main townships of the Gippsland Lakes to aid understanding of the full range of sea level rise impacts on these communities.*
>
> *There is a need to further understand the potential changes to the frequency of inundation associated with smaller flood and coastal water level events with sea level rise in the Gippsland Lakes.*[55]

179 Setting aside the fact the model was never designed as a "full flood study" that could confidently model projected climate change impacts for land-use planning purposes, the calibration testing of Water Technology's two-dimensional model *underestimated* observed peak flood levels at Paynesville by 7.61% or (0.11m AHD). The authors attributed the inaccuracy between observed and modelled extreme water levels to "uncertainties related to the inflow hydrographs for the Mitchell and Tambo rivers."[56]

180 I submit that any model, is only as robust as the data and assumptions it's based on.

181 For instance, the Water Technology spectral wave model of the Gippsland Lakes assumes prevailing westerly wind conditions in the Lakes will remain constant to 2100[57], which is not supported by the latest climate change

---

[54] Water Technology (2014) *Gippsland Lakes/90 Mile Beach Local Coastal Hazard Assessment – Report 2: Inundation Hazard*; p.67
[55] Water Technology (2014) *Gippsland Lakes/90 Mile Beach Local Coastal Hazard Assessment – Report 2: Inundation Hazard*; p.67
[56]Water Technology (2014) *Gippsland Lakes/90 Mile Beach Local Coastal Hazard Assessment – Report 2: Inundation Hazard*, State Government of Victoria; pp.26-7
[57] Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 4: Lakes Shoreline Erosion Hazard; p.25*

science.[58]

182 As explained by eminent climate scientist Kathleen McInnes:

> *In East Gippsland, eastward travelling frontal systems are typically responsible for causing storm surges (McInnes et al. 2013; Colberg et al. 2019) and east coast depressions are a major contributor to extreme waves (O'Grady and McInnes 2010; O'Grady et al. 2015)*
>
> *The location and behaviour of these weather systems are expected to change due to the observed poleward expansion of the tropics and poleward shift of mid-latitude weather systems caused by anthropogenic climate change (e.g. Cai and Cowan 2013; Pepler et al. 2018; Yang et al. 2020).*

183 Furthermore, the Water Technology's 2014 hydrodynamic flood modelling utilised wave exposure criteria based on a 1 year period of wind data (measured at East Sale Airport) as representative of long-term average wind conditions across the entire Gippsland Lakes.[59]

184 Again, these modelling assumptions are not supported by the latest climate science, as outlined in McInnes's article on the impacts of climate change on the Gippsland Lakes:

> *The warming of the oceans and atmosphere is intensifying severe weather systems through greater wind speeds and rainfall totals. These various factors will cause global to local scale changes, with a potentially compounding effect on coastal hazards as a result of changes in local sea levels, wind and wave climate, severe weather systems and extreme sea levels in the Gippsland Lakes region.*[60]

185 Another assumption underpinning the 2.8m AHD 'development' exclusion line is an 80cm sea level rise projection.

186 I submit the 80cm sea level rise projection is now outdated, with the latest IPCC year 2100 localised (median) projection for East Gippsland being an 0.84 meter sea level rise; ranging from a 0.65 m to 1.11 m increase (5th to 95th

[58] See McInnes, K. (2024) Climate Change, sea level rise and the Gippsland Shoreline, CSIRO Pubs; p.4
[59] Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 4: Lakes Shoreline Erosion Hazard; p.25*
[60] McInnes, K. (2024) Climate Change, sea level rise and the Gippsland Shoreline, CSIRO Pubs; p.1

percentile). Both these projections are derived from the SSP5-8.5 'medium confidence' scenario.[61]

187 In this context, the 2.8m AHD 'line' associated Water Technology's study cannot be deemed to be based on the 'best available data and climate change science' as required by clause 13.01-1S.

Planning for climate change

188 The Marine and Coastal Policy 2020, which is a policy document at this clause, identifies that:

> *The latest projections from the Intergovernmental Panel on Climate Change on global sea level rise are for an increase of between 0.61 and 1.10 metres by 2100 above 1986-2005 levels under a high-emissions scenario, with a global average of 0.84 metres. The range of possibilities requires us to prepare to be adaptable and flexible, and to respond to new information and observed changes in the physical environment.*
>
> *Climate change impacts are expected to vary across Victoria, and may occur incrementally or rapidly. A one-size-fits-all-approach could therefore lead to maladaptation. Adaptation will need to be responsive to local conditions, values, risk appetite, risk exposure, capability and capacity.*
>
> *Different adaptation actions will have varying levels of effectiveness and costs, and positive and negative impacts depending on the local circumstances. Different adaptation measures need not be mutually exclusive, with the possibility of multiple options being used over time.*

189 The Marine and Coastal Policy adopts as Policy 6.1 to plan for sea level rise of 'not less than' 0.8 metres by 2100 and includes the following footnote:

> *The impacts of climate change, including sea level rise, will be affected by*

[61] The medium confidence rating relates to the likelihood of changes to thermal expansion, the mass balance of glaciers and ice sheets, and terrestrial water storage processes (McInes, 2024; .

global emissions trajectories and mitigation efforts. Sea level rise is not globally uniform and regional differences within +/- 30% of the global average can result from several factors.

The 'not less than 0.8m' figure is used as the statewide planning benchmark to provide a consistent policy setting across the State. It will be updated as necessary and supported by modelling that places global projections in the Victorian context to provide greater accuracy for regional and local-level adaptation.

190 The *Marine and Coastal Strategy 2022* acknowledges the importance of strategic planning to provide climate change adaptation at Action 3. Strategic planning is identified as a key focus, and says:

Strategic planning

Action 3 embeds adaptation as a core component of planning and management in the marine and coastal environment using a range of state-wide and local approaches. Updated projections and benchmarks for sea level rise and other climate change drivers and impacts will be incorporated into state-wide land use planning tools and policies so they remain responsive to changing circumstances. The Victoria's Resilient Coast – Adapting to 2100+ project (VRC) develops a state-wide adaptation framework for long-term coastal hazard adaptation and Marine Spatial Planning Framework (MSP Framework) will embed adaptation as a core component of planning in the marine environment. A range of tools, including Regional and Strategic Partnerships (RASPs), CMMPs, Environmental Management Plans (EMPs), marine plans (where developed) and statutory planning mechanisms will embed adaptation at a local and regional level.

191 The activities to support this action include; to understand and plan for coastal hazard risks and impacts from climate change by collating and sharing the latest climate change information relevant for Victoria and using this information to inform coastal hazard mapping and projections and adaptation planning.

192 Specifically in relation to the requirements to be met in preparing an amendment to rezone non-urban land for urban use or development, *Ministerial Direction No. 13: Managing Coastal Hazards* requires planning authorities to address a number of considerations, including:

Is consistent with the planning policies, objectives and strategies for coastal Victoria as outlined in state planning policies (including regional planning policies) in the Planning Policy Framework.

Addresses the current and future risks and impacts associated with projected sea level rise and the individual and/or combined effects of storm surges, tides, river flooding and coastal erosion.

Is based on an evaluation of the potential risks and presents an outcome that seeks to avoid or minimise exposing future development to projected coastal hazards.

Considers that new development will be located, designed and protected from potential coastal hazards to the extent practicable and how future management arrangements will ensure ongoing risk minimisation.

Considers the views of the relevant floodplain manager and relevant Victorian Government department.

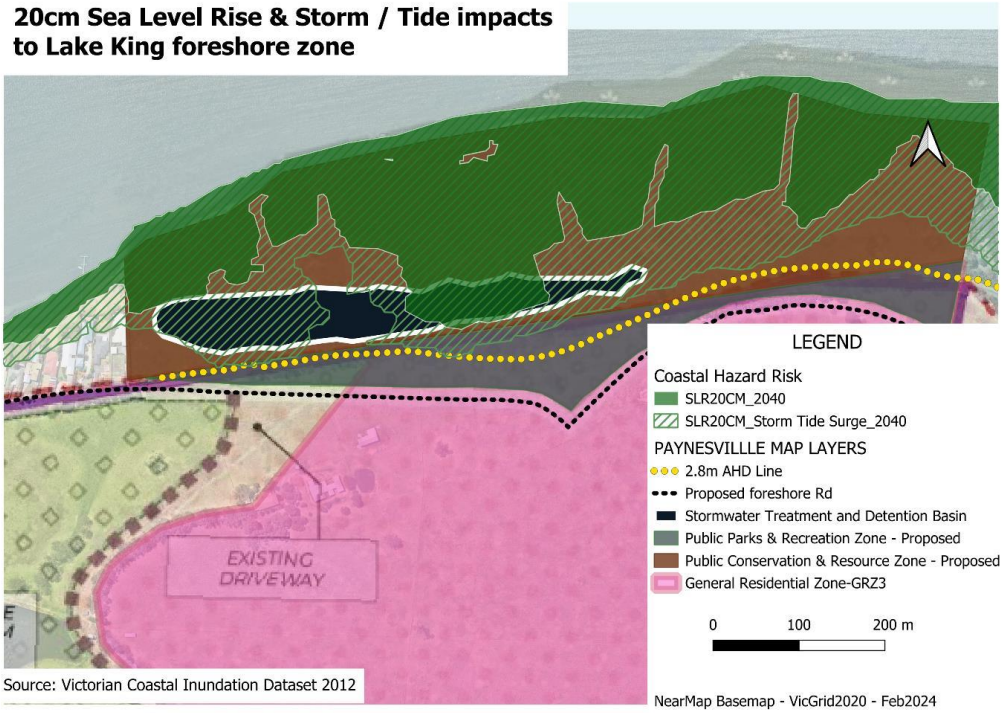
193 I submit the requirements of *Ministerial Note No. 13* have not been adequately met for the following reasons:

The planning amendment promotes development in a sensitive coastal area likely to be impacted by projected coastal hazards, which is inconsistent with the strategies of clause 13.01-1S, especially:

*Direct population growth and development to **low risk** locations*.

*Site and design development to minimise risk to life, health, property, the **natural environment and community infrastructure** from natural hazards* [emphasis added).

194 The siting and design of the stormwater assets, conservation and recreation reserves are likely to be impacted from coastal hazards, especially a projected 20cm sea level rise and the individual and/or combined effects of storm surges, tides, river flooding and coastal erosion by as early as 2040 (refer to map on p.44).



195 I submit that the plan's foreshore buffers are too narrow to effectively mitigate the significant natural hazards projected by the Victorian Coastal Inundation Dataset 2012, placing proposed stormwater assets, the road, the conservation and recreation reserves at risk.

196 I submit the proposed siting of the Integrated Water Management System (IWMS) within the PCRZ fails to make sufficient provisions for the impact of coastal processes (the impacts from wind, waves, floods, storms, tides, erosion) on those assets.

As a minimum, a preliminary desktop assessment of coastal hazard risks using readily available Victorian government coastal inundation modelling layers ought to inform siting decisions for critical development assets in known 'high risk' locations.

197 I submit the proposed siting of the IWMS infrastructure does not "maintain and enhance healthy and valued waterways and marine environments" over the

long term, particularly in response to climate change.[62]

198 Furthermore, the siting of the northern drainage assets fails to "take into consideration what is expected to occur as a result of predicted climate change" a key requirement of the Precinct Structure Planning Guideline F13.2.[63]

199 Furthermore, the failure to undertake a full flood study or prepare a current technical drainage report which considered coastal hazard risks in plan preparation is not consistent with Precinct Structure Planning principles F13.1 and F13.2.[64]

200 Unlike other coastal towns and regions vulnerable to riverine and coastal inundation, the East Gippsland flood layer has not been updated to reflect the heightened flood risk arising from climate change.

201 It seems apparent that the Paynesville Structure Plan was not informed by the latest evidence nor a full flood study, since by its own admission, the Plan's coastal inundation mitigation tool (2.8m AHD line) is based on the outdated 2014 Water Technology *Coastal Hazard Assessment*.

202 An updated Local Coastal Hazard Vulnerability Assessment is urgently needed that considers the latest IPCC projected 0.84 to 1.11 SLR scenarios.

203 Several coastal Shires (Moyne Shire, Frankston, Bass Coast and Mornington Peninsula for instance) have progressively commissioned updated flood assessments to inform their structure planning, and update their respective flood / building overlays in accordance with the Marine and Coastal Policy.

204 Moyne Shire's *Translation of Port Fairy Coastal Hazard Assessment* (18 August 2019), prepared by Cardno, was commissioned to expand storm tide and riverine flood modelling and datasets that had been created as part of the *Port Fairy Coastal Hazard Vulnerability Assessment* to identify coastal risks for planning purposes based on the best available information. It adopted the 1.2m SLR as the benchmark coastal flood level.

[62] Victorian Planning Authority (2021) Precinct Structure Planning Guidelines: New Communities in Victoria; p.83
[63] Victorian Planning Authority (2021) Precinct Structure Planning Guidelines: New Communities in Victoria; p.83
[64] Victorian Planning Authority (2021) Precinct Structure Planning Guidelines: New Communities in Victoria; p.83

205 As acknowledged by Planning Practice Note No. 53, climate change is likely to increase the frequency, extent and magnitude of coastal flooding.[65]

206 In terms of strategic planning for coastal areas, the Practice Note observes:

> *Our understanding of the coastal impacts of possible sea level rise is evolving. Further investigation into coastal hazard vulnerability and in turn adaptation options for particular catchments and coastal areas will help inform strategic planning for settlements and decisions on future growth and assist in avoiding increased risk exposure for future coastal development.*

207 I submit there is a strong case for additional hydrodynamic modelling of the township of Paynesville with comprehensive data for depths, velocities, flow paths, erosion rates and estimated length of time for inundation, so as to ensure greater consistency with the planning policy framework.

208 In accordance with *Planning Practice Note 53: Managing Coastal Hazards and the Coastal Impacts of Climate Change*[66], the proposal to rezone land requires a thorough strategic investigation which needs to consider:

- the Marine and Coastal Act 2018 guiding principles, including the precautionary principle
- the values, uses and objectives for the area
- the local geographic characteristics of the coastline such as ocean exposure (for example open coast or sheltered exposure) and land type (such as sandy, rocky, engineered)
- the role of natural coastal processes and the need to allow for such processes to continue as a cost-effective form of coastal defence against climate change
- the coastal hazard vulnerability and risk for all relevant site values and uses, including:
  - probability, magnitude, frequency and consequences
  - impacts on people, property, communities, infrastructure and environment

[65] Planning Practice Note 53: *Managing Coastal Hazards and the Coastal Impact s of Climate Change,* p.2
[66] Planning Practice Note 53: *Managing Coastal Hazards and the Coastal Impact s of Climate Change,* p.3

- the intended use, design lifespan and value of future development, assessed against the relative risk exposure during that time

- the adaptation options for managing coastal hazard set out in the Marine and Coastal Policy (Department of Environment, Land, Water and Planning, 2020) comprising: non-intervention, avoid, nature-based, accommodate, retreat and protect

- the critical need for coastal protection infrastructure (if the 'protect' pathway is required) and:
  - the type, location and cost of providing and maintaining such infrastructure throughout its intended lifespan
  - proposed actions when the design lifespan has been spent

- the cumulative impact or any flow-on effects of future use and development and any necessary associated protection works to adjacent properties and the coastline

- other identified geotechnical risks or natural hazards such as coastal acid sulfate soils, land subsidence, bushfire

- any other issues relative to the orderly and proper management of use and development within coastal areas such as development within an identified settlement boundary, significant landscapes, native vegetation and cultural heritage.

209 I submit that none of the above considerations have been adequately addressed by the amendment.

The Precautionary Principle, as outlined in the *Marine and Coastal Act 2018*, serves as a guiding framework for managing the state's marine and coastal environments. According to Section 12 of the Act:

> *If there are threats of serious or irreversible environmental and other damage, lack of full certainty should not be used as a reason for postponing measures to prevent environmental or other degradation*.

210 The principle emphasizes that the absence of complete scientific certainty should not delay actions aimed at preventing environmental harm.

211 In this context, it mandates that decision-makers adopt proactive measures to avert potential damage to marine and coastal ecosystems, even when all scientific data is not fully conclusive.

212 I submit the amendment's siting of the IWMS in the low-lying, flood prone conservation reserve is not a proactive measure aimed at preventing environmental harm, nor does it avert reasonably foreseeable risks of coastal inundation.

213 Moreover, the siting of the IWMS is inconsistent with the environmental values and conservation objectives for the area, and likely to:

- impede natural coastal processes, particularly tidal exchange, floodplain connectivity, foreshore erosion and accretion, and wave energy dissipation
- inhibit habitat retreat and wetland formation, and
- make ongoing access and maintenance more difficult and costly.

214 Given the available evidence indicates that much of the constructed wetland is likely to be permanently submerged by rising sea levels by 2100 and beyond, the stormwater treatment system is likely to fail completely without defensive or protective works.

215 I further submit that without ongoing and expensive defensive engineering and maintenance works, the stormwater infrastructure will progressively fail to achieve pollution reduction targets. The resulting negative impacts on the Ramsar wetlands and EPBC-listed migratory bird species of Lake King, are contrary to the environmental objectives and requirements of the Victorian Planning Policy Framework.

216 Overall, the proposed foreshore rezoning is inconsistent with the objectives and planning principles of the *Marine and Coastal Act 2018 (*MAC Act*)*.
The most relevant objectives for the MAC Act in relation to planning and management of the marine and coastal environment of the proposed site include;

> *to protect and enhance the marine and coastal environment, especially Ramsar-listed foreshore area and salt marsh wetlands,*
>
> *to promote the resilience of marine and coastal ecosystems, communities and assets to climate change,*

to respect natural processes in planning for and managing current and future risks to people and assets from coastal hazards and climate change.

Biodiversity risks

217 The Structure Plan was not informed by detailed biodiversity assessments. Instead, the amendment seeks to defer flora and fauna assessments, meaning ecological considerations could be overlooked or improperly mitigated. Rezoning land prior to detailed environmental assessments risks direct, cumulative and synergistic effects on sensitive ecosystems and habitats, contrary to the strategies of clause 12.02-1S:

Minimise direct, cumulative and synergistic effects on ecosystems and habitats.

Maintain the natural drainage patterns, water quality and biodiversity in and adjacent to coastal estuaries, wetlands and waterways.

218 The lack of recent flora and fauna surveys and detailed biodiversity assessments along the foreshore zone is of particular concern given the saltmarsh wetland and coastal grassland is known to support at least eight EPBC-listed migratory species[67], including;

- Red-necked stints
- Sharp-tailed sandpipers
- Red-capped plovers
- Common greenshanks
- Pacific golden plovers
- Grey plovers
- Pied stilts
- Latham's snipe (also listed as Vulnerable under the EPBC Act).

219 Given the foreshore area supports:
a) at least eight protected migratory species (including a migratory species listed as Vulnerable under *the Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act),
b) the land the adjoins the internationally significant Ramsar-listed wetlands of

[67] Birdata database records; BirdLife East Gippsland (2025)

Point Fullarton, and
c) a nationally significant population of Latham's snipe occurs on the adjoining private land,[68] a referral under EPBC Act is warranted prior to the finalisation of the amendment and Development Plan.

220 The failure to consider the impacts of coastal hazards on the proposed reserve, is contrary to the strategies of clause 12.01-1S, namely:

> ***Enhance*** *the ecological values of the ecosystems in the marine and coastal environment [bold font added].*
>
> *Protect and* ***enhance the overall extent and condition*** *of native habitats and species diversity distributions across public and private land in the marine and coastal environment [bold font added].*

221 Minimal climate change adaptation buffers have been provided to allow for habitat retreat as sea levels rise and the foreshore erodes and retreats over time.

222 By 2040, a 20cm sea level rise is projected to inundate about 11ha or about 55% of the proposed 20ha Public Conservation Resource Zone (PCRZ).

223 By 2100, almost the entire crown land reserve (96.8%) will be impacted by the projected 82cm sea level rise and increasingly frequent storm and tide surges, along with almost 40% (1.5ha) of the adjoining Public Park and Recreation Zone (PPRZ). This will result in the overall extant and condition of significant native habitats to decline over time, resulting in a loss of ecological values.

224 As it stands, the proposed amendment will create detrimental cumulative ecosystem impacts and does not support natural processes that build ecosystem resilience to climate change impacts.

225 In accordance with Victorian *Marine and Coastal Act 2018,* the Marine & Coastal Policy (2020) sets out best practice guidelines for managing coastal hazard risk and tackling coastal squeeze, known as the Adaptation Pathway Approach.

226 This approach primarily stipulates non-intervention and avoiding development within or in close proximity to coastal habitats, followed by nature-based

[68] A proposed development on the adjacent 10.7ha property is subject to a "Controlled Action" order under the EPBC Act and currently under review by VCAT Ref: P1514/2023

methods of interventions that aim to create or restore coastal habitats.

227 Nature-based methods, also referred to as ‘nature-based coastal defence' or a ‘living shoreline', is the creation or restoration of coastal habitats for hazard risk reduction. This includes the rehabilitation of existing degraded habitats, restoration of those historically present, or the creation of new habitats in ecologically suitable areas like the Lake King foreshore zone.

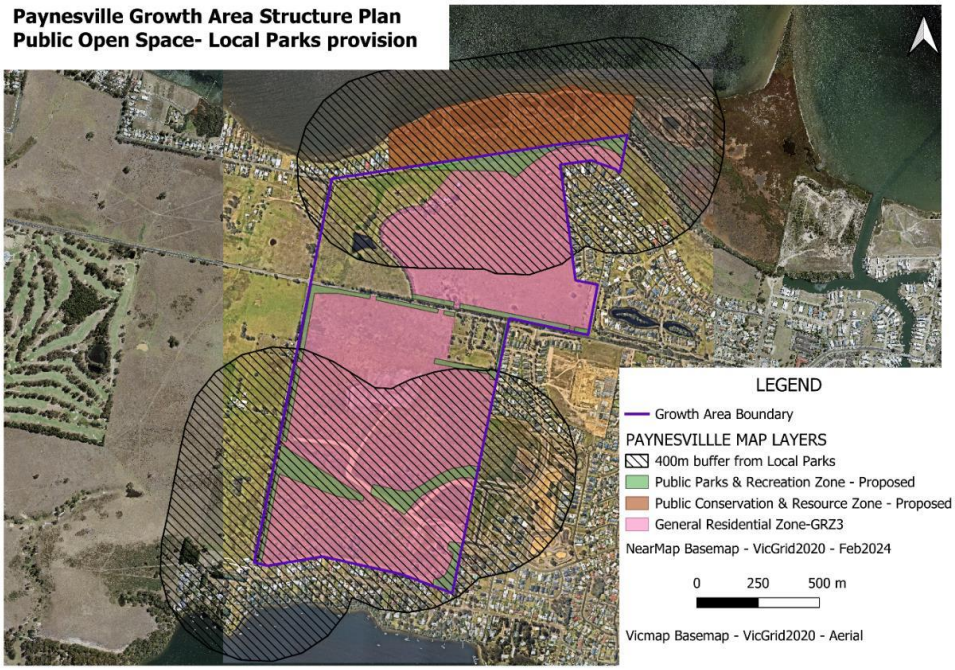
228 The extension and creation of new wetlands within the Lake King foreshore reserve will be critical, as coastal wetland habitats are progressively lost to sea levels rise, and the foreshore recedes further inland.

229 I submit that all the low-lying land adjacent to Lake King would be ideally suited for habitat retreat as sea levels rise, and provide valuable habitats for hazard risk reduction, open space for recreation, and enhancing biodiversity values well into the next century.

230 Given the Planning Policy Framework directs planners to plan for sustainable coastal development, taking a long-term view of the amendment’s potential impacts on the coastal environment is necessary if we expect coastal habitats and settlements to continue to exist beyond 2100.

Does the amendment support the Public Open Space policies and provisions of the East Gippsland planning scheme?

231 The amendment is not consistent with a range of urban landscape provisions and open space policies of the East Gippsland Planning Scheme, as outlined below.



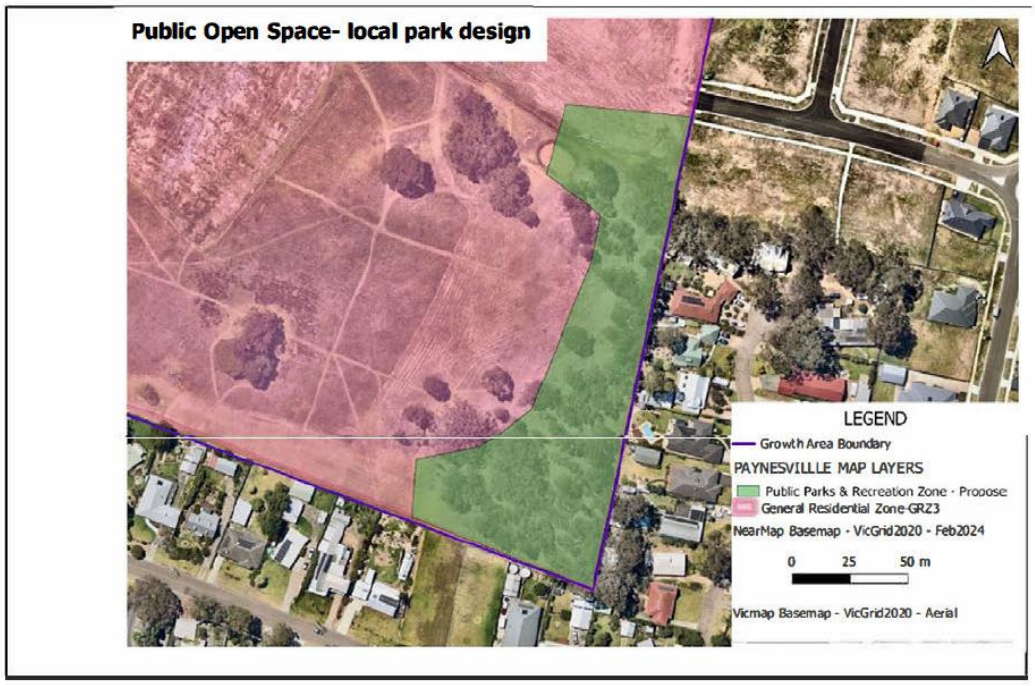
The distribution of local parks does not ensure accessibility within 400m of at least 95 percent of all dwellings, which is contrary to Standard C13 of clause C56.05-2. This is evident in the map above, which applies a 400m buffer from all proposed local park reserves.[69]

Reserve design limitations

Habitat excluded from remnant bushland reserve

232 The 1ha parkland reserve west of Woodland Court and north of Newlands Drive is inconsistent with clause 56.05-1.

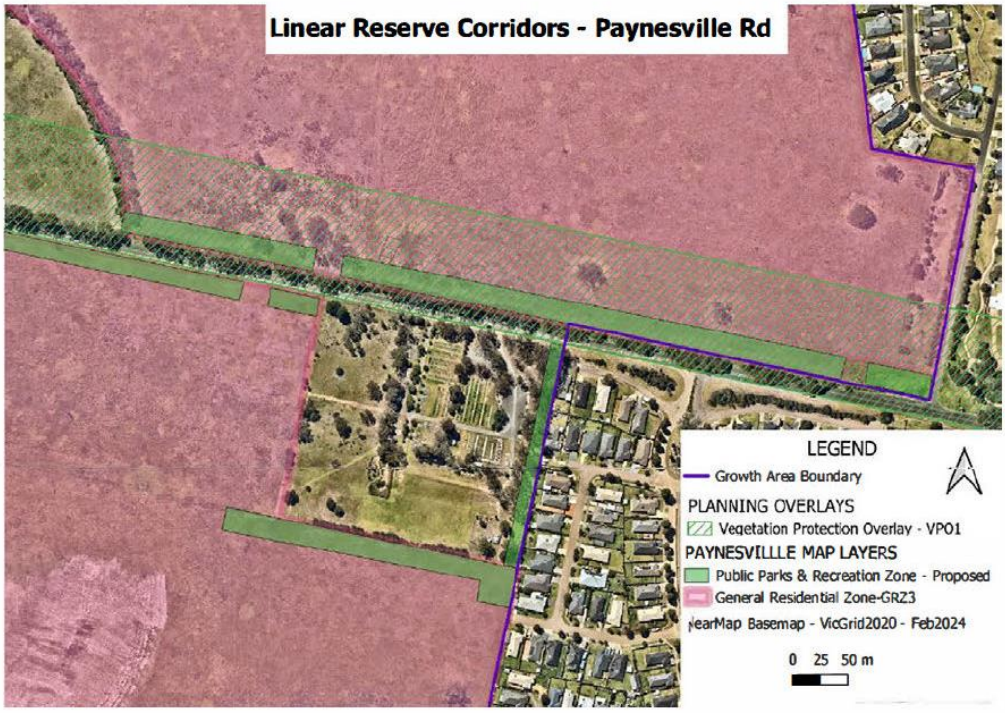
[69] The analysis distinguishes local parks from linear pedestrian and bicycle links given their very distinct landscape character and functions, in accordance with *Planning Practice Note 70: Open Space Strategies* p.4



Clause	Planning policies	Rationale for inconsistency
56.05-1	To incorporate natural and cultural features in the design of streets and public open space where appropriate.	The 1ha tree reserve excludes remnant, large East Gippsland Redgums (Eucalyptus tereticornis subsp. mediana), an endangered tree species important to the coastal / rural character of the town as well as native wildlife.
	To protect and enhance native habitat and discourage the planting and spread of noxious weeds.	The 1ha reserve excludes several adjoining mature native gums that provide important habitat to local fauna species, including the critically endangered Swift Parrot, Yellow-tailed Black Cockatoos and Ringtailed Possums

Inadequate landscape connectivity corridors

233 The 15 meter wide linear reserve corridors (i.e., pedestrian and cycling trails) do not sufficiently meet the open space objectives of clause 19.02-6s nor the objectives of the Tree Protection Overlay (see table on following page).



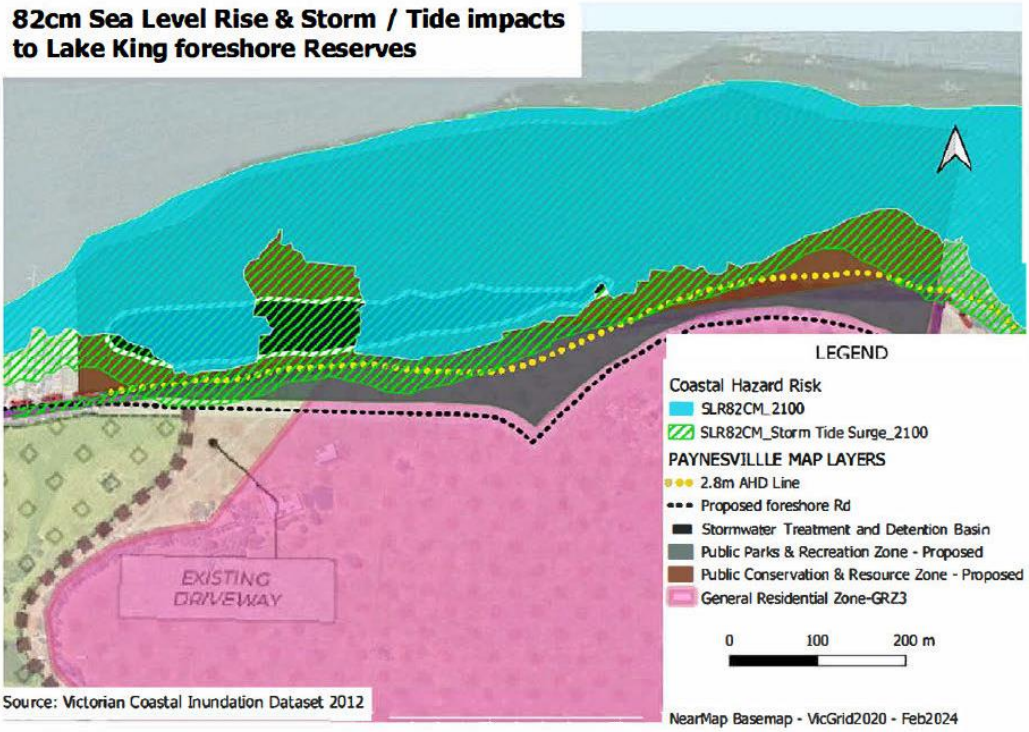
Clause	Planning policies	Rationale for inconsistency
19.02-6s	Ensure that urban open space provides opportunities for nature conservation, to connect with nature and peace and solitude.	The 15m width of the walking and cycling trails located next to busy roads are too narrow to create a sense of peace and solitude in nature. The trail network lacks high amenity.
	Develop open space to maintain wildlife corridors and greenhouse sinks.	The 15m linear reserves are too narrow to function effectively as wildlife corridors or green house sinks

	Plan open space areas for multiple uses, such as....active transport routes and wildlife corridors	A far wider corridor would be more beneficial for both walkers/cyclists and wildlife. Wider wildlife and movement corridors in urban areas are crucial for supporting biodiversity, particularly for bird species. Research indicates that wider corridors tend to support a greater number of bird species, especially forest specialists that are less common in suburban gardens70. These specialists are more likely to move through and inhabit broader corridors (due to less edge effects), highlighting the importance of corridor width in urban planning. Devising an appropriate minimum corridor width requires a flora and fauna assessment to determine the target fauna species which the vegetated corridor is designed to support.

Temporary foreshore conservation and recreation reserves

234 The siting and design of largest public open space recreation reserve is not responsive to coastal hazard risks. Sea Level Rise and coastal inundation and erosion will make it difficult to achieve the open space objectives and strategies of clause 19.02-6S in the long term.

[70] https://www.environment.nsw.gov.au/resources/nature/landholdernotes15wildlifecorridors.pdf



Clause	Planning policies	Rationale for inconsistency
19.02-6S	Plan for regional and local open space networks for both recreation and conservation of	The proposed regional conservation reserve is located on low-lying land along the foreshore to Lake King abutting the Point Fullarton Ramsar

	natural and cultural environments	wetlands. The foreshore is projected to be significantly impacted by sea level rise and coastal erosion, forcing the shoreline to recede towards the recreational reserve and road. By 2100, coastal inundation modelling projects that around : 96.8% of the 20ha conservation reserve will be impacted by the projected 82cm sea level rise and increasingly frequent storm and tide surges, plus almost 40% (1.5ha) of the adjoining public recreation reserve. The provision of public open space along the foreshore is there only temporary, unless far larger reserves are created to account for projected foreshore erosion and inundation.

Poorly integrated foreshore recreation reserves

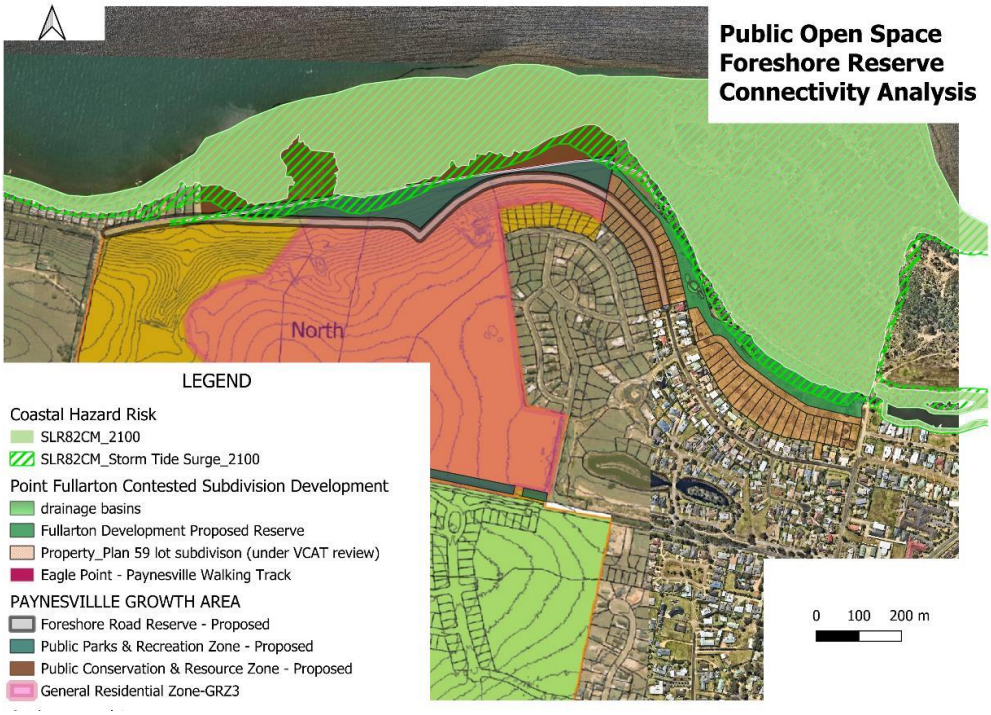
235 The amendment's proposed lake foreshore recreation reserve has poor connectivity with the adjacent property, ending abruptly on a row of lots that form part of a 59 lot subdivision currently under review by VCAT.[71] .

[71] VCAT ref: P1514/2023

The 'waning crescent moon'-shaped foreshore road severely constricts the eastern part of recreation reserve. The reserve does'nt following topographic boundaries, nor do they adeqautely respond to the projected coastal hazard risks. The following three maps show the foreshore reserves from large to smaller scale, zooming into the foreshore zone to show underlying land and development features in greater detail.

236 The 'waning crescent moon'-shaped foreshore road severely constricts the eastern part of the proposed recreation reserve. The reserve does'nt following topographic boundaries, nor does its alignment adeqautely respond to the projected coastal hazard risks.

237 Note the the major projected impact of an 82cm sea level rise on the conservation reserve boundary and total area. When combined with projected

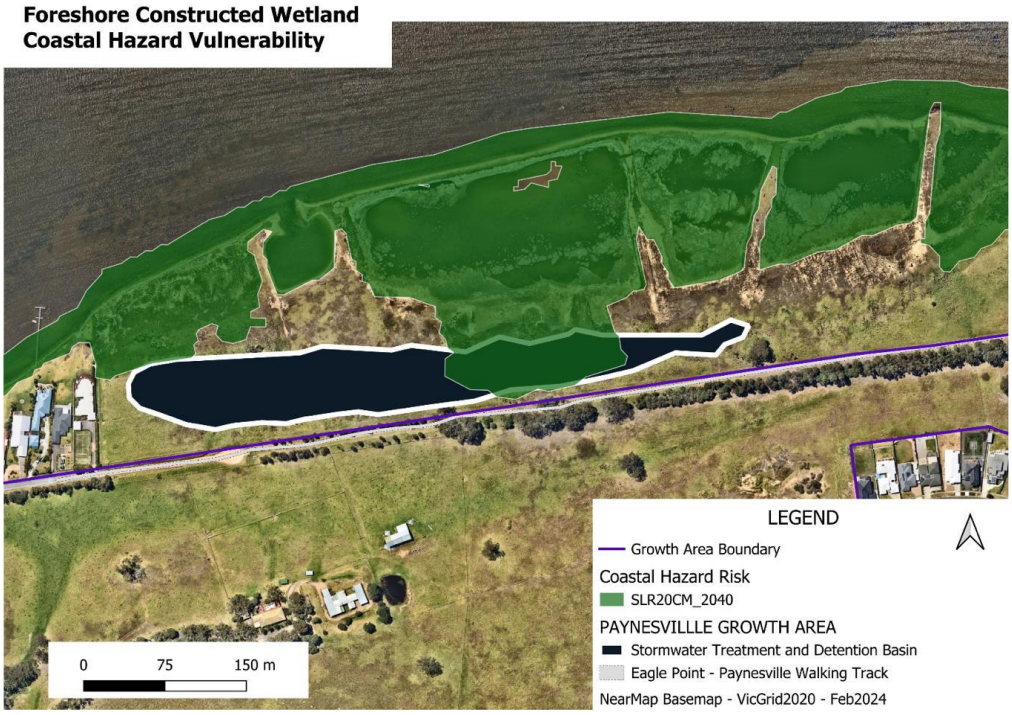


storm and tide surge extent, about 3.2% of the conservation reserve will not be impacted. The full significance of this becomes apparent when one considers the frequency of these extreme weather events is projected to progressively increase because of climate change.

238 As pointed out in paragraph 170, the latest CSIRO 1-in-100 year high sea-level (extreme storm and tide) event projections must be integrated into coastal planning, given the magnitude and frequency of these coastal hazards pose a

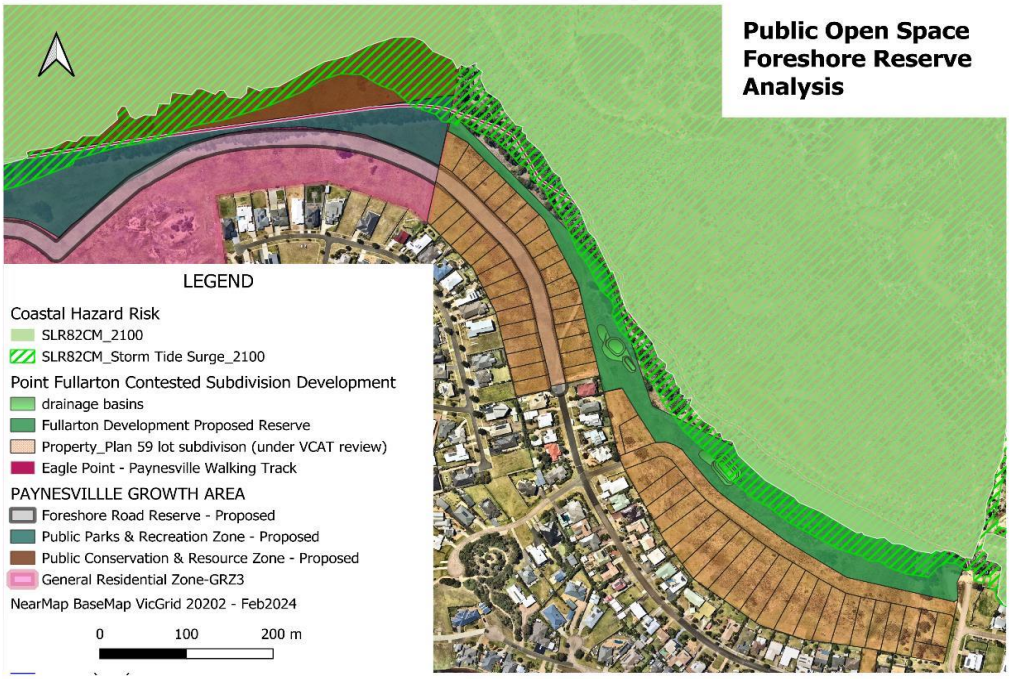
serious risk to foreshore infrastructure assets and significant coastal values .[72]

239 In this context, the foreshore road location and layout demonstrates a very high risk apetite by the planners, leaving minimal buffers or room for increases in sea levels or rates of erosion to overwhelm their coastal planning. In fact, the siting of the storm water assets appears to disregard coastal hazard risks completely. A 20cm sea level rise is projected to impact the constructed wetland by as early as 2040 (see map below).



[72] CSIRO (2022) *Report on the Vulnerability of the Gippsland Lakes Ramsar Site Catchment to Bushfire & Climate Change*; p.62

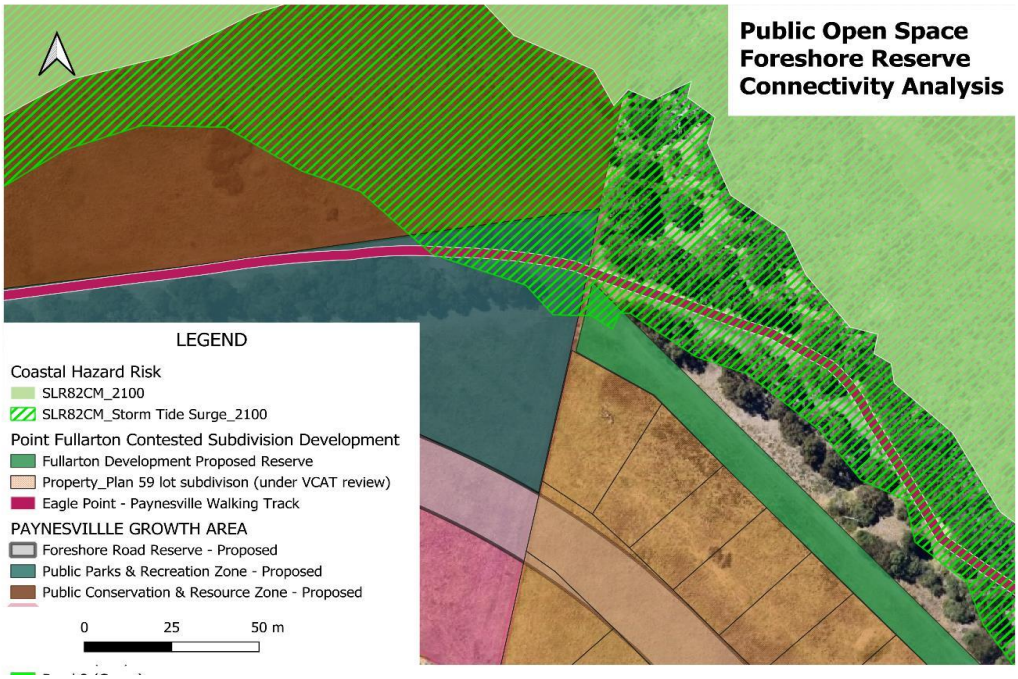
240 It's imperative that shoreline erosion and flood modelling incorporate these projections to more accurately project the impacts of extreme storm/tide events battering the Lake King foreshore every 4 to 36 days (pictured in blue diagonal hatching on these maps).



241 The combination of sea level rise and more frequent storm and tide surges of extreme magnitude, are likely to erode the shoreline faster than previous modelling has suggested. The limitations of the erosion modelling undertaken on the Gippsland Lakes are well known[73], and further studies are needed utilising the latest climate science to update shoreline erosion projections for the Gippsland Lakes, and Paynesville's northern shores in particular.

[73] See Water Technology (2014) *Gippsland Lakes/ 90mile Beach Coastal Hazard Assessment – Report 4: Lakes Shoreline Erosion Hazard;* pp.18, 71

242 Looking closely at the proposed recreation reserve, it's clear that the high level strategic planning has overlooked the importance of landscape buffer widths and maintaining connectivity with abutting subdivisions. This is evident in the map and table below, which clearly show the mismatch between the two proposed recreation reserves below Point Fullarton's Ramsar conservation reserve.



Clause	Planning policies	Rationale for inconsistency
19.02-6S	Ensure that open space networks: Are linked, including through the provision of walking and cycling trails. Are integrated with open space from abutting subdivisions. Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest. Maintain public accessibility on public land immediately adjoining waterways and coasts.	The foreshore conservation and recreational reserves along with the popular Eagle Point - Paynesville walking / cycling track are not resilient to climate risks. Projected sea level rise and coastal inundation erosion are expected to sever the Lake King foreshore walking and cycling trail, with an inadequate buffer to relocate the track to. The main foreshore link to Eagle Point will be lost by 2100, leaving a very narrow 10m approx. wide recreational reserve 'squeezed' between the Point Fullarton residential development and unflooded conservation reserve. The proposed foreshore recreation reserve is poorly integrated with the open space from the abutting subdivision. The northern boundary of the foreshore recreation reserve (approx. 80m wide) joins an abutting 20m wide (approx.) foreshore reserve which narrows to around a 10m width over a short distance (see close-up map). Maintaining public access to the receding Lake King foreshore will become increasingly difficult without major fortification and expensive defensive works. Far wider foreshore buffers are needed to maintain long term public access to the foreshore, and to account for the impacts of coastal

		processes, especially sea level rise, erosion and inundation. In the long term, the proposed reserve design is unlikely to provide a high quality public realm capable of effectively adapting to projected climate change impacts.
19.02-6S	Develop open space to maintain wildlife corridors and greenhouse sinks.	The proposed foreshore wildlife corridors lack climate resilience and are likely to be severely impacted by coastal hazards. In the long term, the inundated reserves cannot function as greenhouse sinks.
19.02-6S	Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.	The loss of public open space to sea level rise and inundation will be challenging to replace with parkland of equal or greater size and quality in close proximity to the growth area.

Loss of the Eagle Point – Paynesville Walking Track

243 The expected loss of the Eagle Point Paynesville Walking track to coastal inundation was recognised by the Key Issues and Responses Report (2015) which was commissioned as part of the scoping studies for the plan. The report noted:

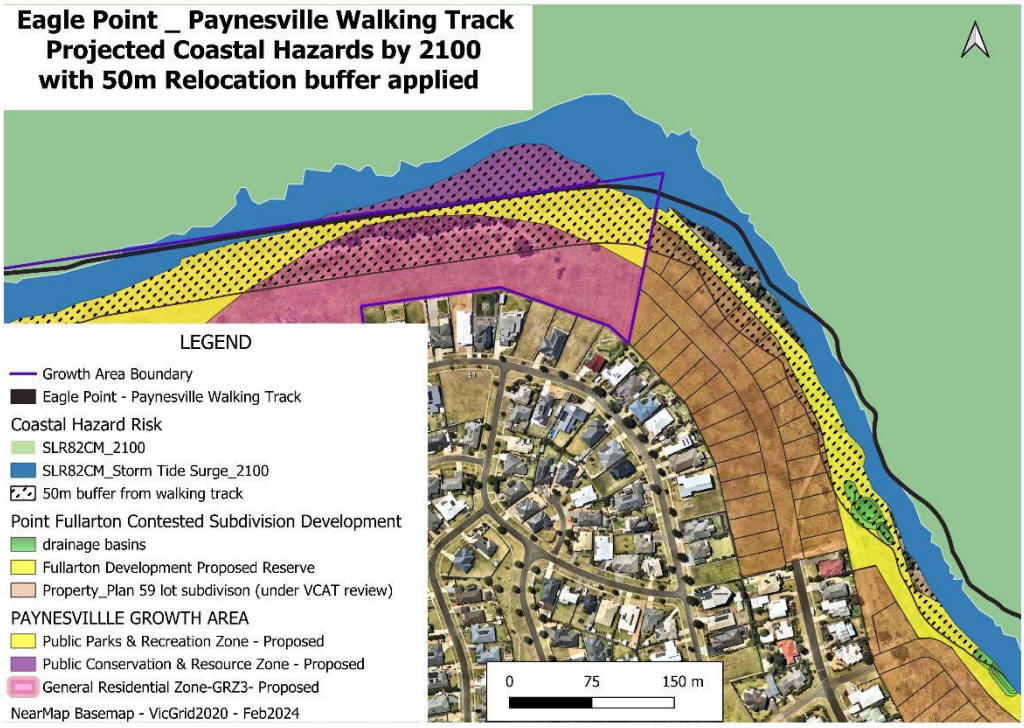
> *Preservation of the wetlands and foreshore area is of the highest priority. The exclusion of low-lying areas adjacent to the foreshore from development will create additional space for a larger vegetated buffer to the south of the existing walking path, from Eagle Point to Paynesville, adjacent to Lake King.*
>
> *By relocating the walking path approximately 50 metres inland, an area would be created to allow for the "retreat" of vegetation from the*

shoreline, a realigned path and the planting of a wider corridor between the foreshore and future private development

The pedestrian connection and foreshore vegetation need a slightly wider corridor to allow for vegetation "retreat" and public use.

244 Unfortunately, the 50m inland realignment of the walking track was not incorporated into the plan nor applied in the neighbouring foreshore GRZ. The end result is a 59 lot development approved in the adjoining property below Fullarton Rd within 25m of the recently approved housing lots, inhibiting the 50m inland walking track realignment.

245 The amendment's proposed rezoning indicates that a strategic choice was made to squeeze in residential lots on the gently sloping, north facing lots rather than create a wider vegetated corridor to accommodate the realigned walking path.



246 Instead of a more substantive foreshore parkland running along the same contour line, to form a reserve of consistent width and slope along its southern boundary; a 'waning crescent moon' shaped road is instead pushed deeply down the slopes to within 10m of the conservation reserve; resembling a reserve that's had a large bite cut out of it.

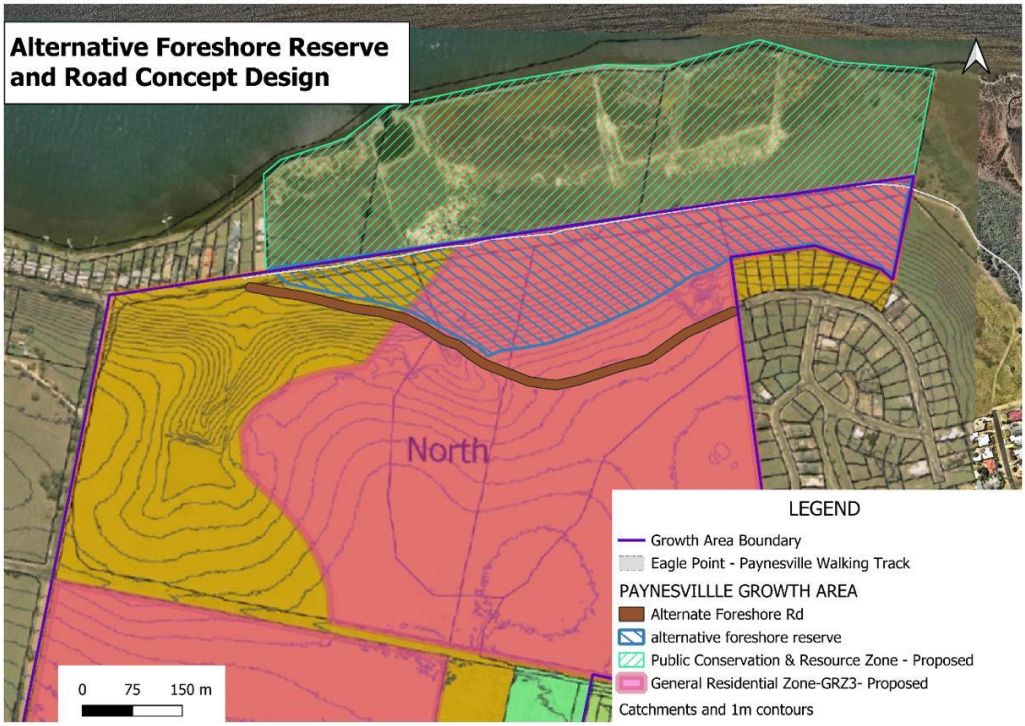
247 This is a striking example of a foreshore development working against, rather than with, the underlying topographic features and coastal hazard constraints of the land.

248 The end result of this poorly integrated coastal zone plan, is a highly irregular and unappealing recreational foreshore reserve that doesn't follow the topographic or natural features, nor responds positively to the projected coastal hazard risks.

249 The eastern end of the foreshore parkland and recreation reserve, impeding the natural flow of parkland and providing very little room for vegetation to retreat to as sea levels rise and the shoreline erodes and recedes.

250 By rejecting the recommendation to create a 50m buffer for habitat retreat, by the year 2100, very little unflooded land will remain to relocate the walking track to or to provide an adaptation buffer for the Ramsar wetlands.

Towards an integrated coastal zone plan



251 A far more integrated road and reserve design (see map above) would follow the contour boundaries of the existing development and relocate the road to the ridgetop, thereby creating a contiguous and integrated foreshore reserve that is more responsive to the projected coastal hazards, and is far more sympathetic to the coastal character and high conservation values of the land

252 Moreover, the larger recreation reserve could then accommodate the north catchment's stormwater assets, removing them from the conservation reserve and therefore away from the projected coastal hazard zone.

253 I submit that the benefits of this development approach– being far greater climate resilience, ecological sustainability and enhanced coastal character– far outweigh the costs resulting from a modest reduction in overall lot yield.

254 On balance, this proposal would achieve substantially greater net community benefit, aligning with broader planning objectives, such as sustainability, liveability and amenity, and accessibility than what's offered by the amendment's zoning and overlay controls.

4. CONCLUSION

255 The amendment, in its current form, fails to adequately address coastal hazard risks, environmental protection, and neighbourhood character.

256 It overlooks the need for transparent and enforceable building envelope guidelines, comprehensive and up-to-date flood studies, and foreshore buffer zones that account for climate change impacts.

257 The proposed Development Plan Overlay (DPO) grants excessive discretionary powers, undermining public transparency and accountability.

258 A more precautionary, evidence-based approach—including updated climate risk assessments, strategic zoning adjustments, and robust environmental assessments and protections—is necessary to safeguard Paynesville's coastal identity, resilience, and long-term sustainability.

Background

Friends of Gippsland Lakes (FOGL) is an incorporated not-for-profit association committed to protecting and enhancing the environmental and landscape values of the Gippsland Lakes.

FOGL members are passionately committed to making a positive and constructive contribution to our local neighbourhoods and wider bioregion. We actively engage with local government and agencies, community groups, scientists and other local residents on issues and projects that impact the wellbeing of the Gippsland Lakes and its coastal communities.

www.fogl.org.au

Submission 66

From: [redacted]
To: Strategic Planning
Subject: Cl72egip
Date: Wednesday, 29 January 2025 1:14:42 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Good Morning,

In relation to the proposed amendment as loosely outlined in Cl 72 egip.

We have concerns around the seemingly lack of investigation as to what the Paynesville community should look like and become in the future.

The pressure on existing infrastructure ie water, sewage treatment, Health services, schools etc. does not benefit by allowing residential development to be demined by developers who wish to maximise a return on their investment at the expense of neighbourhood character.

We already have a budding ghetto in the "Coast" development where housing on small blocks has led to a cheap charmless streetscape, the town would not be served well by a repetition of this style of development.

The land adjacent to the Paynesville Road and Grandview Road access to town should not be turned into a Lyndhurst style streetscape but should have larger building blocks fronted by a vegetation corridor and cycle/pedestrian access of at least 20 metres.

Within the proposed residential areas the majority of blocks should be a minimum size of 750m2.
Within a given number of blocks in an envelope (say12 for example) it would be reasonable to have 3 blocks at 500m2 and 3 blocks at 900+m2 to create diversity within the streetscape.

Minimum standards for the layout of blocks size needs to be mandated and not left to profiteers who will cut and run leaving a substandard Lyndhurst development style in a very special lakeside town with a rural history and heritage to protect.
Once the blocks are planned and titled there cannot be any further splitting of blocks allowed, as is happening within the Ilfracombe Street /King Street extension precinct.

Developers cannot be allowed to dictate what our town is to become, less blocks more green space are the minimum, let alone future needs such as schools, pedestrian/cycle access, wildlife corridors etc.

And the proposed school which seem to have disappeared since the last planning proposal?

We are still waiting for the gazetted footpath on Newlands Drive, in a street with a decent population of aging residents who are forced to walk/use mobility aids on the road.
In addition to the Sunset Cove walking track being not at all maintained and covered in hazards even for fit and mobile let alone for folk with mobility issues.

Back to the main game the town access roads need to visually pleasing highlighting our rural lakeside vibe.

kind regards,

[redacted]

Submission 67

From: [redacted]
To: Strategic Planning
Subject: Planned land developments in Paynesville
Date: Thursday, 30 January 2025 4:16:09 PM

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it may concern.
I wonder if Council has put consideration of infrastructure into the planned land developments.
There is much talk of new housing developments, but nothing addressing infrastructure.
My concern is with the increase in residential properties, that in the event of a catastrophe, there is only one road to exit Paynesville. Has any consideration been given to this? Also, the road is not built to carry a large constant traffic stream. Plus, amenities such as doctors, dentists ,schools, improved parking.
These facilities are already stretched.

While I realise growth is needed, it seems that the emphasis is on how many houses can be built on the smallest of blocks, without regard for the “bigger picture”.
We moved to this area precisely because of its semi rural appeal, which has already been altered to mimic a typical inner suburb.
I hope more consideration is given to the plan before it is implemented to the detriment of the area. It will no longer be appealing for visitors to holiday here, if it looks just like the suburbs.
Thank you, [redacted].
Sent from my iPad

Submission 68

From: [redacted]
To: Strategic Planning; EGSC Feedback; Cr John White; Cr Sonia Buckley
Subject: Planning Scheme Amendment C172 Feedback
Date: Thursday, 23 January 2025 4:21:04 PM

[Some people who received this message don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Dear Sir/Madam

I would like to forward my concerns with regard to the upcoming amendments.
I believe these changes have been put forward without sufficient community engagement as many aspects of these changes will adversely affect our area.

As a town with one way in and out on a single road in the event of a bushfire the risk to public safety will be magnified tremendously with increases of this scale, not to mention the seemingly lack of forethought with congestion with how the roads will connect. I am fully conversant with it is not within your parameters to be responsible for the roads size but you have a duty of care and need to base your plans on current and future road use.

Secondly, there seems to be little or no planning with regard to infrastructure or payment for future infrastructure. Surely it is the responsibility of council to ensure all these costs are distributed on developers as well as rate payers. We as local residents seem to be offered less services in the area and bear the brunt of changes with no benefits to the community in return. Where are the parks, playgrounds or medical facilities?

Thirdly l have concerns with the demands already on our sewerage capabilities and the risks to our beautiful water ways. I have personally witnessed overpowering smells this summer as a result. I think we need further evidence from our planners demonstrating how we will cope with this level of development.

We all agree we need more housing but why when we have large parcels of land are we looking to make only small block sizes when we are trying to keep neighbourhood character with diversity to accomodate more socioeconomic groups and household types.

I believe we need the planning based on available resources which are readily available and use best practice, not use old statistics because we can.
[redacted]

Sent from my iPad

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Submission 69

Our Ref: 24020

31 January 2025

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

Kellinde Chester
East Gippsland Shire Council
Strategic Planning Coordinator
PO Box 1618
Bairnsdale Vic 3875

Dear Kellinde,

Re: Submission in response to Proposed Planning Scheme Amendment C172egip to the East Gippsland Planning Scheme
Land: 5 Grandview Road, Paynesville

We act for [redacted] the owner of land known a[redacted]

[redacted] comm[redacted]sland Shire Council (Council[redacted]ent C172egip. We have reviewed the amendment materials and welcome the opportunity to provide our feedback through this submission. [redacted] look forward to continuing to work with the Council and other stakeholders in progressing this important initiative.

Amendment C172 relevantly seeks to implement the recommendations of the *Paynesville Growth Area Structure Plan* (PGASP), as adopted by the Council in 2015, and make the following changes to the *East Gippsland Planning Scheme* (Scheme), amongst other things:

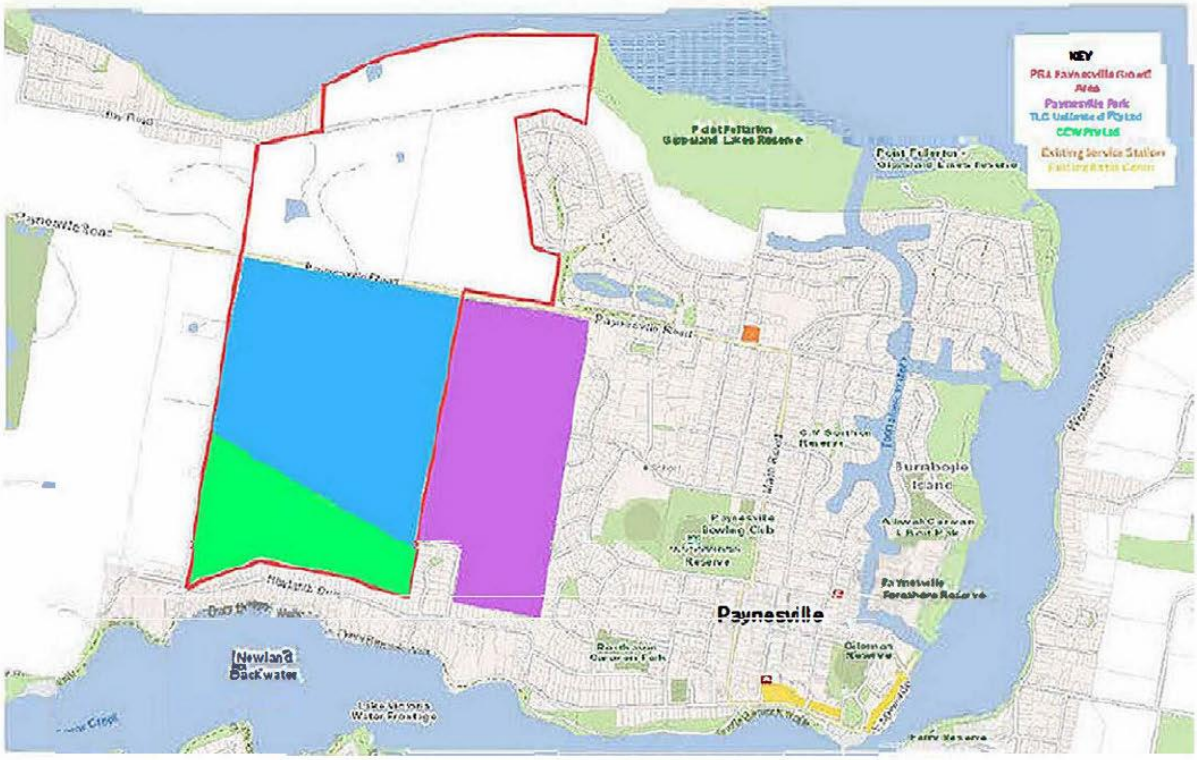
- Amend clause 11.01-1L-02 (*Growth Area Towns – Paynesville*);
- Insert the *General Residential Zone – Schedule 3 – Paynesville Growth Area* (GRZ3);
- Rezone the Land from the Farming Zone to GRZ3;
- Insert the *Development Plan Overlay – Schedule 10 – Paynesville Growth Areas* (DPO10); and
- Amend the Schedule to Clause 72.08 (Background Documents) to include the PGASP as a background document.

[redacted] is a significant land holder within the PGASP Precinct, comprising an area of approximately 60 hectares as outlined in blue on the Key Map 1 below.

48 Bailey Street, Bairnsdale VIC 3875 03 5152 4858 admin@devsolvic.com.au www.devsolvic.com.au

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Key Map 1.



[redacted] the adjoining Paynesville Park Residential development, to the east of the PGASP area. Paynesville Park is a land subdivision comprising approximately 200 lots developed and sold over the last five or so years.

The Paynesville Park development is now nearing completion, and it is important that further opportunities are facilitated, generally in accordance with the PGASP, to contribute to much-needed housing supply in Paynesville and the region.

In respect of a matter of detail, [redacted] notes the following in respect of Clause 4 of DPO10, and submits that it should be amended as follows (refer to underlining): "A single Development Plan must be prepared to the satisfaction of the Responsible Authority for the whole of the land to which this Schedules applies".

We would appreciate a copy of all submissions filed during the public exhibition period to ensure that [redacted] has an opportunity to consider and respond to those matters as appropriate.

Please keep us informed of Council's progress and any key dates moving forward.

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

If you have any question regarding our submission, please do not hesitate contact me on (03) 5152 4858 or [redacted]

Regards,

[redacted]
Development Solutions Victoria

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Our Ref: 24020

06 March 2025

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

Kellinde Chester
East Gippsland Shire Council
Strategic Planning Coordinator
PO Box 1618
Bairnsdale Vic 3875

Dear Kellinde,

Re: Addendum to Submission in response to Proposed Planning Scheme Amendment C172egip to the East Gippsland Planning Scheme
Land: 5 Grandview Road, Paynesville

We continue to act for [redacted] the owner of land known as [redacted]

This submission serves as an addendum to our original submission dated 31 January 2025 in response to the proposed Planning Scheme Amendment C172egip to the East Gippsland Planning Scheme.

The Applicant submits the following additional matters for Council's attention:

1. Clause 11.01-1L-02 (Growth area towns – Paynesville)

   In relation to page 9 of 26 of **Clause 11.01-1L-02 (Growth area towns – Paynesville),** the following amendments are requested:

   a. The following strategy under the "*Strategies – Paynesville*" section:

      Provide a spacious residential character with a variety of lot sizes and housing types to meet community needs.

      be amended as follows:

      Provide a variety of lot sizes and housing types to meet community needs.

   b. The following guideline under the "*Policy guideline – Paynesville*" section be deleted:

      ~~*Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8-10 lots per hectare.*~~

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

It is respectfully submitted that it is premature and unnecessary to specify these densities when the Development Plan Overlay contemplates that the Development Plan must provide a layout that includes a range of lots sizes and densities which provide the opportunity for a diverse range of housing types. In other words, it is considered that the precise details should be assessed at the appropriate time (i.e. during the preparation of the Development Plan and permit application stage).

Further, the subject guideline should not conflict or compromise other strategies in clause 11.01-1L-02. For instance, there might be circumstances where the subject guidelines would contradict the strategy to *"promote higher residential densities in proximity to areas of high amenity in particular the activity centre, open space and recreational areas".*

2. Cultural Heritage (Development Plan Overlay - Schedule 10 – *Paynesville Growth Areas*)

Clause 4 of the proposed Development Plan Overlay – Schedule 10 (**DPO10**) provides as follows:

> *To provide a cultural heritage assessment prepared by a suitably qualified professional including how Aboriginal cultural heritage places will be managed.*

It is respectfully submitted that the "cultural heritage assessment" is not a separate type of assessment that is defined nor recognised in the *Aboriginal Heritage Act 2006 or the Aboriginal Heritage Regulations 2018.* Accordingly, it is proposed that the subject cultural heritage requirement should be deleted in the DPO10, since any cultural heritage matters are already governed by the relevant legislation (identified above).

We thank the Council for providing us with an opportunity to raise these additional matters.

Please keep us updated on Council's progress of the Proposed Planning Scheme Amendment C172egip and key dates moving forward.

If you have any question regarding this addendum or our original submission, please do not hesitate contact me on (03) 5152 4858 or [redacted].

Regards,

[redacted]

[redacted]
Development Solutions Victoria

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Submission 70

Our Ref: 24021

31 January 2025

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

Kellinde Chester
East Gippsland Shire Council
Strategic Planning Coordinator
PO Box 1618
Baimsdale Vic 3875

Dear Kellinde,

Re: Submission in response to Proposed Planning Scheme Amendment C172egip to the East Gippsland Planning Scheme
La[redacted]nesville [redacted]

[redacted]act for [redacted] the owner of land known as [redacted]

[redacted]commends the East Gippsland Shire Council (Council) on the exhibition of Amendment C172egip. We have reviewed the amendment materials and welcome the opportunity to provide our feedback through this submission. We look forward to continuing to work with the Council and other stakeholders in progressing this important initiative.

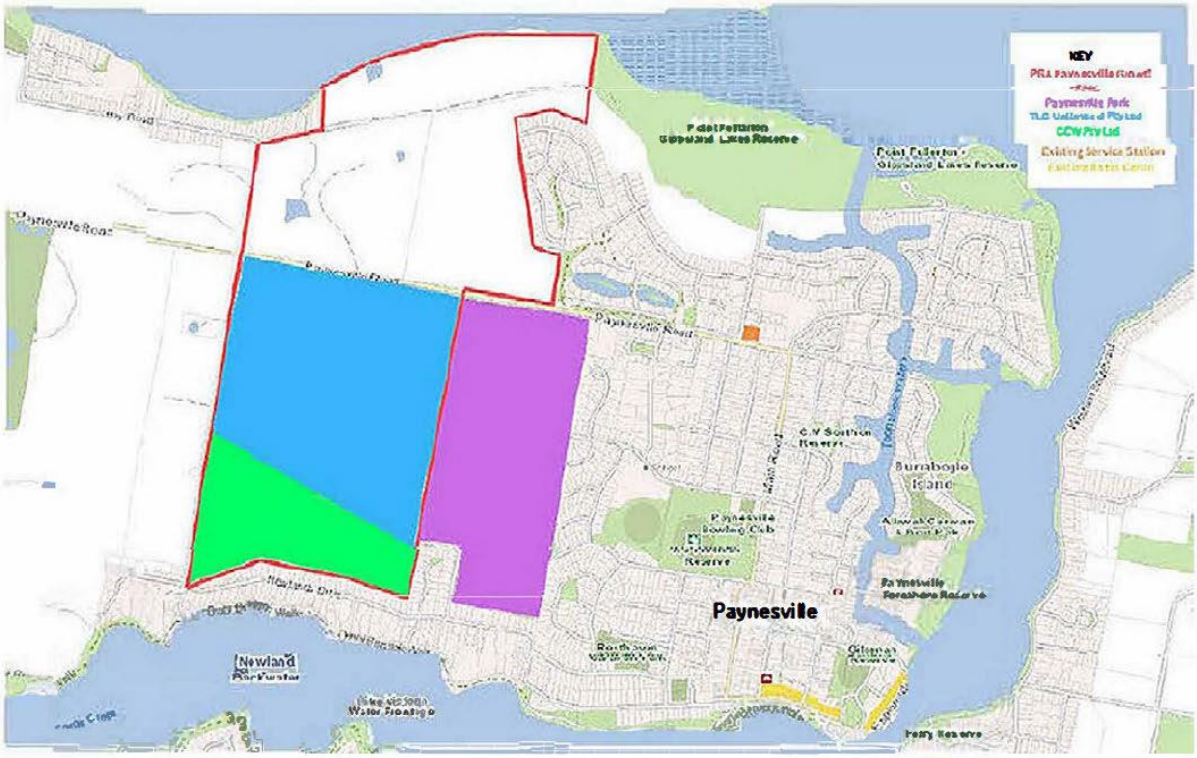
Amendment C172 relevantly seeks to implement the recommendations of the *Paynesville Growth Area Structure Plan* (PGASP), as adopted by the Council in 2015, and make the following changes to the *East Gippsland Planning Scheme* (Scheme), amongst other things:

- Amend clause 11.01-1L-02 (*Growth Area Towns – Paynesville*);
- Insert the *General Residential Zone – Schedule 3 – Paynesville Growth Area* (GRZ3);
- Rezone the Land from the Farming Zone to GRZ3;
- Insert the *Development Plan Overlay – Schedule 10 – Paynesville Growth Areas* (DPO10); and
- Amend the Schedule to Clause 72.08 (Background Documents) to include the PGASP as a background document.

[redacted] the southernmost area of the PGASP precinct, comprising an area of approximately 24 hectares as outlined [redacted]reen on the Key Map 1 below.

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Key Map 1.



[redacted]e adjoining Paynesville Park Residential development, to the east of the PGASP area. Paynesville Park is a land subdivision comprising approximately 200 lots developed and sold over the last five or so years.

The Paynesville Park development is now nearing completion, and it is important that further opportunities are facilitated, generally in accordance with the PGASP, to contribute to much-needed housing supply in Paynesville and the region.

In respect of a matter of detail, [redacted]notes the following in respect of Clause 4 of DPO10, and submits that it should be amended as follows (refer to underlining): "A single Development Plan must be prepared to the satisfaction of the Responsible Authority for the whole of the land to which this Schedules applies".

We would appreciate a copy of all submissions filed during the public exhibition period to ensure that [redacted]has an opportunity to consider and respond to those matters as appropriate.

Please keep us informed of Council's progress and any key dates moving forward.

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

If you have any questions regarding this submission, please do not hesitate contact me on (03) 5152 4858 or [redacted]

Regards,

[redacted]
Development Solutions Victoria

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Our Ref: 24020

06 March 2025

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

Kellinde Chester
East Gippsland Shire Council
Strategic Planning Coordinator
PO Box 1618
Bairnsdale Vic 3875

Dear Kellinde,

Re: Addendum to Submission in response to Proposed Planning Scheme Amendment C172egip to the East Gippsland Planning Scheme
Land: [redacted]

We continue to act for [redacted] the owner of land known as [redacted].

This submission serves as an addendum to our original submission dated 31 January 2025 in response to the proposed Planning Scheme Amendment C172egip to the East Gippsland Planning Scheme.

The Applicant submits the following additional matters for Council's attention:

1. Clause 11.01-1L-02 (Growth area towns – Paynesville)

   In relation to page 9 of 26 of **Clause 11.01-1L-02 (Growth area towns – Paynesville),** the following amendments are requested:

   a. The following strategy under the "*Strategies – Paynesville*" section:

      Provide a spacious residential character with a variety of lot sizes and housing types to meet community needs.

      be amended as follows:

      Provide a variety of lot sizes and housing types to meet community needs.

   b. The following guideline under the "*Policy guideline – Paynesville*" section be deleted:

      ~~*Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8-10 lots per hectare.*~~

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

It is respectfully submitted that it is premature and unnecessary to specify these densities when the Development Plan Overlay contemplates that the Development Plan must provide a layout that includes a range of lots sizes and densities which provide the opportunity for a diverse range of housing types. In other words, it is considered that the precise details should be assessed at the appropriate time (i.e. during the preparation of the Development Plan and permit application stage).

Further, the subject guideline should not conflict or compromise other strategies in clause 11.01-1L-02. For instance, there might be circumstances where the subject guidelines would contradict the strategy to "*promote higher residential densities in proximity to areas of high amenity in particular the activity centre, open space and recreational areas*".

2. Cultural Heritage (Development Plan Overlay - Schedule 10 – *Paynesville Growth Areas*)

Clause 4 of the proposed Development Plan Overlay – Schedule 10 (**DPO10**) provides as follows:

> *To provide a cultural heritage assessment prepared by a suitably qualified professional including how Aboriginal cultural heritage places will be managed.*

It is respectfully submitted that the "cultural heritage assessment" is not a separate type of assessment that is defined nor recognised in the *Aboriginal Heritage Act 2006 or the Aboriginal Heritage Regulations 2018.* Accordingly, it is proposed that the subject cultural heritage requirement should be deleted in the DPO10, since any cultural heritage matters are already governed by the relevant legislation (identified above).

We thank the Council for providing us with an opportunity to raise these additional matters.

Please keep us updated on Council's progress of the Proposed Planning Scheme Amendment C172egip and key dates moving forward.

If you have any question regarding this addendum or our original submission, please do not hesitate contact me on (03) 5152 4858 or [redacted].

Regards,

[redacted]
Development Solutions Victoria

Submission 71

From: [redacted]
To: Strategic Planning
Cc: Cr Sonia Buckley; Cr John White
Subject: Opposition to C172egip
Date: Friday, 31 January 2025 11:09:23 AM

Some people who received this message don't often get email from [redacted]. Learn why this is important.

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Good morning,

After doing much research into this proposed development, I state the following:

- I have many issues with the proposed development in its present form.

1. The plan is extremely outdated with the use of "studies" completed over 10 years ago. Eg: the traffic study is from 2016 and based on the 2011 census, not accounting for the towns already grown population. Many of the "studies" are from the same era and inadequate.
2. The plan does not properly address key issues such as flooding, traffic, natural values, and neighbourhood character.
3. The proposed GZR3 zoning will allow higher density housing, and in doing so changing Paynesville from a "small lake side town" (which the proposal states it is trying to protect!) into a generic suburb, losing all of our coastal and rural charm.
4. The plan does not provide anywhere near enough parks or open spaces. Wildlife habitats will be lost.
5. The plan does not properly consider rising sea levels, nor extreme weather events. Scientific projections have to date already been surpassed, and with future projections indicating widespread sea level rises and increased storm surges, in low lying areas by 2040, this is a major concern for critical infrastructure.
6. Lack of public services. The plan has no updated social impact study on whether healthcare, police, public transport, childcare, schools, can support the projected addition of residents. These facilities need to be made available PRIOR to increasing the population. The council has allowed several over 50's and retirement developments to be passed in the area which is of major concern to our already struggling medical system.
7. One of my biggest beefs with this proposal in the DPO which removes public notification and objection rights, meaning Paynesville residents have no community input to the development of their town. The overlay basically gives total power to the council, and favours developers over community interests

- As a Paynesville resident whose property backs onto the proposed development, I have many issues. The "Eagle Bay Village" estate, as council is fully aware, already has extreme flooding problems. I am yet to see any sort of realistic plans or studies that address this and the development of a new estate with vastly increased run off and storm water.

- Paynesville has always had a unique rural drive into the town through beautiful gum lined, fauna filled streets. To alter this in the present proposed form would be a travesty. We all reside in Paynesville because we enjoy its rural country town feel, and the fear is this is all about to change into more like a suburban sprawl.

Needs to happen:

- Retain Paynesville's beautiful coastal and rural character.
- Change proposed zoning from GRZ3 to Neighbourhood Residential Zoning, keeping larger lot sizes.
- All studies on flooding, traffic, environmental impact, and public services need to be redone and updated to the present time.
- Better park areas need to be incorporated
- Wildlife and habitat protection revised
- More sustainable drainage systems than is proposed.
- REMOVAL OF ANY DPO so that residents are notified and may have a say in any future planning decisions.

PLEASE DON'T TURN PAYNESVILLE INTO "JUST ANOTHER SUBURB".

[redacted]

Submission 72

From: [redacted]
To: Strategic Planning
Subject: Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan
Date: Friday, 31 January 2025 2:07:36 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

To: Strategic Planning Department
East Gippsland Shire Council
PO Box 1618, Bairnsdale, Victoria, 3875

RE: Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan

Please find herewith my comments and objection to the above.
Firstly could you please clarify which version of the plan has been reviewed by Council. The EGSC website states that the Council adopted the PGASP in 2016 however the gazetted version was updated in December 2023.

I oppose the amendment on a number of grounds.

1. Problems with the Development Plan Overlay (DPO)
   - The implementation of this DPO removes public notification and objection rights. As members of this community, all residents should have the right to continued input into future planning applications
   - The overlay and numerous maps include a large area west of Grandview Road labelled "Future Employment and Emergency Services Area". In prior versions of the structure plan, this was labelled as an "Industrial zone", which was strongly opposed however it remains and has just been renamed.
   - The overlay lacks enforceable specific rules on housing density, lot sizes, and design controls. This favours developers over community interests and creates enormous uncertainty about the future character of Paynesville.

2. Loss of Paynesville's Unique Character
   - The new General Residential Zone 3 area will allow higher density housing look like a generic suburb, losing the town's coastal and rural charm.
   - Fixed limits should be implemented to protect streetscapes, encourage vegetation and scenic open views and maintain a low-density feel.

3. Increased Traffic and Poor Road Planning
   - The plan refers to a 2016 traffic study which used 2011 census data. Consequently it does not account for the town's growing population. Traffic has noticeably increased since the occupation of the new estates, so the plan should mandate wide road reserves

- It should also include a Paynesville wide plan for connected cycling and pedestrian tracks/footpaths.
  Current tracks are poorly maintained and are not connected forcing people to use the road.
  All arterial roads should be wide enough to allow the new legal requirement of 1.5 metres safe distance between vehicles and cyclists.
  The aging demographic and increase in traffic will only make this situation more dangerous

3. Risk of Flooding and Climate Change Impacts
   - The plan does not adequately address rising sea levels, extreme weather events and bush fire mitigation.

   - Scientific projections indicate that rising sea levels and increased storm surges will result in widespread flooding in low-lying areas by 2040, with extensive flooding of infrastructure, public spaces and valuable habitats expected by the turn of the century. In particular the plan area east of Grandview and north of Newlands Drive includes a low lying marshy area which needs extra storm water drainage to adequately handle stormwater. This should be clearly identified in the plans so future developers are forced to add adequate stormwater handling.

4. Lack/Upgrade of Public Services (Health, Safety, Transport, Utilities)
   - No updated social impact study on whether healthcare, police, public transport, childcare, schools can support more residents.

   - The council has not planned for more doctors, emergency services, or public transport.

   - No mention of sewage upgrades for the overloaded pumping stations and treatment plant which has already resulted in spills into the Gippsland lakes.
   - No allowance for dedicated utility corridors for increased sewer, water and electricity infrastructure

5. Green Spaces and Wildlife Impact
   - The plan does not provide enough parks or open spaces.

   - Wildlife habitats including corridors to connect north and southern areas are required to encourage and protect native fauna and flora.

Given the above I would like this proposal to be totally abandoned.

The planning authority should restart the process and this time seriously consider and act on all input obtained via community consultation.

Regards

Crowther & Sadler Pty Ltd A.B.N. 81 660 442 982

LICENSED SURVEYORS & TOWN PLANNERS

Submission 73

Our ref: 20369

31 January 2025

Strategic Planning Team
East Gippsland Shire Council
Via email: strategicplanning@egipps.vic.gov.au

Attention: Martin Richardson

Dear Martin,

Re: Planning Scheme Amendment C172egip
Implementation of the Paynesville Growth Area Structure Plan

This submission is made on behalf of [redacted] the owners of a number of strategically significant parcels of land within Paynesville, described as follows:

[redacted]

Our Client is an experienced growth area land developer specialising in residential estates, with a particular interest in the development of regional Victoria. Their purchase of these properties was informed by the strategic work undertaken by Council planning for the westerly expansion of Paynesville, in accordance with the ***Paynesville Growth Area Structure Plan*** (July 2016) ('PGASP'), as adopted by Council on 2 August 2016.

Our client is therefore supportive of C172egip and is actively working with other affected landowners to ensure the timely delivery of residential growth upon the adoption of the amendment. However, we would like to highlight some changes we believe will benefit the amendment, with further clarification of Council's expectations in relation to the following:

- Schedule 10 to the Development Plan Overlay
- Foreshore Improvement and Management Plan
- Density of development
- Three-dimensional building envelopes
- Cultural Heritage

152 Macleod Street
Bairnsdale VIC 3875

PO Box 722
Bairnsdale VIC 3875

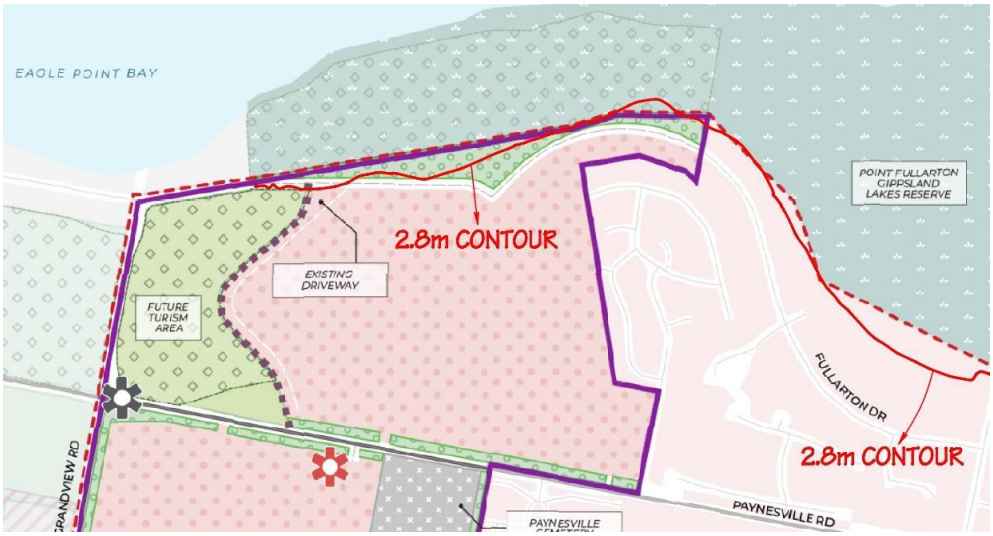
Ph. 03 5152 5011
E: contact@crowthersadler.com.au

Schedule 10 to the Development Plan Overlay ('DPO10')

Proposed mapping for DPO10 currently excludes land at [redacted], however multiple requirements within DPO10 specifically relate to this property. It is illogical for Property 3 is 'out' for the proposed DPO10 mapping, but 'in' for the proposed DPO10 ordinance..

We recommend that Diagram 1 of DPO10 be updated to include the 2.8m AHD contour as located by survey, to reinforce that the amendment has had significant regard for the impacts of coastal climate change.

The following diagram has been annotated to demonstrate what we understand to be the 2.8m AHD contour, based on survey information provided by [redacted], which varies significantly from that currently shown.



Extract from Diagram 1 to DPO10 with annotation

We note the C172egip Explanatory Report ('ER') makes reference to land below 2.9m AHD being set aside for environmental purposes; we anticipate this is an error and should instead reference the 2.8m AHD contour.

Requested changes

- *Amend Diagram 1 in DPO10 to include [redacted] within the 'Paynesville Growth Area'*
- *Amend Diagram 1 in DPO10 to include 2.8m AHD contour line*
- *Modify the limit of the area shown as 'future residential zone' to coincide with the 2.8m AHD contour*
- *Amend Explanatory Report to correct clerical error and ensure reference to 2.8m AHD contour line*

Foreshore Improvement Management Plan ('FIMP')

The requirements for the FIMP listed within Clause 4.0 of DPO10 are significantly lacking in detail, and open to interpretation for what will be expected to be delivered in this area.

Council needs to be more explicit about its expectations for this area, given the required works will need to be incorporated within the Shared Infrastructure Contributions Plan ('SICP').

The area of land under consideration must be determined, given our assumption that the SICP will need to qualify the value of the land for the purposes of compensation, together with contributions to public open space as required under Section 18 of the *Subdivision Act 1988*.

Requested changes

- *Refinement of the requirements of the FIMP as listed at Clause 4.0 of DPO10 to provide certainty of Council's expectations*
- *Delete (or modify) requirements for public access and facilities which are contrary to environmental management*
- *Confirmation of the spatial area to be the subject of the FIMP*

Density of development

We are encouraged by discussions with Council's Strategic Planning team regarding Council's expectations for higher population growth and housing demand scenario for East Gippsland, reflective of more recent preferences for regional living.

The desire for greater density is demonstrated by various strategies and objectives in Clause 11.01-1L-02, DPO10 and Schedule 3 to the General Residential Zone ('GRZ3).

Requested changes

- *Amend "Strategies – Paynesville" from:*

  "Provide a spacious residential character with a variety of lot sizes and housing types to meet community needs"

  To:

  "Provide a variety of lot sizes and housing types to meet community needs"
- *Remove "Policy Guideline – Paynesville: Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8-10 lots per hectare."*

Three-dimensional building envelopes

Little direction is provided on precisely what is intended to be achieved by the imposition of three-dimensional building envelopes; there is no real guidance as to the aim of the building envelopes, nor of the views that are sought to be preserved.

Once Council has determined which areas warrant special consideration through the imposition of three-dimensional building envelopes, the subdivisional layout and lot configuration can be designed to reflect these intentions. Information regarding finished surface levels is not known at the time of preparing a Development Plan.

Requested changes

- *Amend DPO10 to provide for development guidelines on future built form*
- *Amend Diagram 1 to DPO10 to show those areas where three-dimensional building envelopes will be required*
- *Amend DPO10 to enable mechanisms to secure three-dimensional building envelopes, to the satisfaction of the responsible authority*

Cultural heritage

Clause 4.0 to DPO10 as exhibited requires a Development Plan to be accompanied by a cultural heritage assessment.

The requested assessment is not a form of document recognised in either the *Aboriginal Heritage Act 2006* or the *Aboriginal Heritage Regulations 2018*. It is therefore unclear what is intended by this request, with no statutory guidance on the form or function such an assessment.

Requested change

- *Amend DPO10 to delete the requirement for a cultural heritage assessment at Development Plan stage*

In summary, our Client is supportive of Amendment C172egip, and believes there is sound alignment between the strategic directions proposed and the planned development of their holding. We trust that Council will find the comments provided to be constructive and of assistance in refining the amendment documentation in preparation for adoption.

As always, we would be pleased to elaborate on any of the comments provided herein, and look forward to further consultation on this matter.

Regards,

[redacted]

Submission 74

31 January 2024

To Whom It May Concern

Planning Department/Councillors

East Gippsland Shire

Bairnsdale. 3875

Re: Planning amendment C172egip

I am a concerned resident and my name is [redacted]

Questions I would like answered are as follows:

1. How can the planning department use 10-year-old data to form a proposal that will ruin the village atmosphere that Paynesville now offers?
2. If up to date information was used, there would e3 many more items that would need to be addressed in the short term.
3. Paynesville is predominantly a retirement area or a haven for holiday makers. Holiday makers won't want to come here if it is just like their suburb at home. Keep it a village.
4. What does council/planning department intend to do regarding so much extra traffic on an already busy road?

Thankyou for taking the time to consider my questions, I will be attending the council meeting on the 18th of February.

Yours sincerely

[redacted]

Submission 75

East Gippsland Water

133 Macleod Street, PO Box 52, Bairnsdale Victoria 3875
Tel: (03) 5150 4444 Fax: (03) 5150 4477
Email: egw@egwater.vic.gov.au Web: www.egwater.vic.gov.au

Our Ref: DOC/25/1314

31 January 2025

Martin Richardson
Manager Planning and Development
East Gippsland Shire Council
strategicplanning@egipps.vic.gov.au

Dear Martin,

Re: Amendment C172egip to the East Gippsland Planning Scheme - Implementation of the Paynesville Growth Area Structure Plan (2016 and updated 2023)

In response to your letter dated 25 November 2024 regarding the above planning scheme amendment, East Gippsland Water (EGW) notes the following in relation to the proposal:

1. The rezoning of land will require significant modification to EGW's sewer servicing district boundaries to encapsulate land rezoned from Farming Zone (FZ) to General Residential Zone (GRZ3).
2. The rezoning of Farming Zone (FZ) to General Residential Zone (GRZ3) includes:
    a. Land not previously considered in our 20-year water and sewer infrastructure master planning assessments, and
    b. A significant increase in potential lot yield densities in the growth area from those included in previous master planning studies, and subsequently the potential demand and loading on our existing water and sewer infrastructure. We have not completed detailed assessments or revisions of these master planning assessments at this stage.
3. We note the following in relation to the Growth Area Structure Plan:
    a. That the extension of the road network, sewer, water, power, gas and telecommunications services will be undertaken by developers at their cost in accordance with the requirements of service providers.
    b. The Council's Shared Infrastructure Contributions Plan excludes contributions for the provision of water and sewerage infrastructure.
    c. The requirement for the preparation by landowners of an overall Development Plan for the growth area including more detailed investigation of site constraints, vegetation, sites of cultural heritage significance, and the detailed design and layout of streets and lots.
    d. The requirement for the preparation by landowners of Precinct Infrastructure Plans to demonstrate orderly and efficient delivery of local infrastructure and show staging and lot thresholds.

East Gippsland Water

133 Macleod Street, PO Box 52, Bairnsdale Victoria 3875
Tel: (03) 5150 4444 Fax: (03) 5150 4477
Email: egw@egwater.vic.gov.au Web: www.egwater.vic.gov.au

e. The requirement for the preparation by landowners of planning permit applications for individual landholdings for subdivision and development, in accordance with this Structure Plan and overall Development Plan for the growth area.

4. Details regarding the sequencing and coordination of growth are yet to be determined that may impact infrastructure timing, developer contributions and individual land holding servicing requirements.
5. Infrastructure corridors and reserves may be required for trunk infrastructure and shared assets to service the growth area.

East Gippsland Water has no objection to the proposed planning scheme amendment and supports the integrated planning for growth in conjunction with developer investment in required water and sewerage infrastructure.

Further enquiries may be directed to [redacted] or via email to planning@egwater.vic.gov.au.

Yours faithfully,

[redacted]

Submission 76

From: [redacted]
To: Strategic Planning
Subject: Planning amendment C172egip
Date: Wednesday, 29 January 2025 8:17:31 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Many of us expressed our views and/or listened to the views of other residents, and concluded by voting on the following resolutions (without any dissent) to:

Ask Council to **suspend the amendment process** and direct the Planning Officers to undertake urgent planning assessments that were never done or if done, are now too outdated (being completed in 2015/16) to be meaningful:

We respectfully demand the following assessments be undertaken:

1. A comprehensive and up-to-date **Social Impact Assessment** that considers:

- access to basic **public health** services for existing and future residents - (not considered by the 2016 study)
- **public safety** (police response times - (not considered by the 2016 study)
- **access to childcare / schools** - account for higher population projections
- **mobility** needs for **elderly / disabled** - (not considered by the 2016 study)

2. Updated **traffic assessment** based on latest census data (not 2011 census data)

3. Undertake a comprehensive **Neighbourhood Character Assessment** to define and delineate all of Paynesville's neighbourhood character areas

4. provide much wider **pedestrian/cycling/wildlife corridors** - 15m wide vegetated strips are completely inadequate

5. undertake **Land Capability Assessments** for the entire growth area, which include:

- a sewerage capacity assessment -never done
- updated Coastal Hazard Vulnerability Assessment - must incorporate most recent data and science
- visual landscape assessment - never done
- environmental and heritage assessment - not done / incomplete assessment for some of the site only

6. **Low Density Residential Zones** are also warranted

Please find attached a Submission Writing Guide for the proposed amendment.

We encourage all concerned residents to phone and/or email the Mayor and Deputy Mayor to express how they feel about the deeply flawed planning scheme

amendment and to also consider **attending the next council meeting.**

Lots of emails/calls and another big turnout of concerned residents (this time in Council chambers where decisions get made) will send a very clear message that the Council can and must do better.

[redacted]

Get Outlook for Android

Submission 77

From: [redacted]
To: Strategic Planning
Subject: Planning Amendment C172egip
Date: Friday, 31 January 2025 10:49:17 AM

You don't often get email from [redacted]. Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it mayconcern,
As a Paynesville resident I wish to lodge an objection to the East Gippsland Shire Planning Amendment C172egip. As further time, and open consultation with the local community is required, and consideration of up to date statistics and services.
Regards,

[redacted]

Submission 78

From: [redacted]
To: Strategic Planning
Subject: PAYNESVILLE - And yes, we ARE concerned.
Date: Saturday, 1 February 2025 8:10:17 AM

You don't often get email from [redacted] Learn why this is importan:

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Paynesville Planning Scheme Amendment C172 egip

OBJECTION TO ZONING – PAYNESVILLE

I was present at the meeting of concerned residents and I am writing to express my concern at the planned/proposed changes in the Paynesville area. [Not looking good at the moment – ruining the character.]

It appears that many of the usual or required assessments for developments have been done poorly, too long ago to be relevant, or not done at all. This needs to be addressed. We specifically need the following assessments do prior to the rezoning of land to ensure an evidence-based, integrated precinct structure planning process:

- a landscape impact assessment
- updated Coastal Hazard Vulnerability Assessment based on current data
- up-to-date traffic assessment (includes traffic volumes at the main choke point on Forge Creek-Paynesville Rd)
- neighbourhood character study
- flora and fauna assessment
- updated and expanded social impact assessment

I object to HIGHER DENSITY residential zones anywhere in the growth area to support the existing coastal neighbourhood character of the township. I ask that HEIGHT RESTRICTIONS be put in place to apply to any future development in this area. The 7.5m height limit which applies to the 'town expansion area' covered by the existing Design & Development Overlay -Schedule 14 needs to be applied by the amendment. Two storeys maximum and much larger lots – especially anywhere near the sensitive foreshore and north-facing slopes to protect landscape and visual amenity values.

I am alarmed at the [proposed] increase in population of this area [3,000 plus?] and am concerned that the current infrastructures will not be nearly adequate enough. The social impact assessment needs to consider the following, and the Shire take a far more active role in working with other agencies to ensure these matters are duly considered.

Sewerage Capacity Assessment: this has not been done

I am informed that at present "treated" sewage is being pumped into the lakes [at times]. This is unacceptable – we are not a third world country. Even if the water is 'clean' what is the impact on the lakes? And if they are allowed to pump treated excess into the lakes now, what is to stop them cutting corners in the future when the sewerage volume

increases?

At present, the public toilets on the foreshore aren't even maintained to an acceptable standard. Not a good image for current management.

WE WILL NEED A PROPER WASTE WATER TREATMENT PLAN/FACILITY.

Public Health Services

Our current Medical Centre will not be able to cope with another 3,000 residents [conservative population increase as I am led to believe]. What is being done to address this? The aging population of this area does not want to be travelling into Bairnsdale and beyond for basic care.

WE WILL NEED A BIGGER MEDICAL CENTRE.

Public safety

We do not have a manned Police Station in Paynesville. This needs to be addressed if this town is to increase in size. More people means more visitors and transients; some of whom will be less than desirable. We are already losing our small-town safety aspect during holiday seasons, and this proposed increase in population will not help.

WE WILL NEED A LOCAL, MANNED POLICE STATION.

I also have concerns about mobility needs for the elderly and disabled, more bike lanes for locals, and also access to childcare and schools, if this increase in population is to go ahead.

Will there be enough **Green Spaces and Parks** left?

At present, the rural aspect when driving into Paynesville is wonderful. It would be a total shame to have wall-to-wall houses like some of the abominable suburbs in Sydney or Melbourne, which stretch for street after dismal street, with no respite from the depressingly close rooftops. A sense of coastal and rural character is what makes our town so special. The amendment will destroy our township character, especially along the foreshore area.

Are any of the above concerns being currently addressed?

At the moment, it just sounds like a free-for-all, get-rich-quick scheme for developers, aided by a council that is making decisions for us from Bairnsdale. Very little has been done to consult with the people already living here.

If it is inevitable that this area has to grow, we need to know that it is being done properly and with forethought, planning, and integrity. With consideration for the people [ratepayers] who already live here and for the wellbeing of all.

[redacted]

Submission 79

From: [redacted]
To: Strategic Planning
Subject: Planning Amendment C172 egip - Objections
Date: Friday, 31 January 2025 7:01:53 PM

You don't often get email fro[redacted] Learn why this is important

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT Service Desk if you are unsure.

To East Gippsland Shire Planning Unit
Sirs,
I wish to lodge my objections to the Planning Amendment C172 egip as indicated below
The planning scheme amendment C172 EGIP clearly lacks due process and certainly appears to be driven by the almighty dollar and the desire to provide additional revenue to council and developers.
The data that has been used as the basis for consideration if existent is now outdated.
Examples of this are:

- Key Issues and Responses Report, Oct 2015
- Consultation Report, Oct 2015
- Traffic Impact Assessment Report, Jun 2016
- Social Impact Assessment Report, Feb 2016
- High Level Hydrological Analysis, Mar 2016

As well as the following missing completely from the considerations of the planners:

- Neighbourhood character assessment
- Aboriginal cultural values assessment
- Biodiversity assessment
- Bushfire assessment
- Landscape impact assessment
- Land capability assessments (including contamination, sodic soils, coastal hazard vulnerability and erosion susceptibility)
- Revised social impact assessment report based on current rather than 2011 census data
- Revised traffic impact assessment report based on current rather than 2011 data

There is a lack of consideration provided to the existing residents of Paynesville understanding this proposal affects all residents not just those who abut the land under the proposition.
Planning Process
My understanding is that any development plan proposal will not go through the regulated and standard planning approval process should the amendment C172 EGIP be approved and
implemented thus removing any rights of the residents to have input into the planning process.
There needs to be far greater transparency on this significant issue that effects all
To proceed under this proposed process is simply not acceptable and needs to be changed so as the existing residences can review prior to planning approval being granted.

Flora and Fauna

There is a number of significant old growth trees in the proposed rezone area of which no allowance has been made to ensure the preservation of these trees.

These trees are frequented by a number of protected bird life such as Sea Eagles, Wedge tail Eagles and Kites utilising the trees for nesting.

- My recommendation is that a 15 to 20 meter radius (Drip Line) buffer zone be identified on the plan and enforced.

Although there has been a number of green space corridors of approximately 15 meter width proposed on the plan these are

totally inadequate to meet the needs of the residents and wildlife as a corridor. A true open green space as is implemented in other regions are significantly larger than those proposed .

Part of the reason for the attraction to Paynesville for both new residents and visitors alike is the open feel of the town with water front views and the abundance of wildlife in the area. These attraction should be and need to be preserved for the region to flourish.

- Recommendation is to increase these to a minimum of 30 meters and that the land north of Eagle Bay terrace be preserved for open space park land and wild life corridors.
- The area below Eagle bay terrace be set aside for park lands offering access to the wet lands and lake views as well as a thoroughfare for wild life not only for Kangaroos.

Road Access

Considering the proposal is to increase the population of Paynesville by 39% there is only one road in and out of town that allows free access in the event of a catastrophic event such as a major fire. This presents a significant safety risk to the residents both existing and future.

Consideration needs to be given to the parking and access to the shop in the town especially during holiday time. It is difficult to find suitable parking for the aged during holiday periods. This will be significantly worse if no changes are made.

Traffic Management

The proposal is based on a traffic management study that was undertaken in 2011. The traffic has increased and changed significantly since that study. The study of 2011 was conducted through a non holiday time which limited the movement of both residents and visitors to the town. This will skew the considerations to accommodate additional movements

As it is proposed to utilise Palm Avenue as the main access to the areas north of Paynesville road provision must be made to allow a right turn lane for vehicles coming from Paynesville township. However Palm Avenue has not been designed and built to accommodate such additional traffic movement

The proposal also suggests utilising Sunset Boulevard as a primary access which is way too narrow to accommodate additional traffic. Currently if cars are parked in the street it virtually blocks the thoroughfare.

A traffic new management/movement study conducted during peak times needs to be undertaken. Recommendations based on the new study should be provided prior to the amendment going ahead

Town Services

The amendment does not appear to identify clearly nor make allowances for the added impact of the existing town infrastructure (Water & Sewerage etc.). As it stands today there are many residences that have very poor water pressure. With the additional proposed volume of new residences this can only exacerbate the situation.
The current sewage system will also be placed under extreme pressure. It has been noted that in the past East Gippsland Water were forced to release semi treated water into Forge creek subsequently into Newlands arm in Lake Victoria. A potential environmental disaster.
Regional Services
Although the panning amendment is not required to cover the provision of medical and dental services the region and town is already underserviced and in desperate need of upgrades to the Hospital in particular. By bringing additional residents into the area at the rate proposed it will do nothing but further exacerbate the situation
Town Character
I am concerned that a population increase as proposed when the town is already under pressure to support the 2 over fifty villages as well as the growth it has been experiencing that the town will lose its identity and the very thing that has attracted people to the town.
Public Space and Facilities
The northern side of the township lacks both parklands and in particular children's playgrounds. With the proposed influx of families into the new proposed subdivisions it is reasonable to assume far greater numbers of children as well as visiting families who would utilise playground equipment. The proposal is missing this opportunity to comply with the councils own strategic development plan to facilitate additional playground space. Should this be made available and enforced in the space north of Eagle Bay Terrace it would service both the amendment areas as well as the proposed development to the East north of Fullarton avenue.
Existing Property Devaluation
With the proposed smaller block to the north of Eagle Bay terrace encroaching upon the existing view and outlook that I might add a premium was paid for at acquisition. I strongly fear that this will have the effect of reducing the value of those properties on Eagle Bay Terrace.
My recommendation should the proposed amendment go ahead is:
1. The block sizes to the North of Eagle Bay be maintained at a minimum of 900 square meters
2. The set back from the back boundary be a minimum of 15mtrs
3. The building height restriction to be set at 6mtrs
A far more acceptable proposal for the existing residents would be to simply designate the area North of Eagle Bay Terrace as Park Lands and Play Grounds.

Kind Regards

[redacted]

EAST GIPPSLAND SHIRE COUNCIL

30.01.2025

Submission 80

Re: Amendment No – Planning Scheme Amendment C172 egip Implementation of the Paynesville Growth Area Structure Plan.

My Name: [redacted]

RECEIVED EGSC
- 3 FEB 2025
INFORMATION MANAGEMENT

My Views: I would like to see the Amendment abandoned completely.

I oppose Re zoning of this area of land to protect the Natural Environment of this area. This area has "World Class Status" and we are being judged on how we protect our unique natural environment by the rest of the world.

The Mitchell River Silt Jetties stretch for 8 kilometres into Lake King. THESE SILT JETTIES ARE THE LONGEST IN THE WORLD. They are Unique to the rest of the WORLD. Also these Lakes (Lake System) is home to our own UNIQUE DOLPHIN. There is an urgent need to protect and monitor and restrict if needed outflow to the Lakes System. It has world prominence and the silt jetties are vulnerable together with the dolphin environment. We must not upset the present balance and stop any further degradation. The proposed rezoning area, as it faces directly on to the Lake area, threatens our special, unique, Natural Environment. Save our Lake System for future generations.

Yours Sincerely. [redacted]

Submission 81

From:	Snapforms Notifications
To:	EGSC Feedback
Subject:	Customer Contact Form
Date:	Friday, 7 February 2025 12:45:47 PM

Customer Contact Form

A 'Customer Contact Form' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Name: [redacted]

Postal address: [redacted]

Email address: [redacted]

Mobile phone number: [redacted]

Home phone number : N/A

Work phone number : [redacted]

Subject: Development of Farmland PAYNESVILLE

Date: 07/02/2025

Details of customer request/issues/feedback/suggestion: As a ratepayer and part of the community of [redacted], we are very concerned about the lack of information re the farmland that is to be proposed residential. 1. no thought has gone into the planning of this development, population numbers have not been updated with the planning since 2016, i can tell the number has grown already significantly since then. 2. there is absolutely no infrastructure been put in place for our area - one way in and one way out, it is almost impossible to get around now. 3. the water pressure for the area doesn't cope now comes out in a trickle. 4. Not once has anyone mentioned the wildlife, where do they go now, many of our animals are becoming extinct 5. we are going to turn the area into Clyde North and Berwick postage stamps of land 6. the residents of Paynesville are very concerned about the lack of planning and true figures we really hope nothing happens in the next few years.

Privacy Statement: Yes

Submission 82

From: [redacted]
To: EGSC Feedback
Cc: Cr John White; Cr Sonia Buckley; Cr Jodie Ashworth
Subject: Paynesville Planning Scheme Amendment C172egip
Date: Thursday, 23 January 2025 7:57:19 AM

Some people who received this message don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

[redacted]

Ms Fiona Weigall
Chief Executive Officer
East Gippsland Shire Council
CC: Councillors. John White (Mayor), Sonia Buckley (Deputy Mayor) and Jodie Ashworth
Dear Madam.

Re: Paynesville Planning Scheme Amendment C172egip.

I refer to the proposed Paynesville Planning Scheme Amendment C172egip and wish to lodge an objection and request that consideration of this by Council be suspended until the amendment includes time for appropriate public and open consultation and that it be assured that the amendment details are based on the most up to date studies available or estimates and not out dated information.

Further in lodging this objection I do so for reasons including the following:

- There is insufficient detail for the necessary upgrade of Paynesville Road to cater for increased development
- At present 'bottle necks' occur with the volume of traffic either entering / leaving Paynesville. (i.e. from Coast subdivision, traffic from Raymond Island, in particular at peak times, at the servo c/r Burden Place / Paynesville Rd etc)
- That services in Paynesville currently do not meet the demand of the population. (i.e.) Vic Pol, Doctors etc and without these will have adverse effect on the present / future communities.
- At present there is no adequate provision for cycle / pedestrian safety

between Bairnsdale and Paynesville. (either on this proposed Amendment or any other seen accepting the proposed amendment does not cover the extent of this!)

- That the plan for the proposed development north of Fullarton Drive does not appear to provide for adequate inclusion of the walking track west from Burden Place

  From details available it appears that the Public Parks and Recreation Zone east from Grandview ceases before Burden Place and that there is no specific path in the General Residential Zone 3 nearby.
- That there be assurance that service amenities of water and sewerage services etc are available to meet any increased population needs and not just assumed that they 'will be later on!'

I consider that the proceeding with any planning amendment by council without due diligence and assurance that statistical information is as up to date as possible is to the detriment of the population it seeks to serve and assist and I therefore respectfully request that the council of East Gippsland Shire **suspend the amendment process for C172egip** until it can be assured that any decision is based on up to date planning and statistical information and after adequate community consultation and consideration has been given.

This is a great place – please don't make decisions for the sake of development and revenue as it will eventually be at the 'expense' of this and future generations.

Yours faithfully.

[redacted]

Submission 83

Department of Energy, Environment and Climate Action

Strategic Planning Team
Planning and Development
East Gippsland Shire Council
273 Main Street (PO Box 1618)
BAIRNSDALE VIC 387

strategicplanning@egipps.vic.gov.au

Ref: 00007190

Dear Sir/Madam,

AMENDMENT C172EGIP TO THE EAST GIPPSLAND PLANNING SCHEME IMPLEMENTATION OF THE PAYNESVILLE GROWTH AREA STRUCTURE PLAN (2016 AND UPDATED 2023)

Thank you for your correspondence of 25 November 2024 pursuant to Section 19 of the *Planning and Environment Act 1987* (the Act). I apologies for the delayed response.

East Gippsland Shire Council has given the Department of Energy, Environment and Climate Action (DEECA) notice of the proposed Planning Scheme Amendment C172egip (the Amendment) that seeks to implement the recommendations of the Paynesville Growth Area Structure Plan (PGASP) into the East Gippsland Planning Scheme.

The Amendment proposes to make the following changes to the East Gippsland Planning Scheme:

- Introduce new local policy into the Planning Policy Framework (PPF) to guide land use, subdivision and development in the Paynesville Growth Area and achieve the following outcomes:
  - Provide a diversity of housing to meet community needs.
  - Establish movement networks that support connection throughout the growth area.
  - Ensure the provision of suitable infrastructure and utilities to efficiently service development and that are designed to enhance the local character and protect the natural environment.
  - Protect and enhance landscape, wetland and foreshore areas and the environmental values of the Gippsland Lakes.

- Rezone the residential part of the growth area from Farming Zone (FZ) to General Residential Zone (GRZ) to facilitate residential growth.

- Apply the Development Plan Overlay Schedule 10 (DPO10) to guide future development of the growth area. This requires a Development Plan to be prepared to demonstrate:
  - A proposed layout for the growth area, including a local activity centre (retail/community facilities).
  - Building envelopes for land on the north of Paynesville Road to protect views to and from Lake King.
  - A network of public open spaces, including cycling/pedestrian paths.
  - Infrastructure to service the growth area, including roads, intersections, shared paths, drainage etc.
  - A foreshore improvement and management plan to protect and enhance environmental values.
  - A plan to share the costs of infrastructure between developers.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Energy, Environment and Climate Action, PO Box 500, East Melbourne, Victoria 8002.

VICTORIA State Government

OFFICIAL

- Remove the Significant Landscape Overlay (SLO) from areas proposed for residential rezoning.

- Apply the Environmental Audit Overlay to part of land at 95 Grandview Road and 1225 Paynesville Road to address the requirements of Ministerial Direction 1 (Potentially Contaminated Land) and ensure the land is suitable for residential development.

- Apply the Public Acquisition Overlay Schedule 3 (PAO3) to part of land at 25 Waterview Road (intersection of Paynesville Road and Waterview Road) to facilitate intersection improvements.

The Department has reviewed the documents on exhibition and has assessed the Amendment with consideration to environmental and landscape values, biodiversity protection and native vegetation management.

The following comments are also provided to assist Council, as the Planning Authority, in progressing the Amendment:

COMMENTS

The Amendment has not included a strategic assessment of biodiversity values, where the highest value areas are located and whether these can be retained or protected. The three-step hierarchy approach set out in the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) (the Guidelines) of avoid, minimise and offset should be considered at the strategic planning stage. Areas of high-quality native vegetation and biodiversity values should be identified at the strategic planning stage, considered for retention and incorporated into the plans.

Accordingly, further investigations are recommended as part of this Amendment process to better inform the decision of whether the level of risk to biodiversity is appropriate and can be mitigated and managed appropriately. There are further considerations that can be made at the rezoning stage to reduce risk to biodiversity as a result of any future residential development.

Despite this, the DEECA does not oppose the Amendment and is supportive of the inclusions relating to managing the environmental risk of coastal inundation by not supporting residential development on land below the level of 2.8m Australian Height Datum (AHD).

DEECA also acknowledges and supports the further strategic work required to implement rezoning of land parcels immediately adjacent to Lake King from Farming Zone to Public Conservation and Resource Zone upon the completion of the transfer of land process to a Public Land Manager.

EXISTING BIODIVERSITY VALUES

The subject land (i.e., all land within the PGASP area) is predominantly grazed agricultural land. Aerial imagery and the DEECA mapped native vegetation layer depicts scattered occurrences of Ecological Vegetation Class (EVC) 55 Plains Grassy Woodland and EVC 151 Plains Grassy Forest across all lots and the adjacent roadsides. It is highly likely that the implementation of the proposed PGASP will result in the loss of native vegetation, some of which may be associated with the *Flora and Fauna Guarantee Act 1988* (FFG Act) listed Forest Red Gum Grassy Woodland ecological community.

North of the subject land is the Lake King Wetlands, part of the Gippsland Lakes Ramsar wetland and protected under both international, national and state legislation.

The Nationally Significant Wetlands (Gippsland Lakes Ramsar Wetland) is known habitat for the Pacific Golden Plover and other Migratory shorebirds which utilise habitat in the adjacent Point Fullarton Gippsland Lakes Reserve.

The adjacent property to the east located at Parcel – C\PS311448, and the Point Fullarton Gippsland Lakes Reserve is known habitat for a significant population of Latham's Snipe, a species listed as

vulnerable and migratory under the Federal *Environment Protection and Biodiversity Conservation Act 1999 (*EPBC Act). It is possible there is suitable habitat for this species on the subject land.

The pasture on the subject land is likely to be foraging habitat for Blue-winged Parrot – listed under the EPBC Act.

In addition to the large numbers of kangaroos regularly seen within the subject land, there are Victorian Biodiversity Atlas records of the following species that have also been identified within the subject land:

Scientific Name	Common Name	FFG Act
Caladenia valida	Robust Spider-orchid	Critically Endangered
Gymnorhina tibicen	Australian Magpie	
Fulica atra	Eurasian Coot	
Anas superciliosa	Pacific Black Duck	
Trichoglossus moluccanus	Rainbow Lorikeet	
Hirundo neoxena	Welcome Swallow	
Chenonetta jubata	Australian Wood Duck	

REZONING AND REMOVAL OF THE SIGNIFICANT LANDSCAPE OVERLAY (SLO)

The application area is currently covered by East Gippsland Shire Council Clause 42.03 Significant Landscape Overlay (SLO) Schedule 2: *Gippsland Lakes*. The objectives of this overlay aim to protect state and federally listed wetlands, strengthen the presence of native and indigenous vegetation throughout the landscape, particularly adjacent to lakes, rivers and other water bodies as well as along roadsides, and in settlements and riparian strips.

Currently the SLO contributes to achieving the State planning policy objectives at Clause 12.01 Biodiversity 'To protect and enhance Victoria's biodiversity' and 12.02 Marine and Coastal Environment 'To protect and enhance the marine and coastal environment'. The removal in part of the SLO in the absence of introducing other planning controls will result in the weakening of local planning policy currently in place to protect the Ramsar listed Gippsland Lakes Lake King Wetlands which is a national and state significant wetland.

The urbanisation of surrounding agricultural land is likely to result in increased flooding, sediment, and pollutant runoff, changed hydrological regimes, potential exposure and run off of coastal acid sulphate soils (CASS) and increasing pressure on the Lake King wetland. This may be managed through good design principles including consideration for threatened species functional habitat needs and water sensitive urban design (WSUD) along with appropriate buffer areas from sensitive wetland areas and native vegetation.

Other potential indirect impacts to be considered when determining appropriate buffers and landscape planning may include, pressure from increased population requesting vegetation management as recently experienced for other wetland reserves in Paynesville, hydrological changes, lighting and noise impacts to fauna in adjacent wetlands.

KANGAROO MANAGEMENT

Whilst not a threated species, large numbers of kangaroos are known to be present on the subject land. Urban development and the presence of kangaroos often results in human-wildlife conflict and land-locking of kangaroos. Previously, landlocking of kangaroos has not been considered an issue for East Gippsland, however with the ever-increasing urban growth in the local area it may become a problem for this site.

Kangaroos tend to be fairly sedentary and attached to the territorial range of their social group (about one to two square kilometers). Consequently, kangaroos can become landlocked (i.e., trapped on all

sides by development). This issue is relevant to this subdivision as residential development borders the east and southern boundaries, with a major roadway also to the south of the site and Lake King to the north. Landlocking occurs particularly if development is not staged in a way that minimises or prevents landlocking. Staging of development needs to be considered to prevent landlocking of kangaroos on the subject land, this can be incorporated as a requirement of the Development Plan.

See the following website for more information:
https://www.wildlife.vic.gov.au/__data/assets/pdf_file/0037/718948/Guidance-Note-for-managing-kangaroos-in-Victoria.pdf

PAYNESVILLE GROWTH AREA STRUCTURE PLAN

The PGASP has not identified native vegetation, biodiversity values or clearly outlined how and when these values will be identified and incorporated into the design of the proposed urban growth area. It lacks strategic consideration of biodiversity values.

OTHER MATTERS

Any native vegetation that cannot be avoided as part of a future subdivision design and is to be removed or detrimentally impacted due to proposed subdivision works, will require a planning permit in accordance with Clause 52.17 of the East Gippsland planning scheme and the Guidelines at the subdivision stage. This includes any native vegetation that will, as a result of a decision to allow the land to be subdivided, become exempt from the requirement for a permit to remove, i.e. consequential losses/impacts.

Should the accessways have unavoidable impacts to species or communities listed as protected under the FFG Act on public land (road reserves) a permit to take protected flora under the FFG Act must be acquired prior to any works commencing.

Assessment under the EPBC Act may be required for significant impacts to Matters of National Environmental Significance (MNES) pending results of any targeted surveys undertaken and potentially for impacts to the Nationally Significant Wetland Gippsland Lakes Ramsar site.

RECOMMENDATIONS

The following recommendations should be considered for inclusion in an updated DPO:

- The DPO requirement for a Flora and Fauna Assessment should explicitly state that the assessment must demonstrate the application of the avoid and minimise principle for native vegetation within the proposed GRZ area. It should describe efforts to avoid removal and minimise impacts on biodiversity and other native vegetation values, with a particular focus on areas of highest value. The statement should include:
    I. any strategic level planning over the site
    II. what site level planning has been done
    III. that no feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.
- Requirements to ensure future subdivision design is informed appropriately by the above and avoids occurrences of threatened flora species and protects habitat for threatened fauna species by taking into consideration the functional persistence of the habitat in the long term.
- A requirement to undertake targeted surveys for native vegetation, threatened flora and fauna species described above.
- A requirement for the preparation of a Kangaroo Management Plan.

If you have any further questions in relation to this matter, I can be contacted directly at pe.assessment@deeca.vic.gov.au.

Yours sincerely

[redacted]

TODD PRYSE
Senior Planning Officer, Planning Services (Central-East)

28 February 2025

OFFICIAL

Summary of changes table

No	Clause	Submission	Change	Modified ordinance	Commentary
1	43.04, clause 4 *Land Use and Township Character*	3, 4, 5, 8, 9, 14, 16, 35, 79	Insert added dot point relation to interface issues	Add dot point at new dot point 7 *"Ensure that the subdivision provides appropriate linkages and interface treatments with adjoining land"*	A recurring theme from existing residents in Eagle Bay Village related to detrimental impacts to existing neighbourhood character for the existing residential subdivisions and reference to the restrictive covenants in achieving high building standards. The inserted dot point will require additional consideration of impact of subdivision on adjoining land having regard for linkages and interfaces.
2.	43.04, clause 4 *Flora and Fauna*	4, 5, 7, 10, 11, 12, 14, 15, 16, 20, 21, 23, 27, 29, 30, 37, 41, 42, 43, 45, 47, 56, 58, 59, 71, 80, 81, 82, 83	Modify wording relating to the Flora and Fauna obligations and requirements.	Updated wording. DRAFT wording (with color changes). "A Flora and Fauna Assessment *must demonstrate the application of the avoid and minimize principles and consider* any impacts on native flora and fauna under relevant national, state and local legislation and policy frameworks, prepared by a suitably qualified professional in consultation with relevant agencies and authorities". *The assessment must make recommendations in*	Multiple submission raised issues relating to the obligations and deficiencies in wording of the Flora and Fauna requirements. The Department of Energy, environment and Climate Change ('DEECA') requested changes. Some changes have been accommodated. Other changes are not considered appropriate. It is proposed to update and add further wording.

No	Clause	Submission	Change	Modified ordinance	Commentary
				relation to subdivision design and make appropriate links to the Foreshore Improvement Management Plan. The assessment must also have regard for any habitat values and threatened species and include targeted surveys of those threatened speci es.	
3.	Map51zone	11	Reference to 2.8metre AHD – requirement not to zone any land less than 2.08metre AHD to GRZ3.	*New zone map.*	East Gippsland Catchment Management Authority have requested a change to the zone map (Map51). This has been actioned.
4.	43.04, clause 4	69, 69a	Add words clause 4.0 Requirements for development plan, sentence one	*Insert the word 'the' and insert the words 'To the satisfaction of the responsible authority'.* *"A single Development Plan must be prepared to the satisfaction of the responsible authority for the whole of the land to which this Schedule applies".*	Minor errors and clarifications.
5.	43.04	69a	Delete requirement to prepare a cultural heritage assessment	Delete ~~***Cultural Hertiage***~~ ~~*To provide a cultural heritage assessment preparation by a suitably quality*~~	Duplication of subdivision and planning permit application processes.

No	Clause	Submission	Change	Modified ordinance	Commentary
				~~*professional including how Aboriginal cultural heritage places will be managed.*~~	
6.	Explanatory Report	73	Clerical error	Amend 2.9metre AHD to 2.8metre AHD.	Clerical error
7.	DPO Overly Map	73	Clerical error	Amend the DPO map to include the foreshore land.	Clerical error
8.	43.04	73	Delete the plan from this clause	Plan deleted	The growth area framework plan was inserted into Clause 43.04 however it has been deleted because: - It was only inserted as a guide but was causing some confusion and ultimately the Development Plan process will produce a more detailed plan. - The plan is already included at Clause 11.01-1L-02.
9.	11.01-1L-02	73	Delete **Policy guideline – Paynesville** Consider as relevant: - Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8-10 lots per hectare.	Delete ~~***Policy guideline – Paynesville***~~ ~~*Consider as relevant:*~~ ~~*Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8-10 lots per hectare.*~~	Policy guidelines is superseded by the *East Gippsland Housing and Settlement Strategy (2024).* Preference and policy guidance is to encourage a range of lot sizes and densities to facilitate diversity in housing types to suit a range of lifestyles and demographics.
10.	11.01-1L-02	73	Amend strategies clause 11.01-1L-02 to *"Provide for a variety of lot sizes and housing types to meet community needs.*	Amend *"Provide a spacious residential character with a variety of lot sizes and hosing types*	Further clarification and clearer policy intent.

No	Clause	Submission	Change	Modified ordinance	Commentary
				to meet community needs." Amend to *"Provide for a variety of lot sizes and housing types to meet community needs.*	

Planning and Environment Act 1987

EAST GIPPSLAND PLANNING SCHEME

AMENDMENT C172egipp

INSTRUCTION SHEET

The planning authority for this amendment is East Gippsland Shire Council.

The East Gippsland Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 5 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map No. 51ZN in the manner shown on the 1 attached map marked “East Gippsland Planning Scheme, Amendment C172egipp”.

Overlay Maps

2. Amend Planning Scheme Map No. 51 SLO in the manner shown on the 1 attached map marked “East Gippsland Planning Scheme, Amendment C172egipp”.

3. Insert new Planning Scheme Map No. 51 DPO in the manner shown on the 1 attached map marked “East Gippsland Planning Scheme, Amendment C172egipp”.

4. Insert new Planning Scheme Map No. 51 PAO in the manner shown on the 1 attached map marked “East Gippsland scheme Planning Scheme, Amendment C172egipp”.

5. Insert new Planning Scheme Map No. 51 EAO in the manner shown on the 1 attached map marked “East Gippsland scheme Planning Scheme, Amendment C172egipp”

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

6. In **Planning Policy Framework –** replace Clause 11.01-1L-02 with a new clause 11.01-1L-02 in the form of the attached document.

7. In **Zones** – Clause 32.08, insert a new Schedule 3 in the form of the attached document.

8. In **Overlays** – Clause 43.04, insert a new Schedule 10 in the form of the attached document.

9. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.

10. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

11. In **Operational Provisions –** Clause 74.02, replace the Schedule with a new Schedule in the form of the attached document.

End of document

Planning and Environment Act 1987

EAST GIPPSLAND PLANNING SCHEME

AMENDMENT C172egip

EXPLANATORY REPORT

Overview

This amendment proposes to implement the *Paynesville Growth Area Structure Plan* (PGASP) (2016 and updated 2023) into the East Gippsland Planning Scheme by updating the Planning Policy Framework pertaining to Paynesville, rezoning land, applying relevant overlay controls and inserting the PGASP into the scheme as a background document.

Where you may inspect this amendment

The amendment can be inspected free of charge at the East Gippsland Shire Council website at www.eastgippsland.vic.gov.au.

The amendment is available for public inspection, free of charge, during office hours (9am to 5pm unless specified below) at the following places:

- Corporate Centre, 273 Main Street, Bairnsdale VIC 3875
- Service Centre, 18 Mechanics Street, Lakes Entrance VIC 3909
- Service Centre, 70 Maurice Avenue, Mallacoota VIC 3892 (Monday-Tuesday 10am-2pm and Wednesday-Friday 2pm-5pm)
- Service Centre, 179 Day Avenue, Omeo VIC 3898 (closed 12.30-1.30pm)
- Service Centre, 1 Ruskin Street, Orbost VIC 3888
- Service Centre, 55 The Esplanade, Paynesville VIC 3880
- Bendoc Outreach Centre, 18 Dowling Street, Bendoc, VIC 3888 (Monday-Tuesday 8.30am - 3.00pm and every second Wednesday 8.30am-3.00pm).
- Buchan Neighbourhood House, 6 Centre Road, Buchan, VIC 3885 (9.00am - 4.30pm).
- Cann River Community Centre, Princes Highway, Cann River, VIC 3890 (Monday-Friday 10.00am - 4.30pm and Saturday-Sunday 10.00am-2.00pm)

The amendment can also be inspected free of charge at the Department of Transport and Planning website at http://www.planning.vic.gov.au/public-inspection or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by 31 January 2025.

A submission must be sent to:

- Strategic Planning Team, East Gippsland Shire Council:
  By Post: PO Box 1618, Bairnsdale VIC 3875
  In Person: 273 Main Street, Bairnsdale VIC 3875
  55 The Esplanade, Paynesville
  By email: strategicplanning@egipps.vic.gov.au

Panel hearing dates

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

- Directions hearing: week commencing 5 May 2025
- Panel hearing: week commencing 23 June 2025

Details of the amendment

Who is the planning authority?

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

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

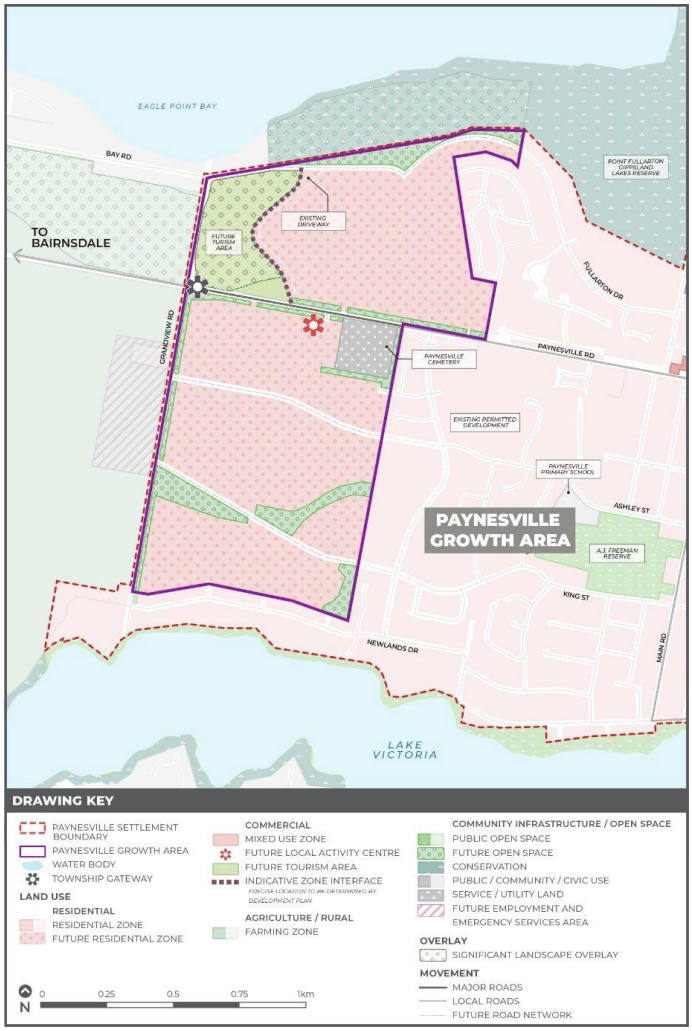
Land affected by the amendment

The amendment applies to all land within the PGASP area, as shown in Figure 1. More specifically the amendment applies to the following parcels:

- 95 Grandview Road, Paynesville (Lot 1 & 2, TP810124)
- 5 Grandview Road, Paynesville (Lot 1 & 2, TP842185 and 140A, PP2042)
- 1255 Paynesville Road, Paynesville (Lot 1, PS318977)
- 1325 Paynesville Road, Paynesville (Lot 3, SP307152)
- 25 Waterview Road, Eagle Point (Lot A, PS523941)

The Amendment also applies to a small parcel of land on the north east corner of the Paynesville Road and Waterview Road intersection (25 Waterview Road, Eagle Point - Lot A, PS523941), where land is required via a Public Acquisition Overlay to upgrade the intersection.

Figure 1. Land generally affected by the Amendment



What the amendment does

The amendment seeks to introduce key land use planning directions of the PGASP into the East Gippsland Planning Scheme.

Specifically, the amendment:

- Updates the local policy for Paynesville and the Paynesville Framework Plan at Clause 11.01-1L-02 (Growth Area Towns).
- Introduces Schedule 3 to the General Residential Zone (GRZ3) to guide development across the Paynesville Growth Area.
- Rezones land at 5 and 95 Grandview Road, 1325 Paynesville Road, and part of 1255 Paynesville Road, Paynesville from Farming Zone to GRZ3.
- Introduces Schedule 10 to the Development Plan Overlay (DPO10) to guide

development in the Paynesville growth areas.
- Applies the DPO10 to the same land being rezoned.
- Applies the Environmental Audit Overlay to 95 Grandview Road and 1255 Paynesville Road, Paynesville to ensure appropriate investigation of potentially contaminated land.
- Deletes the Significant Landscape Overlay Schedule 2 (Gippsland Lakes) from part of 1255 Paynesville Road and part of 1325 Paynesville Road, Paynesville.
- Applies the Public Acquisition Overlay 3 – Road acquisition to part 25 Waterview Road, Eagle Point to facilitate intersection improvements.
- Amends the Schedule to Clause 72.03 (What does this planning scheme consist of?) to update mapping references.
- Amends the Schedule to Clause 72.08 (Background Documents) to include the Paynesville Growth Area Structure Plan as a background document.
- Amends the Schedule to Clause 74.02 (Further Strategic Work) to update references to the work to implement the Paynesville Growth Area Structure Plan.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to facilitate the implementation of the Paynesville Growth Areas Structure Plan (PGASP).

Strategic Objective 2 of the East Gippsland Shire Council – Council Plan 2021-2025 is for 'Planning and infrastructure that enriches the environment, lifestyle, and character of our communities'. To meet this strategic objective Council is responsible for the identification of an adequate supply of suitably zoned land across the municipality and to provide clear direction to achieve high quality development outcomes.

Clause 72.08 (Further Strategic Work) of the East Gippsland Planning Scheme requires Council to prepare a Planning Scheme Amendment to implement the PGASP.

The purpose of the PGASP is to provide a set of desired outcomes, objectives, guidelines and requirements for future development of the growth area, based on principles of good design and sustainability.

The existing Clause 11.01-1L-2 (Growth Area Towns) identifies Paynesville as one of three growth area towns within East Gippsland. The Clause applies the policy to all the land in the associated Paynesville Framework Plan. The amendment seeks to implement a number of the strategies associated with the policy, including:

- *Provide a variety of housing types and styles that add to the special character of Paynesville.*
- *Expand the town westwards generally between Waratah Avenue and*

Grandview Road.

- *Contain urban development within the area to the east of Grandview Road.*
- *Provide a distinct separation of Eagle Point and Paynesville incorporating extensive open space areas.*
- *Provide expansive green edges to abut entry roads to maintain the sense of country atmosphere to the arrival experience.*

A review and refresh of the PGASP and technical background reports was undertaken in 2023 to update statistical information and reflect changes to the East Gippsland Planning Scheme and Planning Policy Framework. The updates were policy neutral and did not affect the policy intent of the recommendations contained in the original 2016 version of the Structure Plan.

The amendment is required to make changes to the Planning Policy Framework, rezone land in accordance with the Structure Plan, remove the Significant Landscape Overlay and apply the Development Plan Overlay and Public Acquisition Overlay to facilitate high quality development of future residential areas.

The proposed changes to the Planning Scheme will enable informed decision making in relation to diverse housing opportunities and associated land uses which protect and enhance the character and environmental values of Paynesville.

Preparation of the PGASP included a strategic planning process with extensive engagement with the community, relevant stakeholders, landowners, and agencies. The Structure Plan also draws on detailed analysis of background information including the assessment of traffic management; drainage; land supply and demand; ecology and biodiversity; natural hazards; cultural heritage; and social impact.

The timing for implementation of the PGASP via this planning scheme amendment is critical to enable Council to appropriately respond to increased demand for residential development in Paynesville. Updated policy direction will provide a robust decision-making basis for Council to balance the increased demand for residential development with the character, community and environmental assets of the town. The Amendment will achieve net community benefit.

This amendment does not seek to implement all land use planning recommendations identified in the PGASP. Detailed implementation of the Future Tourism Area and Employment and Emergency Services Precinct will be subject to further investigation. This approach is reflected in the proposed Clause 11.01-1L-02 and associated Paynesville Framework Plan.

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

The amendment gives effect to and is consistent with the following objectives of planning in Victoria identified in section 4(1) and section 12(1)(a) of the *Planning and Environment Act 1987.*

(a) To provide for the fair, orderly, economic and sustainable use, and development of land.

The amendment will result in the fair, orderly, economic and sustainable use and development of land by implementing a well-planned, holistic strategy that addresses the needs of the existing and future community of Paynesville.

(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

The amendment seeks to protect the ecological values of the Lake King foreshore and wetland areas by acknowledging the need to transfer foreshore land that is privately owned to a public authority. Once this transfer has occurred, the land will be rezoned to Public Conservation and Resource Zone (PCRZ) as required.

(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

The amendment provides direction to expand on the existing township where the community can live, work and play safely by rezoning land for residential purposes, introducing controls to make residential areas safe, and establishing links to the existing the Paynesville township. The introduction of the Environmental Audit Overlay will ensure appropriate investigation of potentially contaminated land is undertaken to provide a safe environment for future residential uses.

(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;

There are no existing local or states heritage sites within the PGASP. The *Aboriginal Cultural Heritage Desktop Assessment* identified four registered Aboriginal cultural places within the growth area which will be considered as part of the preparation of the Development Plan. All land within the PGASP requires a mandatory Cultural Heritage Management Plan to be prepared prior to the issuing of a planning permit for a high impact activity in accordance with the *Aboriginal Heritage Regulations 2018*.

(e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;

The implementation of the PGASP as part of this amendment will require a Development Plan to be prepared prior to any permits being issued. This requires a shared infrastructure plan to be prepared to deliver appropriate infrastructure to service the growing community.

(f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);

(fa) to facilitate the provision of affordable housing in Victoria;

The PGASP will deliver a diverse range of dwelling types throughout the growth area that will meet the needs of the existing and future community.

(g) to balance the present and future interests of all Victorians.

The amendment will provide residential land and associated uses within the Paynesville settlement boundary. The PGASP also identifies an area for future tourism development to service the needs of Victorians visiting this part of the Gippsland Lakes Coastal Park.

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

Environmental Effects

The PGASP protects the Lake King foreshore and wetlands by acknowledging the need to transfer foreshore land that is privately owned to a public authority. Once this transfer has occurred, the land will be rezoned to Public Conservation and Resource Zone (PCRZ) as required.

The PGASP identifies that stormwater management can be integrated into the design of residential areas, including roads and open space, protect water quality in the Gippsland Lakes Coastal Park and provide shared drainage and recreational functions.

The Amendment addresses coastal inundation, which requires planning for land at risk of inundation, including an allowance for sea level rise of not less than 0.8m by 2100. In the context of the amendment, all land below the level of 2.8m AHD will be excluded from urban development.

As part of the 2023 update to the PGASP, Water Technology was re-engaged to undertake a review of the previous work prepared in 2016 due to changes to the Australian Rainfall and Runoff (ARR19) Guidelines. The 2023 work undertaken by Water Technology confirmed that the stormwater infrastructure assets outlined in the adopted 2016 PGASP were appropriate.

The Schedule to the Development Plan Overlay (DPO) requires the preparation of a Flora and Fauna Assessment and as such will need to consider any implications to native flora and fauna under relevant national, state and local legislation and policy frameworks. Any recommendations made as part of the Flora and Fauna Assessment will need to be addressed as part of the preparation of the Development Plan.

The schedule to the DPO requires a Foreshore Improvement and Management Plan to be prepared. The PGASP identifies that land below 2.8m AHD and which abuts the foreshore, shall not be developed for urban purposes and should be transferred to public ownership and managed to maintain and enhance biodiversity values.

Social Effects

The amendment is expected to generate positive social benefits for Paynesville and East Gippsland through the provision of a variety of residential development opportunities and associated uses, and high-quality development and community infrastructure.

The PGASP will provide an attractive built environment and enhance the strong sense of community in Paynesville and deliver enhanced walking and cycling facilities, reflecting the aspirations of the existing community.

Economic Effects

The amendment will generate economic activity and employment in the planning, design and construction phases for residential and commercial uses. The PGASP includes a small local activity centre which will not detract from the existing Paynesville activity centre and will generate a small number of ongoing jobs. It will also increase the ongoing economic vitality of the town through supporting population growth and future tourism development.

Does the amendment address relevant bushfire risk?

The amendment meets bushfire policy outlined in Clause 13.02 of the East Gippsland Planning Scheme. The potential for bushfire risk has been assessed by Euca Planning - *Review of Bushfire Planning Considerations* (March 2019).

The report is consistent with the content of the East Gippsland Planning Scheme, in particular Clause 13.02, and in accordance with guidance provided in: *Bushfire State Planning Policy Amendment VC140, Planning Advisory Note 68* (DELWP, 2018); and *Local planning for bushfire protection, Planning Practice Note 64* (DELWP, 2015).

The PGASP enables an integrated response to be articulated in the schedule to the Development Plan Overlay to guide all future development.

The Euca Planning report has been peer reviewed by XWB Consulting in June 2023. The peer review found that the Euca Planning report is a sound assessment of bushfire risk associated with the PGASP.

A requirement within the Development Plan Overlay Schedule requires the preparation of a Site Management Plan that addresses the bushfire risk and demonstrates for all stages of the subdivision and development that a BAL12.5 rating can be achieved.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment complies with the requirements of the Ministerial Direction – The Form and Content of Planning Schemes (section 7(5) of the PE Act).

Direction No. 1: Potentially Contaminated Land

The amendment complies with Ministerial Direction 1 (Potentially Contaminated Land). It includes the rezoning of land from Farming Zone to General Residential Zone which allows for sensitive uses.

A Preliminary Site Investigation (PSI) of current and historical land uses of the FZ land was undertaken by Ewers Environmental Consulting. The initial investigation found Potentially Contaminating Activities at 1255 Paynesville Road, Paynesville. Works were undertaken on the site including the removal and disposal of relevant infrastructure and remediation of any impacted soils on the site. The PSI concluded that the site and the PGASP more generally is considered low risk and therefore suitable for future residential uses.

Discussions have been held with the EPA who have reviewed the PSI and advised that a Preliminary Risk Screen Assessment (PRSA) is required for 95 Grandview Road, and an environmental audit is required for 1255 Paynesville Road to satisfy the requirements of Ministerial Direction 1. This will be secured via the introduction of the Environmental Audit Overlay to these properties where future sensitive land uses are proposed.

Direction No. 11: Strategic Assessment of Amendments

The amendment complies with Ministerial Direction No. 11 (Strategic Assessment of Amendments) under section 12 of the *Planning and Environment Act 1987*. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

Direction No. 13: Managing Coastal Hazards

The amendment complies with Ministerial Direction No. 13 (Managing Coastal Hazards) and meets all five of the requirements outlined in the Direction as follows:

- The amendment is consistent with State and local planning policy contained within the PPF as it constrains urban development to be above 2.8 metres AHD. Furthermore, it is clear within PGASP and the amendment that the land below 2.8 metres AHD has no development opportunity and is therefore to be set aside for open space of environmental value.
- By setting any land below 2.8 metres AHD aside for environmental open space purposes, the amendment addresses the current and future risks presented by known coastal risks in this area which are predominately coastal flooding and erosion.
- An evaluation of the risks and determination of the 2.8 metres AHD ‘line’ was as a result of work done by Watch Technology in 2016 which looked at the whole Gippsland Lakes system in the form of a Coastal Hazard Assessment.
- The intention is to transfer the land below 2.8 metres AHD into public ownership and public management which in turn will allow for the land to be

managed for its environmental values.

- The views of the West Gippsland Catchment Management Authority were sought as part of the structure plan process and they did not object to the proposed future purpose or use of the land as outlined above.

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

The amendment is consistent with the following clauses of the Planning Policy Framework and will assist in achieving objectives of the clauses:

Clause 11.01-1S – Settlement

The amendment is consistent with the objective of this Clause *"to facilitate the sustainable growth and development of Victoria deliver choice and opportunity for all Victorians through a network of settlements"* as well as implementing the PGASP which will guide the development of the growth area.

Clause 11.01-1R – Settlement – Gippsland

The amendment accords with the *Gippsland Regional Growth Plan* by rezoning land identified in the Paynesville Framework Plan at clause 11.01-2L-01. It will allow urban development to support the role of Paynesville as a growth area town and strengthen its sub-regional network with Bairnsdale.

Clause 11.02-1S – Supply of Urban Land

The amendment is consistent with the objective *"to ensure a sufficient supply of land is available for residential, commercial, retail. Industrial, recreational, institutional and other community uses"* by rezoning farming land to facilitate residential use and development to support the continued growth of Paynesville.

Clause 11.02-2S – Structure Planning

The amendment supports the objective *"to facilitate the orderly development of urban areas"* by implementing the recommendations of the PGASP to guide the orderly growth and development of Paynesville.

Clause 11.03-2S – Growth Areas

The amendment supports the objective "*to locate urban growth to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits"* as the growth area will provide a diversity of housing types, create well planned and safe streets and retain the character of Paynesville.

Clause 12.01-1S – Protection of Biodiversity

The amendment implements the objective of the clause which is *"to protect and enhance Victoria's biodiversity"* through the future transfer of privately owned foreshore land to a public authority and subsequent rezoning of the Lake King

foreshore and wetland to Public Conservation and Resource Zone (PCRZ). The amendment also identifies the need for a Flora and Fauna Assessment and Foreshore Improvement Plan as part of the preparation of a Development Plan for the growth area.

Clause 12.02-1S – Protection of the marine and coastal environment, Clause 12.02-2S – Marine and Coastal Crown Land, Clause 12.03-1S – River and riparian corridors, waterways, lakes, wetlands and billabongs and Clause 12.05-1L – Environmentally sensitive areas.

The amendment implements these objectives and strategies by protecting the Lake King foreshore via proposed transfer of private land to a public authority and future rezoning to Public Conservation and Resource Zone. The PGASP also requires the preparation of a Foreshore Improvement and Management Plan.

Clause 13.01 – Climate Change Impacts

The amendment is consistent with the clause as it has planned for and manages coastal hazard risk and climate change impacts. The Amendment ensures that development will only be allowed above 2.8m AHD. Land below 2.8AHD has primarily been excluded from rezone from Farming Zone to General Residential Zone, this land will be the subject of future transfer to public authority and future rezoning. Future housing will not be facilitated on land below 2.8AHD.

Clause 13.02-1S – Bushfire Planning

The amendment meets the requirements for bushfire protection, minimisation and management as discussed earlier in the explanatory report under ‘Bushfire Risk’.

Clause 15.01 – Built Environment

The amendment seeks to implement the PGASP to guide urban development through the preparation of a Development Plan that will provide for a liveable and diverse community that integrates with the existing Paynesville township. The Structure Plan provides a preferred urban structure that outlines a high-level subdivision pattern and transport network that fosters sustainable modes of transport, a safe public environment, a network of public open space, and diverse housing stock. The PGASP ensures future development respects the character of the existing Paynesville township.

Clause 16.01 – Residential Development

Housing in the precinct will be fully serviced, well-located, integrated and diverse to meet community needs. New residents will have access to services and employment opportunities within the community and in surrounding towns.

Clause 19 – Infrastructure

The amendment manages the delivery of infrastructure through the preparation of a Shared Infrastructure Plan which is a requirement of the schedule to the Development Plan Overlay.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment is consistent with the following clauses of the Municipal Planning Strategy and will assist in achieving objectives of the following clauses:

- The amendment implements the strategic directions for growth area towns (Clause 02.03-1 – Settlement and Housing) by expanding Paynesville as a residential and business centre focused around boating, tourism and healthy living, with access to walking and riding trails, passive and active recreation. It reinforces the role of Paynesville as a growth town supporting the local community as well as nearby settlements.
- The amendment recognises the importance of the impacts of climate induced sea level rise (Clause 02.03-3 – Environmental risks and amenity) and has considered the impacts of this when assessing the location of the future urban development and infrastructure.
- The amendment has addressed the strategic directions for the built environment and heritage (Clause 02.03-5 – Built environment and heritage) through the planning and design principles included in the PGASP which will be implemented through the proposed zone and overlay provisions.
- The amendment will support the strategic directions for economic development (Clause 02.03-6) that seek to consolidate and expand diverse retail, commercial and community activities in the Paynesville town centre. The PGASP supports the development of a future local activity centre that will complement the primary role of the existing Paynesville Activity Centre. The amendment also supports appropriate future tourism development within Paynesville.

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

The amendment makes proper use of the Victorian Planning Provisions by updating and amending the Planning Policy Framework to implement objectives and strategies to achieve the strategic directions set out by the PGASP.

The Amendment also uses appropriate zones and schedules to zone and overlay controls as per the Structure Plan, as follows:

- Applies the General Residential Zone (GRZ) to facilitate residential development.
- Applies the Development Plan Overlay to guide future residential development.
- Applies the Public Acquisition Overlay to facilitate appropriate infrastructure to service the growing community.
- Applies the Environmental Audit Overlay to ensure appropriate investigation

of potentially contaminated land is undertaken.

- Removes the Significant Landscape Overlay from relevant areas of land to facilitate residential development and associated uses.

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

The following agencies have been consulted in the preparation and review of the PGASP, and in preparation of the Planning Scheme Amendment:

- Department of Energy, Environment and Climate Action
- Department of Transport and Planning
- Country Fire Authority
- Department of Transport (Regional Roads Victoria)
- East Gippsland Catchment Management Authority
- East Gippsland Water
- Environment Protection Agency
- Gunaikurnai Land and Waters Council Aboriginal Corporation (GLaWAC)
- SP Ausnet
- APA Gas
- Telstra
- Victorian Catholic Education Archdiocese

The views of relevant authorities will again be sought as part of the formal exhibition process for this amendment.

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

The amendment is consistent with the objectives and decision-making principles of the *Transport Integration Act 2010*. Specifically:

- It promotes social and economic inclusion by developing residential areas close to a transport network which is accessible by all in the community.
- It responds to environmental sustainability by requiring new or upgraded roads to retain existing native vegetation.
- Preparation of the structure plan was supported by a traffic impact assessment that identified appropriate intersection and road upgrades to support the anticipated growth.

The amendment requires the construction of new roads within the growth area. It will have minor impacts to the external road network, as outlined in the *Transport Engineering Assessment* prepared by Salt which identifies the need to upgrade two intersections to service the growth area.

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

The Amendment will have a negligible impact on East Gippsland Shire Council's resource and administrative costs. Changes to zone and overlay provisions will enhance the efficiency of decision-making processes.

Attachment 1 – Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Paynesville Growth Area	Residential land identified in PGASP	C172egip Map No. 51 ZN. C172egip No. 51DPO. C172egip No. 51EAO C172egip Map No. 51SLO.	5 & 95 Grandview Road, 1325 Paynesville Road and part 1255 Paynesville Road, Paynesville	Rezone from FZ to GRZ3	DPO Schedule 10 EAO	D – SLO2
Paynesville Growth Area	Part 25 Waterview Road, Eagle Point	C172egip Map No. 51 PAO	25 Waterview Road, Eagle Point		Public Acquisition Overlay Schedule 3	

EAST GIPPSLAND PLANNING SCHEME

11.01 VICTORIA

31/07/2018
VC148

11.01-1S Settlement

10/06/2022
VC216

Objective

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.
- Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.

- Minimising exposure to natural hazards, including increased risks due to climate change.
- Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.

Encourage a form and density of settlements that supports healthy, active and sustainable transport.

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

Support metropolitan and regional climate change adaption and mitigation measures.

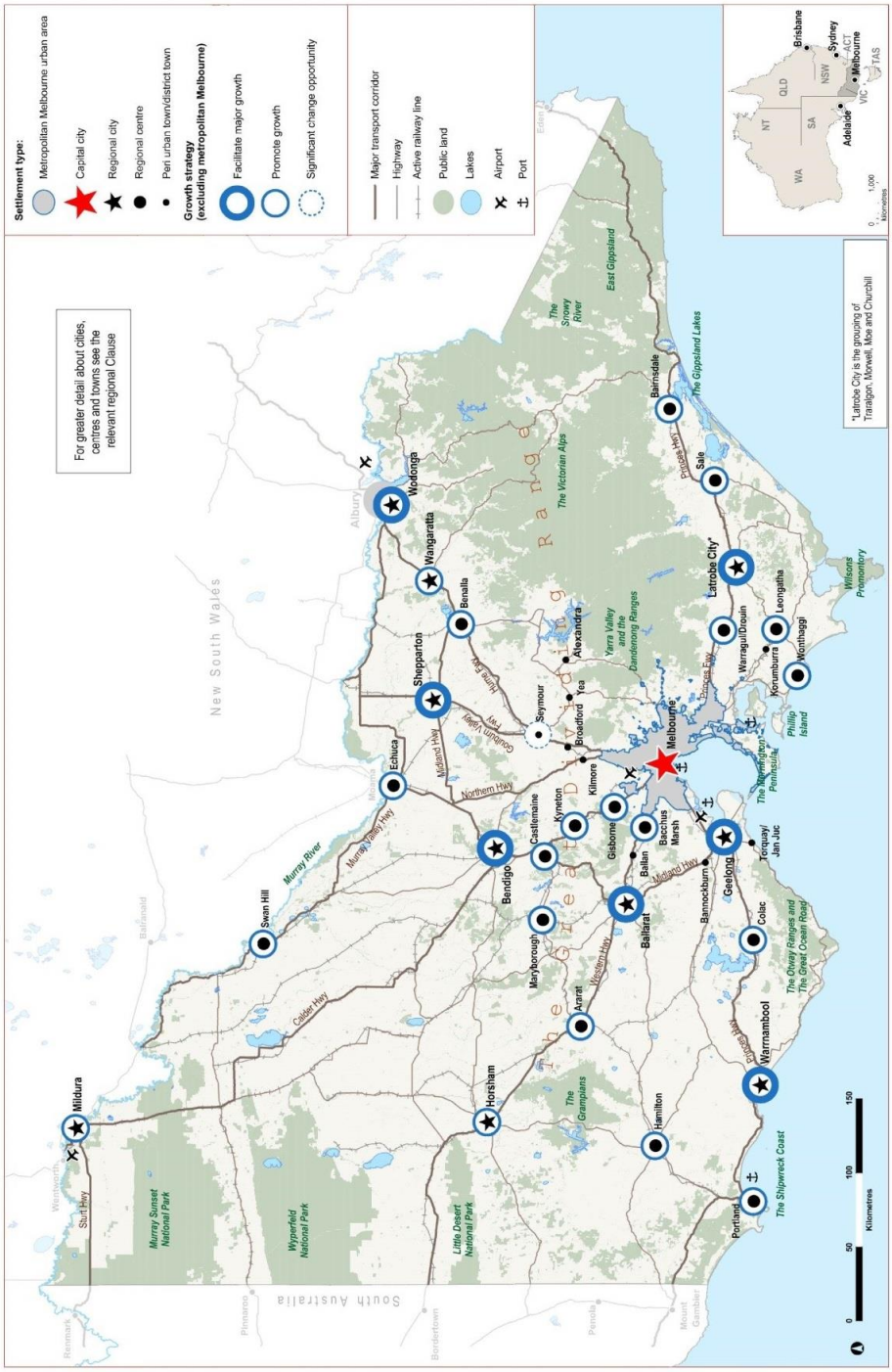
Policy documents

Consider as relevant:

- *Central Highlands Regional Growth Plan* (Victorian Government, 2014)
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Hume Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee North Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee South Regional Growth Plan* (Victorian Government, 2014)
- *Wimmera Southern Mallee Regional Growth Plan* (Victorian Government, 2014)
- *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* (Department of Environment, Land, Water and Planning, 2017)
- *Plan Melbourne 2017-2050: Addendum 2019* (Department of Environment, Land, Water and Planning, 2019)

EAST GIPPSLAND PLANNING SCHEME

Victoria Settlement Framework



11.01-1R Settlement - Gippsland

31/07/2018
VC148

Strategies

Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.

Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

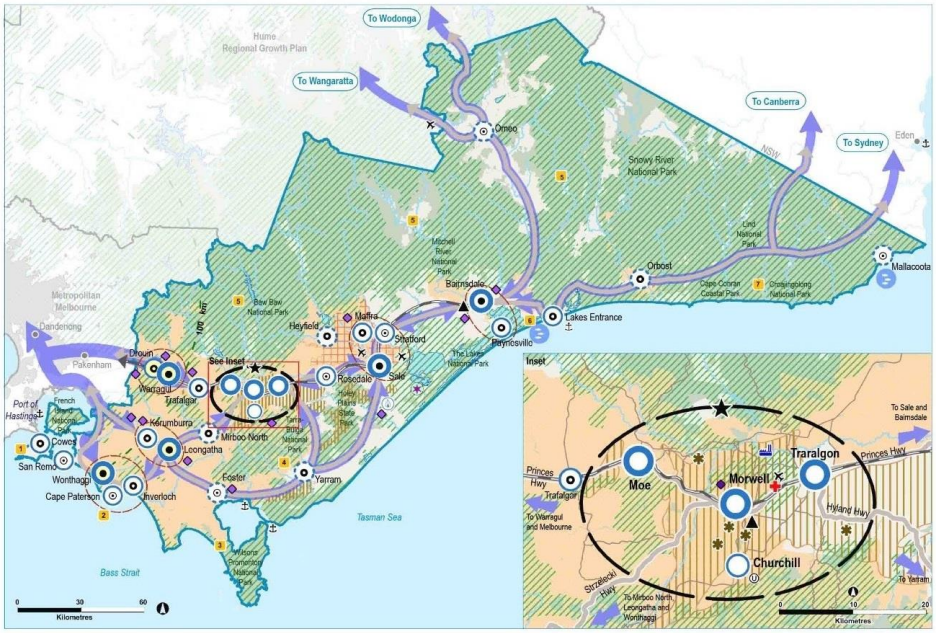
Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.

Provide regional social infrastructure in the regional city and regional centres.

Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership.

EAST GIPPSLAND PLANNING SCHEME

Gippsland Regional Growth Plan



SETTLEMENTS

Regional city - Latrobe City* · Regional centre · Town · Small town

**Latrobe City is the grouping of Traralgon, Morwell, Moe and Churchill*

Promote growth · Support growth · Sustainable change · Designated identified growth centre in Plan Melbourne(1)

Sub regional network · Areas within 100 km of central Melbourne · Melbourne's urban area

(1) Plan Melbourne (Chapter 6 – State of Cities) identifies Warragul/Drouin, Wonthaggi and Leongatha as peri-urban towns with potential to attract housing and population growth out of Melbourne

CONNECTIVITY AND TRANSPORT

Networks supporting movement and access · Potential freight and logistics precincts

Key road corridor · Key rail corridor · Arterial road (insert map only) · Airport · Port

ECONOMIC DEVELOPMENT

Food manufacturing hubs · Key agriculture and forestry land · Macalister Irrigation District

Brown coal reserves · Power station · Longford gas plant · Australian Paper Maryvale

Organic recycling facility · University · Hospital · Fishing port

STRATEGIC TOURISM INVESTMENT AREAS

1 Phillip Island · 2 Bunurong Coast · 3 Wilsons Promontory National Park · 4 Tarra-Bulga National Park

5 Australian Alps · 6 Gippsland Lakes · 7 Croajingolong National Park

ENVIRONMENT

Areas containing high value terrestrial habitat · Public land · Lakes · Rivers

11.01-1L-01 East Gippsland settlements

25/11/2022
C162egip

Strategies

Encourage infill or incremental development of existing towns in preference to dispersed development.

Encourage the consolidation of existing township areas through the development and subdivision of existing lots.

Allow limited infill development in townships where lots are capable of retaining wastewater.

Design new subdivision within or adjacent to unsewered towns to have lot sizes appropriate for on-site treatment and disposal of wastewater.

Support residential infill development within existing residential zones.

Protect areas for future urban growth, particularly avoiding the fragmentation of rural residential land on the urban fringe.

Support medium density development for tourist and residential use in residential zones.

Preserve intervening areas of rural or natural landscapes to protect the separation between settlements.

Provide any new lot created in the Township Zone or Low Density Residential Zone with urban infrastructure.

Encourage development of township centres through consolidation of retail and commercial areas.

Encourage retail and commercial uses requiring larger sites to locate adjacent to the central commercial areas, rather than in free-standing sites on the outskirts of towns.

11.01-1L-02 Growth area towns

--/--/----
Proposed C172egip

Bairnsdale

Policy application

This policy applies to all land in the Bairnsdale Framework Plan and the East Bairnsdale – Lucknow Precinct Plan to this clause.

Strategies - Bairnsdale

Support infill medium density housing close to Bairnsdale CBD to provide greater housing choices.

Facilitate urban development for Bairnsdale within the existing town boundary.

Encourage residential development in Brookfield Lakes and Shannon Waters Estate.

Encourage infill industrial activity on serviced industrial land.

Encourage industrial expansion around the Bosworth Rd-Holloway-Kyle Street area.

Avoid further linear expansion of commercial development and activities adjacent to the Princes Highway outside the town boundary.

Enhance the Mitchell River corridor, restoration of the Port of Bairnsdale and development of a Botanical Gardens in the area between Clifton Creek backwater and the Mitchell River.

Facilitate development of 26 Phillips Lane, Lucknow in accordance with the *Site Specific Control – 26 Phillips Lane, Lucknow* (May 2012) Incorporated Document.

Facilitate development of 870 Princes Highway, Hillside in accordance with the *Specific Control for Land at 1015 Bairnsdale-Dargo Road, Hillside* (October 2010) Incorporated Document.

Encourage light industry, motels, take-away food premises and service stations in the Mixed-Use Zone north of the Princes Highway.

Encourage transport businesses and light industry in the Mixed-Use Zone south of the Princes Highway.

Encourage medical related uses and offices in the Mixed-Use Zone at Main Street / Gould Street.

Encourage motels, medical centres and small offices in the Mixed-Use Zone at Main Street / Macleod.

Encourage residential development fronting Wood Street and a mix of residential and service industrial type uses fronting Macleod Street in the Mixed-Use Zone at Macleod Street (east of Wood Street).

Protect Macleods Morass from adverse impacts of urban uses and facility operations.

Strategies – East Bairnsdale

Facilitate the East Bairnsdale – Lucknow precinct for urban growth with a mix of activities including residential, local area commercial and industrial.

Provide roads within the precinct for connectivity, efficient access and dispersal of traffic.

Ensure the future Princes Highway diversion is not compromised.

Design road layout, open space and lots in residential subdivisions as a buffer from industrial activity.

Plan for community and recreation infrastructure, including a multipurpose space in East Bairnsdale.

Preserve remnant vegetation and incorporate it into public open spaces.

Design development along Princes Highway at the eastern gateway as an attractive entrance to Bairnsdale.

Design drainage in subdivisions to support water management plans.

Provide urban infrastructure to support new residential and business development.

Support residential development in East Bairnsdale provided that it minimises amenity impacts and protects existing rights of local industry.

Consolidate employment opportunities in planned industrial and commercial land use activities.

Avoid land uses that adversely impact on the industrial activities in the precinct.

Policy guideline – East Bairnsdale

Consider as relevant:

- Whether to specify community and development infrastructure in a Section 173 agreement under the Planning and Environment Act 1987 implementing the *East Bairnsdale - Lucknow Precinct Structure Plan*.

Paynesville

Policy application

This policy applies to all land shown in Map 1 to this clause.

Strategies - Paynesville

Provide a variety of lot sizes and housing types to meet community needs.

Expansion of the town westwards should occur generally in accordance with Paynesville Framework Plan to this clause.

Promote higher residential densities in proximity to areas of high amenity in particular the activity centre, open space and recreational areas.

Provide network linkages between residential, commercial, recreation, activity centre areas, the foreshore, the waterfront and the rural hinterland.

Provide coordinated, orderly and integrated serviced development within growth areas with appropriate developer contributions.

Encourage high quality tourism and eco-tourism facilities that facilitate year-round visitation.

Promote a high quality, integrated tourist accommodation facility at the township entrance generally in accordance with the Paynesville Framework Plan to this clause.

Encourage the maritime industry (including marinas and workshop facilities) and service industry to locate in the Slip Road precinct.

Ensure retail and commercial activities located outside the activity centre do not affect the viability of the activity centre.

Provide a distinct separation between the townships of Eagle Point and Paynesville incorporating extensive open space areas

Provide a distinctive visual transition into Paynesville by establishing expansive green edges abutting entry roads while maintaining vistas to the Gippsland Lakes.

Protect and enhance Paynesville's significant landscapes, wetland and foreshore areas and the environmental values of the Gippsland Lakes

Policy document

Paynesville Growth Area Structure Plan (2016, updated 2023)

Lakes Entrance

Policy application

This policy applies to all land in the Lakes Entrance Framework Plan to this clause and Rural Living Zones in the Colquhoun area.

Strategies - Lakes Entrance

Restrict development outside the Lakes Entrance settlement boundary.

Protect vegetated areas, particularly in vulnerable undeveloped areas within the town boundary as part of the subdivision process.

Provide additional industrial land in Lakes Entrance as identified on the Lakes Entrance Framework Plan.

Support development of the Colquhoun land north of Lakes Entrance for rural living.

Limit the adverse impacts of subdivision, use and residential development in environmentally sensitive areas in the Colquhoun area.

Improve the town entry by the creation of a new gateway landscape.

Improve linkages between the town centre and Kalimna residential area.

Develop the large rural holding north of Kalimna, adjoining North Arm, either for a resort-style development or an integrated residential development with recreational/tourist components.

Improve pedestrian connections across The Esplanade between the commercial edge and foreshore in particular adjacent to the Tourist Precinct and the Civic/Village Precinct.

Improve pedestrian access in the retail centre, particularly to the rear of The Esplanade in the vicinity of Church Street and along the foreshore.

Protect and maximise foreshore views along The Esplanade through building design.

Focus recreational and tourism uses within the Tourist Precinct and along the foreshore opposite the Tourist Precinct and the Civic/Village Precinct.

Locate recreational and tourist opportunities in the western portion of Bullock Island.

Integrate Bullock Island into the town's recreation/tourism attractions, in particular those located within the Tourist Precinct.

Provide improved linkages between the two nodes of Lakes Entrance and Bullock Island.

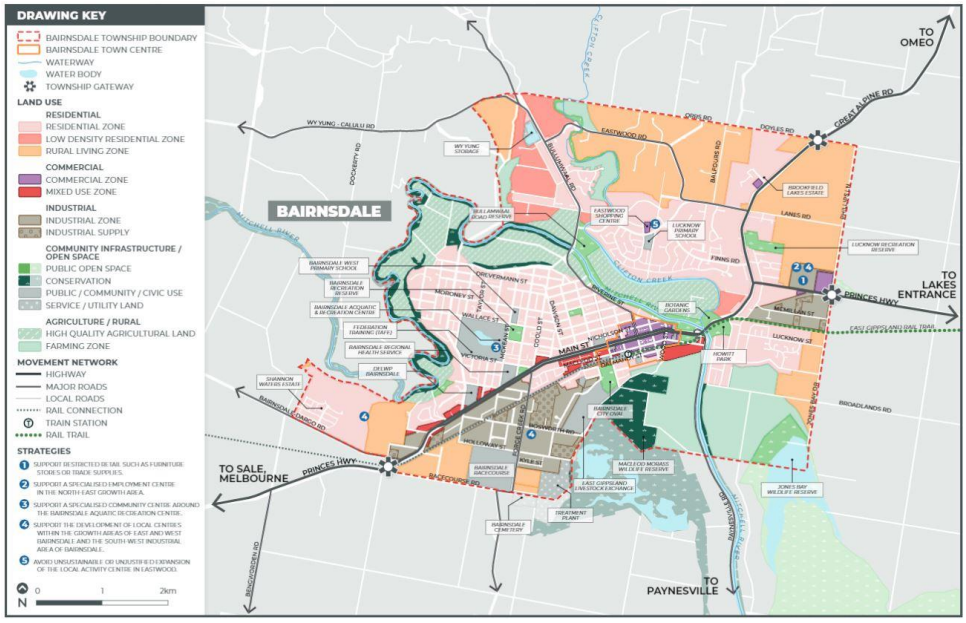
Policy guideline - Lakes Entrance

Consider as relevant:

- Providing urban infrastructure, open space and community facilities in accordance with the *Lakes Entrance Northern Growth Area Development Contributions Plan* (August, 2012) when subdividing any land included in the Outline Development Plan.
- Preserving environmental values through planting revegetation, rehabilitation or fencing on Rural Residential Zoned land in the Colquhoun area.
- The need for an agreement under Section 173 of the Planning and Environment Act 1987 to implement or control future use and maintenance of the rural residential land in the Colquhoun area.

EAST GIPPSLAND PLANNING SCHEME

Bairnsdale Framework Plan



East Bairnsdale – Lucknow Precinct Plan

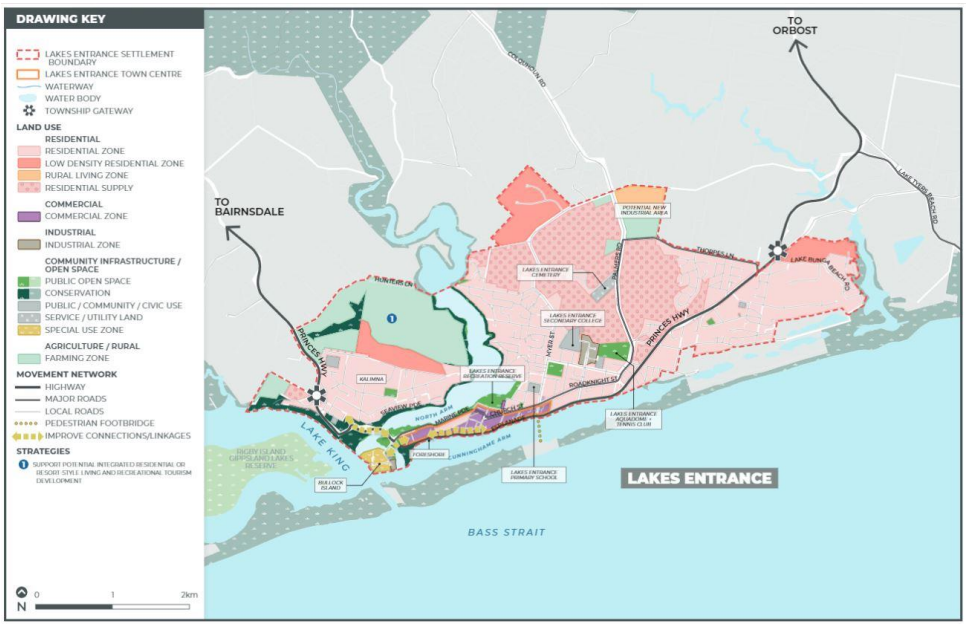
EAST GIPPSLAND PLANNING SCHEME

EAST GIPPSLAND PLANNING SCHEME

Paynesville Framework Plan

EAST GIPPSLAND PLANNING SCHEME

Lakes Entrance Framework Plan



11.01-1L-03 Rural settlements

25/11/2022
C162egip

Twin River towns

Policy application

This policy applies to all land in the Nicholson, Johnsonville and Swan Reach framework plans to this clause.

Strategies

Manage township growth to protect and enhance environmental and landscape values.

Preserve the separation between Nicholson, Johnsonville and Swan Reach.

Consolidate the existing undeveloped and underutilised Township Zone.

Encourage development of the undeveloped Low Density and Rural Living Zone land.

Encourage the development of infill commercial and tourism opportunities on sites with frontage to the Princes Highway.

Provide tourist accommodation in the Comprehensive Development Zone to the south east of the Nicholson township.

Direct township growth to the north of the existing Township Zone at 100 Nicholson Sarsfield Road.

Improve pedestrian connectivity between the Township Zone areas on either side of the Rivers.

Improve pedestrian connections adjacent to the Princes Highway including connections between Nicholson and settlement areas east of the Nicholson River, including the Nicholson Primary School, and between Johnsonville and Swan Reach.

Improve pedestrian and cycle connections between Nicholson, Johnsonville and the Rail Trail.

Improve entry treatments adjacent to the Princes Highway.

Improve linkages between the Rail Trail and townships.

Protect corridors of roadside vegetation, streamlines and habitat corridors including on the Princes Highway, Bumberrah Road and the Tambo River.

Protect the Princes Highway corridor and river corridor from inappropriate development.

Protect roadside vegetation, waterways and habitat corridors near the Tambo River, Princes Highway, Mossiface Swan Reach Road, Cunningham Road and Old Orbost Road.

Policy documents

Consider as relevant:

- *Twin Rivers Land Use Plan* (Meinhardt Infrastructure and Environment and Essential Economics, 2012)

Nowa Nowa

Policy application

This policy applies to all land in the Nowa Nowa township.

Strategies

Support Nowa Nowa's roles as a local retail and highway service centre and significant timber industry location.

Encourage retail and commercial activities on the Princes Highway and the Nowa Nowa-Bruthen Road.

Encourage value-adding in timber industry, on or adjacent to sites occupied by existing timber enterprises.

Encourage tourist facilities, subject to servicing being provided by the developer.

Lindenow

Policy application

This policy applies to all land in the Lindenow Framework Plan to this clause.

Strategies

Support development in the Lindenow local centre.

Encourage land uses that facilitate vegetable processing and dairy products.

Omeo

Policy application

This policy applies to all land in the Omeo Framework Plan to this clause.

Strategies

Support Omeo as a district centre for the north west and a centre for pastoral industry.

Ensure development along the Great Alpine Road between Omeo and Dinner Plain provides attractive environments for tourism or permanent living.

Prevent ribbon development and adverse effects on the environment or landscape of the area.

Preserve and enhance the cultural heritage of the Omeo and its environs.

Improve linkages between the town and Livingstone Creek.

Orbost

Policy application

This policy applies to all land in the Orbost Framework Plan to this clause.

Strategies

Support Orbost as a district centre for the timber, dairying and vegetable industries.

Avoid long term expansion east of Arnold Street until existing infill opportunities are taken up and reticulated sewerage and drainage services are able to be connected.

Accommodate smaller industrial activities on existing industrial zoned land including the Rifle Range.

Cann River

Policy application

This policy applies to all land in the Cann River township.

Strategies

Support Cann River as a local retail and highway service centre, timber industry location and access point for National Parks.

Encourage new value-adding timber processing industry.

Enhance Cann River as a base for nature-based tourism.

Encourage small-scale value-adding to dairy produce.

Encourage retail / commercial development to concentrate along the Princes and Monaro Highways, unless specific needs make another site more appropriate.

Encourage value-adding activities on the sawmill sites to the east of the town, in preference to the low-lying area near the river.

Mosquito Point

Policy application

This policy applies to all land in the Mosquito Point township.

Strategies

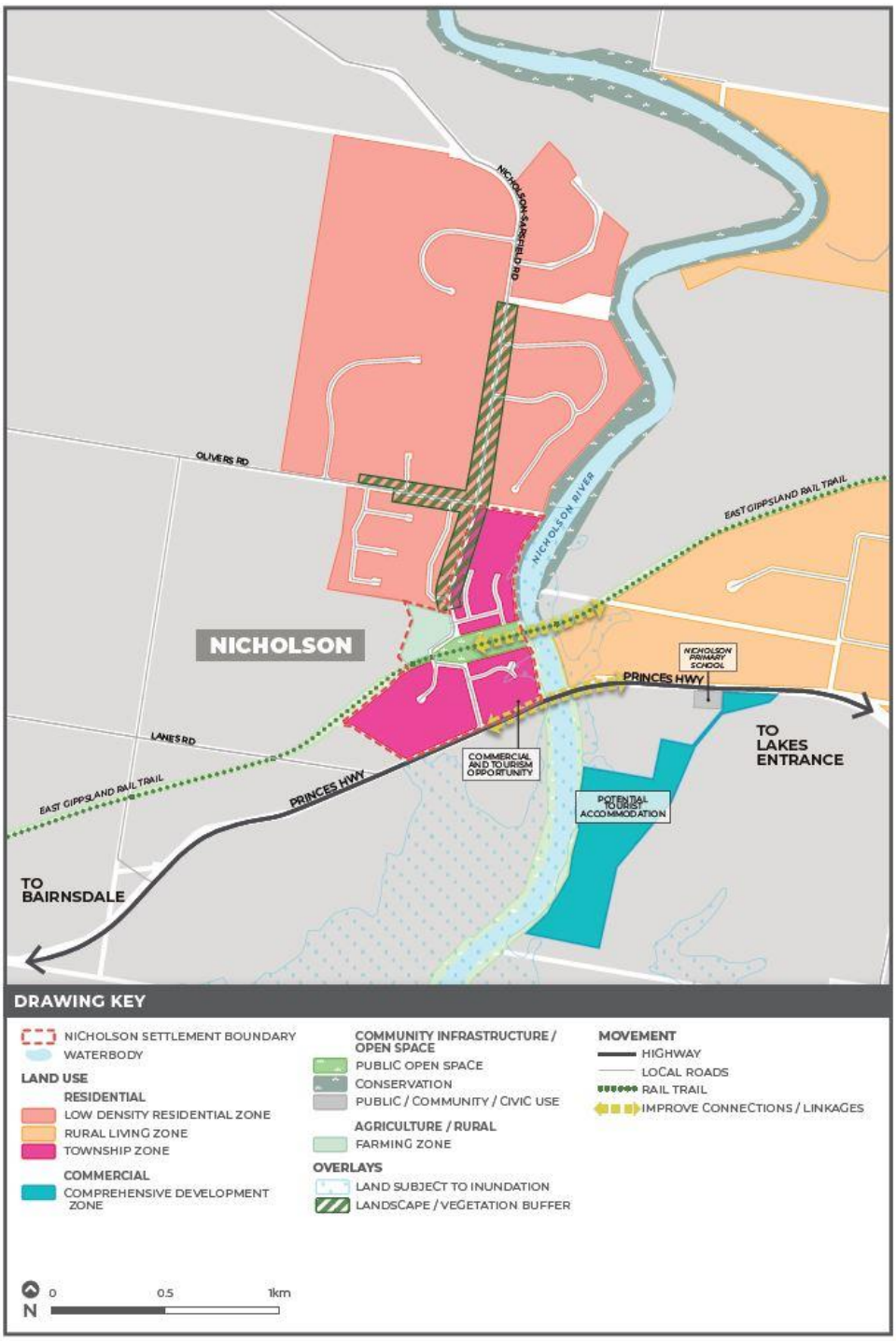
Support the existing role of Mosquito Point as a small holiday residential community.

Strictly limit further development in Mosquito Point.

Discourage development of more than one dwelling on any lot unless the environmental qualities of the area will not be adversely affected.

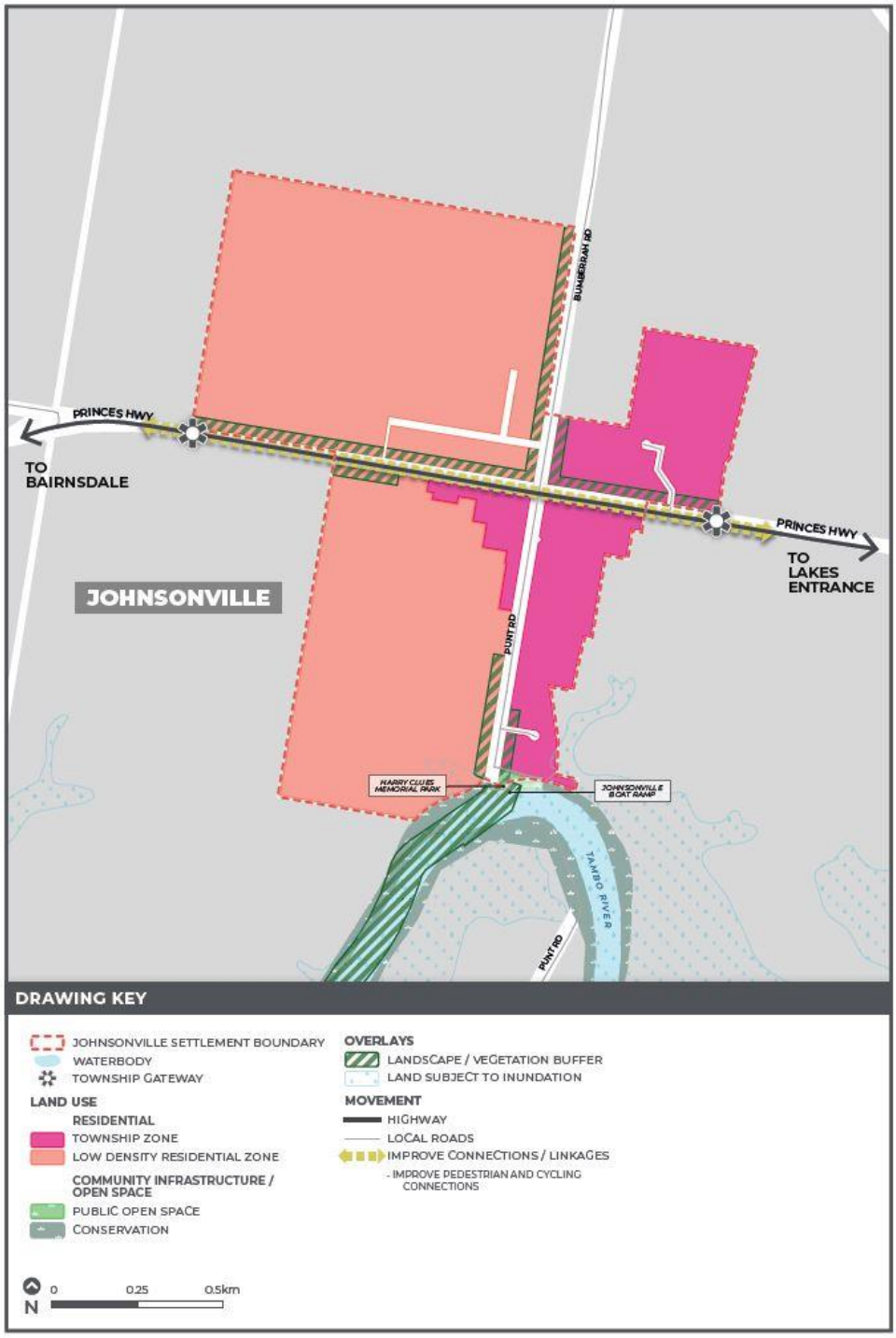
EAST GIPPSLAND PLANNING SCHEME

Nicholson Framework Plan



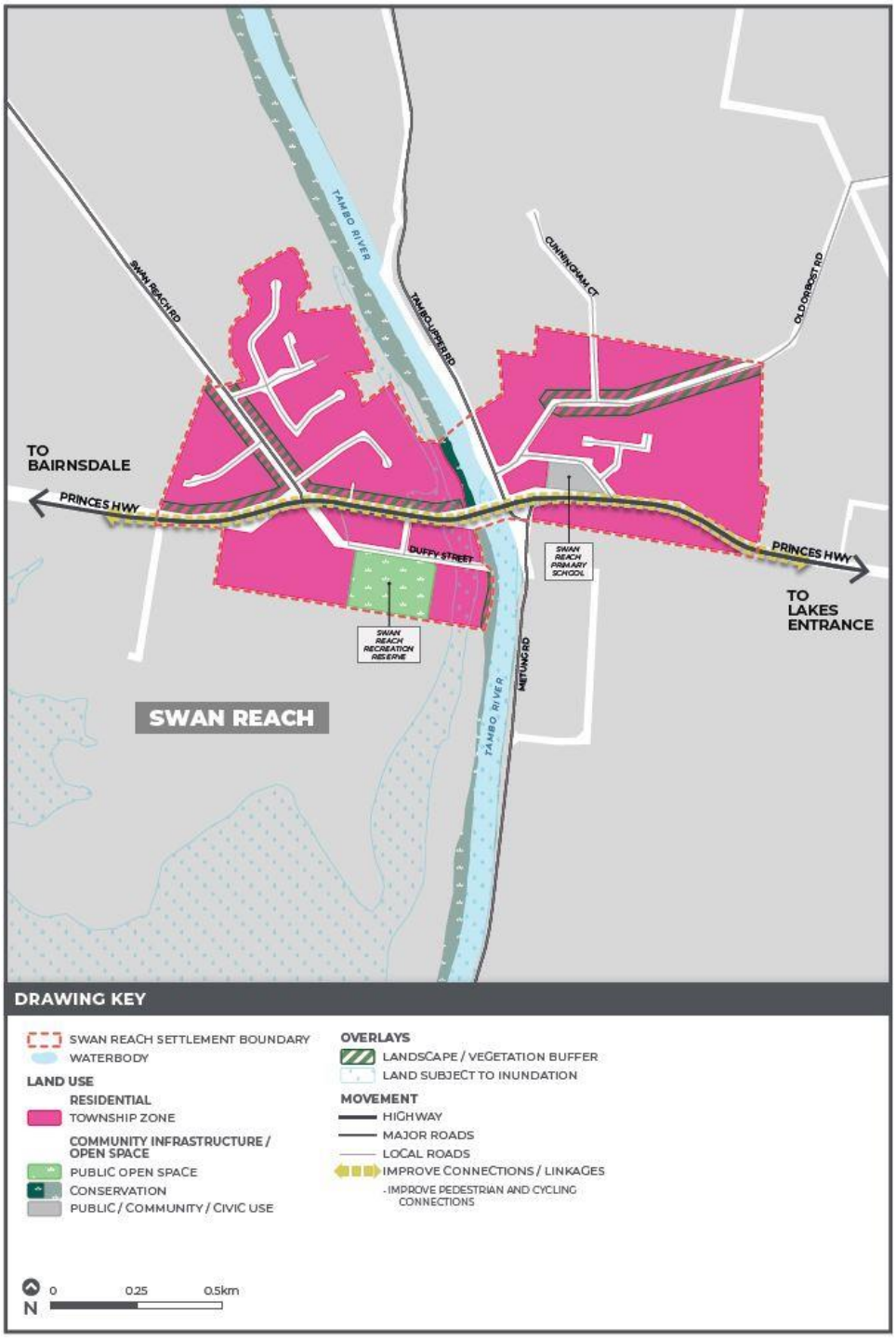
EAST GIPPSLAND PLANNING SCHEME

Johnsonville Framework Plan



EAST GIPPSLAND PLANNING SCHEME

Swan Reach Framework Plan

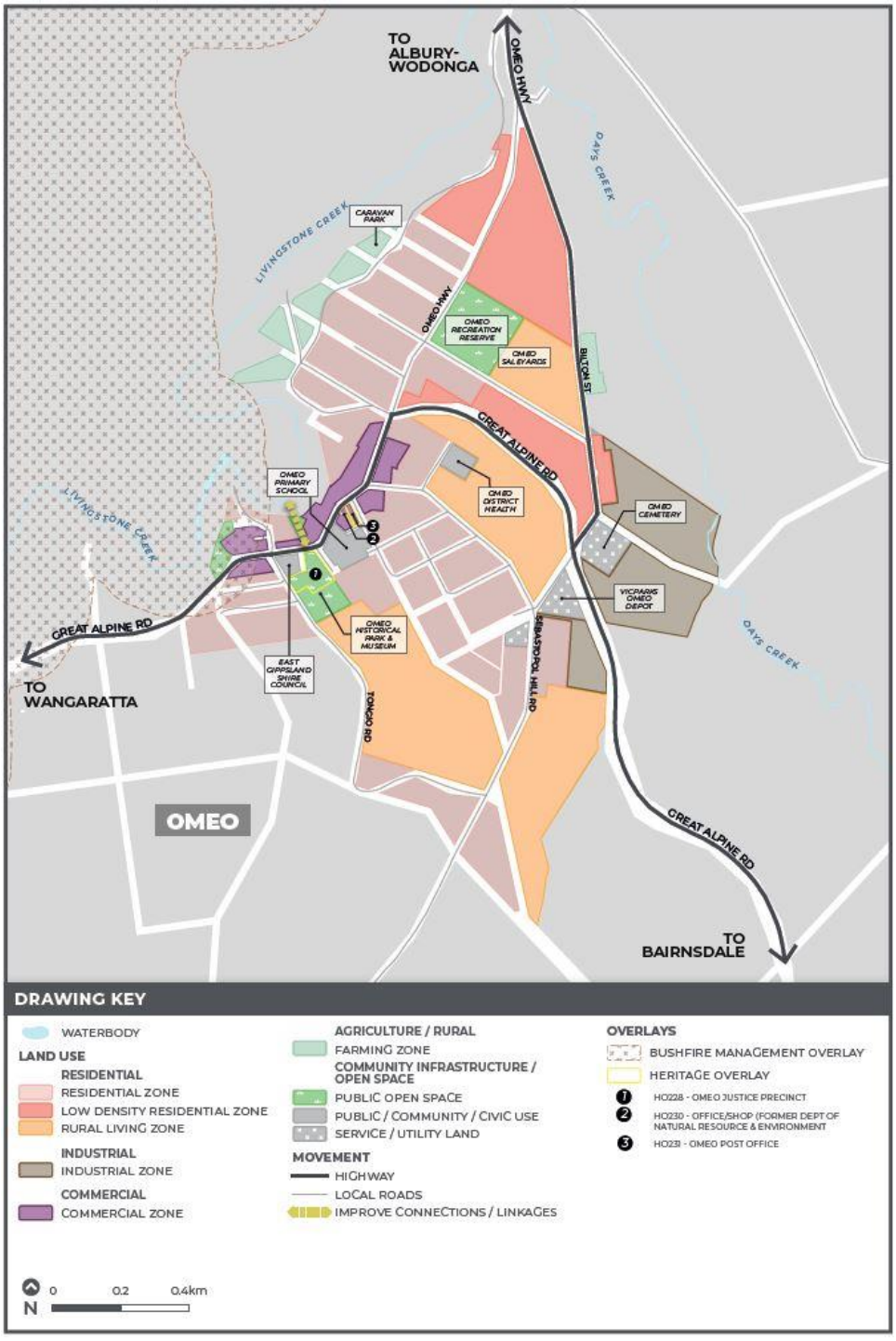


EAST GIPPSLAND PLANNING SCHEME

Lindenow Framework Plan

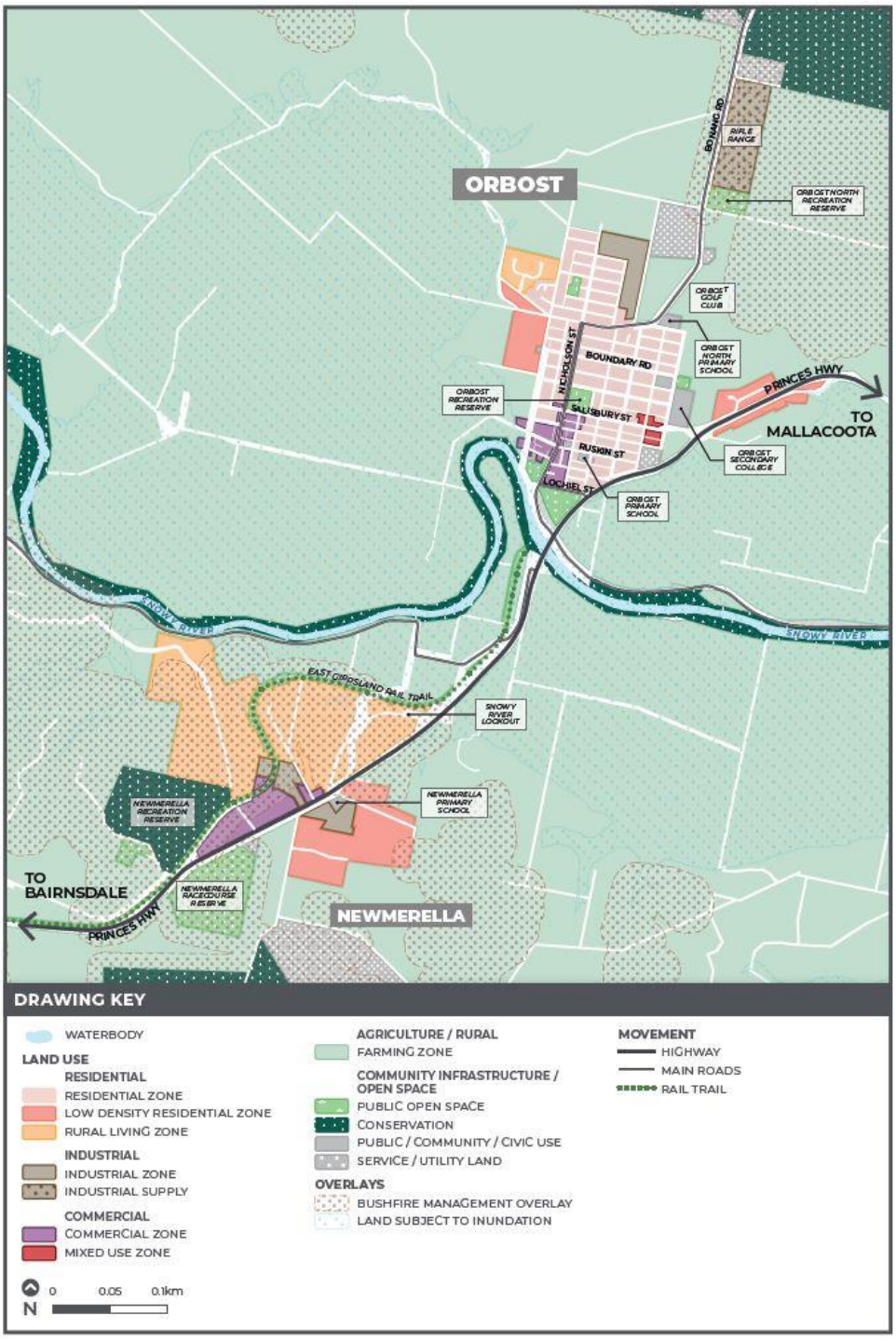
EAST GIPPSLAND PLANNING SCHEME

Omeo Framework Plan



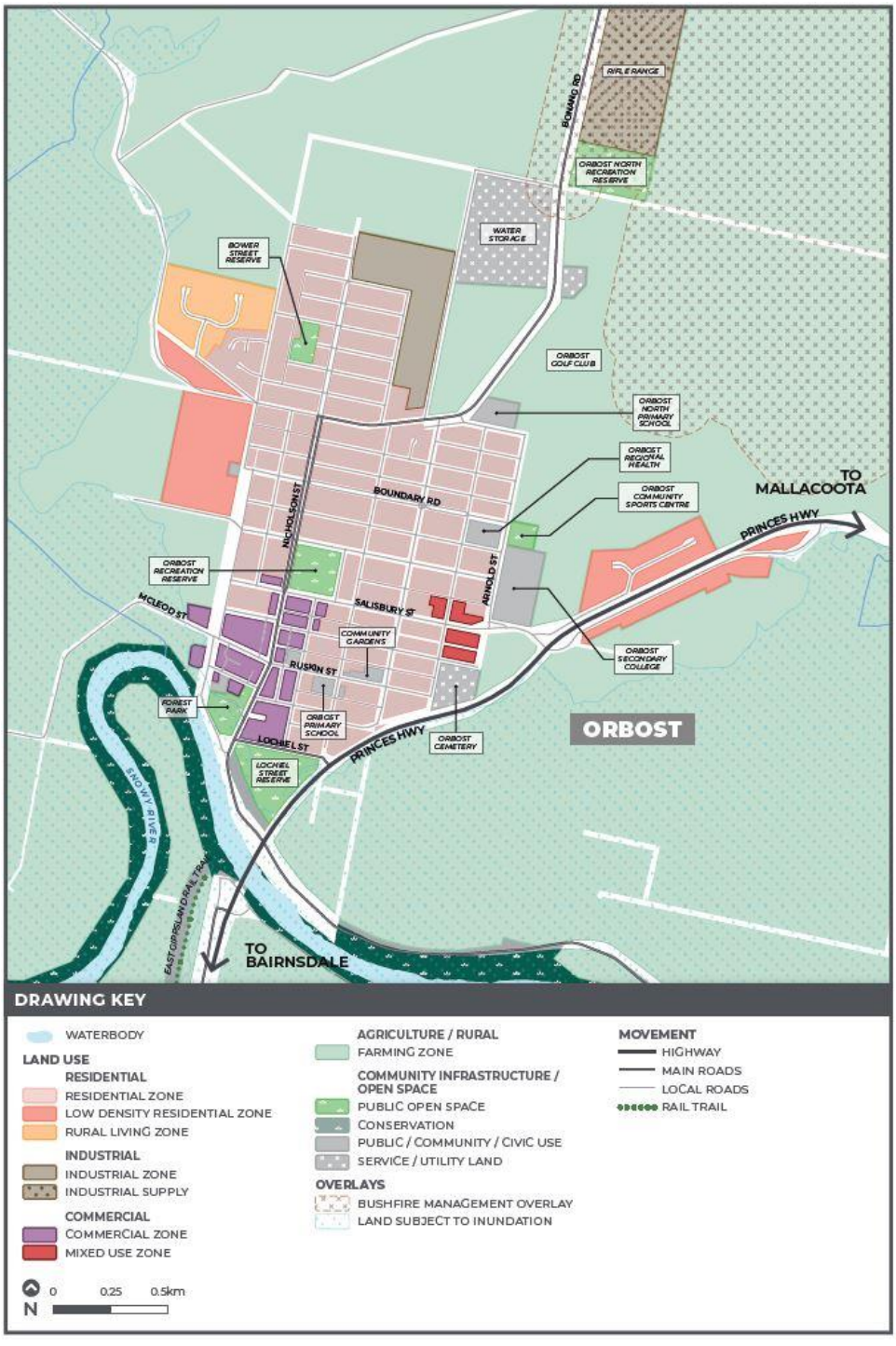
EAST GIPPSLAND PLANNING SCHEME

Orbost Newmerella Framework Plan



Orbost Framework Plan

EAST GIPPSLAND PLANNING SCHEME



11.01-1L-04 Smaller rural settlements

25/11/2022
C162egip

Policy application

This policy applies to the smaller rural settlements identified on the Strategic Framework Plan at Clause 02.04.

Strategies

Restructure Fernbank to reduce the potential development density.

Discourage lots being subdivided in Bullumwaal below a size that is environmentally capable of sustaining development.

Encourage the establishment of a major sporting facility in Bengworden.

Encourage agricultural intensification in Bengworden.

Encourage small scale tourist developments in rural areas at Clifton Creek and Woodglen.

Encourage Glen Wills to be restructured for low-density development.

Determine the environmental/ land use capability of the Cassilis Valley.

Retain large parcels of rural land at Swifts Creek for pastoral uses.

Support a range of small-scale tourist enterprises at Swifts Creek.

Encourage value-adding to timber products at Swifts Creek, subject to maintenance of buffer distances for air and noise emissions between the mill site and sensitive uses such as the schools and residences.

Encourage small scale tourist developments in rural areas at Goongerah.

Encourage Deddick, Tubbut, Bonang, Delegate River and Bendoc to develop their potential for nature-based tourism.

Encourage value-adding in timber industry, particularly at Bendoc.

Encourage plantation development on appropriate sites at Deddick, Tubbut, Bonang, Delegate River and Bendoc where these do not impact adversely on the community or adjoining owners and where appropriate road and bridge infrastructure can be guaranteed.

Encourage small scale tourist developments in Tubbut rural areas.

Develop Bonang, Delegate River and Bendoc as a base for nature-based tourism.

Encourage value-adding in timber industry at Bendoc.

Avoid residential or other urban development at Bengworden, Hinnomunjie, Tongio Munjie, Waygara, Manorina and Tabbara unless specific studies find the area to be suitable.

Ensure consolidation of lots at Bengworden, Hinnomunjie, Tongio Munjie, Waygara, Manorina and Tabbara.

Limit development on Ocean Grange and Barrier to protect the environmental qualities of the area and the ability of the land to absorb wastes.

Encourage enhanced river and lake frontages at Tambo Bay, protecting the quality of natural environment.

Encourage opportunities for cultural and nature-based tourism at Lake Tyers.

Avoid intensification of development, including more than one dwelling on a lot or the extension of the Tamboon and Tamboon South settlements.

Develop Genoa as the Eastern ‘Gateway’ with opportunities for small-scale tourist or commercial uses in association with rural activities.

Retain large rural lot sizes in Genoa.

Encourage the retail, commercial and tourism role of Bruthen including small-scale tourist accommodation.

Support Buchan as a local retail centre and for tourism, the timber industry, mining and quarrying.

Encourage small scale tourist developments in rural areas near Tambo Upper.

EAST GIPPSLAND PLANNING SCHEME

11.01 VICTORIA

31/07/2018
VC148

11.01-1S Settlement

10/06/2022
VC216

Objective

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.
- Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.

- Minimising exposure to natural hazards, including increased risks due to climate change.
- Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.

Encourage a form and density of settlements that supports healthy, active and sustainable transport.

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

Support metropolitan and regional climate change adaption and mitigation measures.

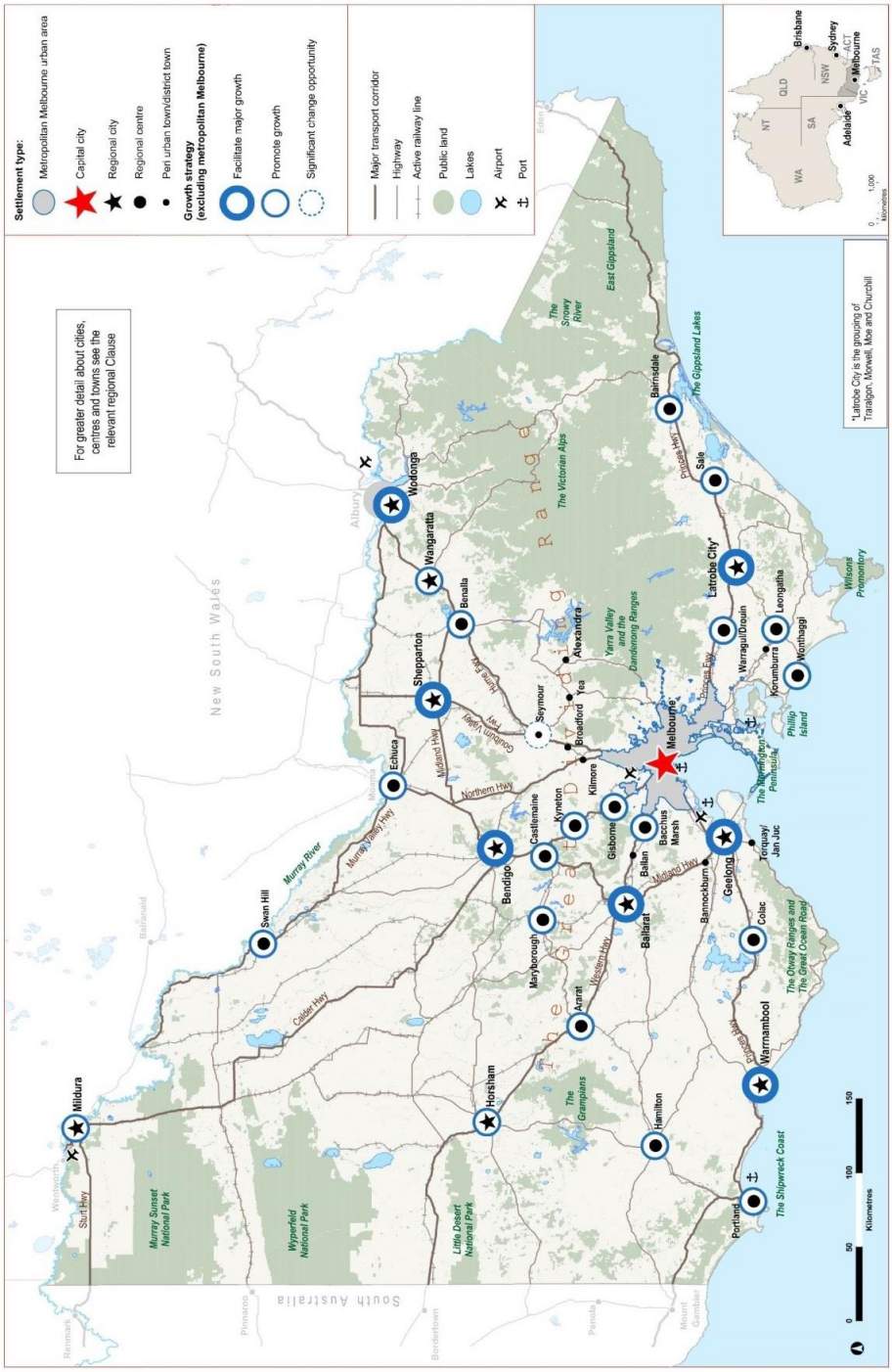
Policy documents

Consider as relevant:

- *Central Highlands Regional Growth Plan* (Victorian Government, 2014)
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Hume Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee North Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee South Regional Growth Plan* (Victorian Government, 2014)
- *Wimmera Southern Mallee Regional Growth Plan* (Victorian Government, 2014)
- *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* (Department of Environment, Land, Water and Planning, 2017)
- *Plan Melbourne 2017-2050: Addendum 2019* (Department of Environment, Land, Water and Planning, 2019)

EAST GIPPSLAND PLANNING SCHEME

Victoria Settlement Framework



11.01-1R Settlement - Gippsland

31/07/2018
VC148

Strategies

Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.

Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

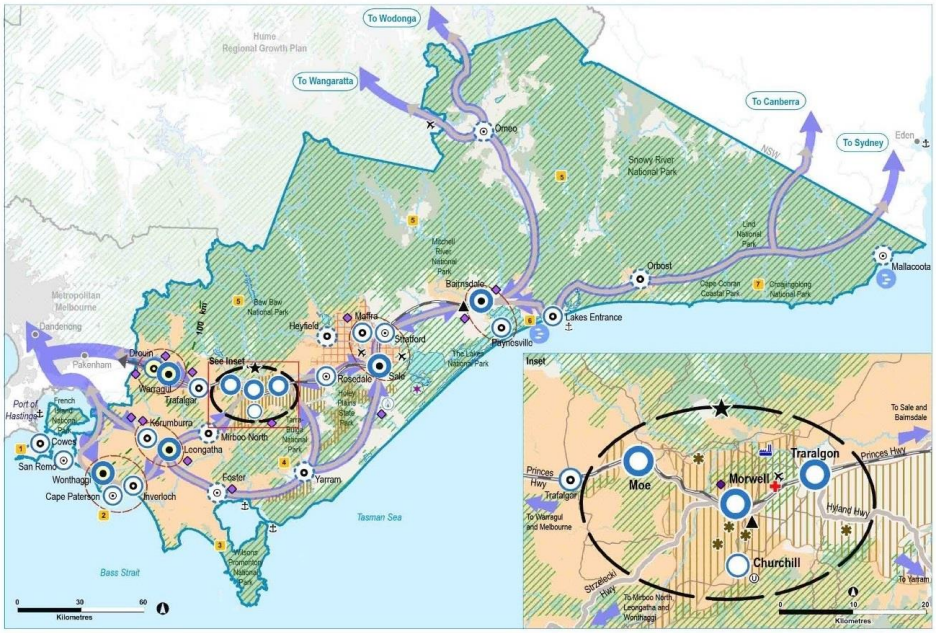
Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.

Provide regional social infrastructure in the regional city and regional centres.

Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership.

EAST GIPPSLAND PLANNING SCHEME

Gippsland Regional Growth Plan



SETTLEMENTS

Regional city - Latrobe City* | Regional centre | Town | Small town

**Latrobe City is the grouping of Traralgon, Morwell, Moe and Churchill*

Promote growth | Support growth | Sustainable change | Designated identified growth centre in Plan Melbourne(1)

Sub regional network | Areas within 100 km of central Melbourne | Melbourne's urban area

(1) Plan Melbourne (Chapter 6 – State of Cities) identifies Warragul/Drouin, Wonthaggi and Leongatha as peri-urban towns with potential to attract housing and population growth out of Melbourne

CONNECTIVITY AND TRANSPORT

Networks supporting movement and access | Potential freight and logistics precincts

Key road corridor | Key rail corridor | Arterial road (insert map only) | Airport | Port

ECONOMIC DEVELOPMENT

Food manufacturing hubs | Key agriculture and forestry land | Macalister Irrigation District

Brown coal reserves | Power station | Longford gas plant | Australian Paper Maryvale

Organic recycling facility | University | Hospital | Fishing port

STRATEGIC TOURISM INVESTMENT AREAS

1 Phillip Island | 2 Bunurong Coast | 3 Wilsons Promontory National Park | 4 Tarra-Bulga National Park

5 Australian Alps | 6 Gippsland Lakes | 7 Croajingolong National Park

ENVIRONMENT

Areas containing high value terrestrial habitat | Public land | Lakes | Rivers

11.01-1L-01 East Gippsland settlements

25/11/2022
C162egip

Strategies

Encourage infill or incremental development of existing towns in preference to dispersed development.

Encourage the consolidation of existing township areas through the development and subdivision of existing lots.

Allow limited infill development in townships where lots are capable of retaining wastewater.

Design new subdivision within or adjacent to unsewered towns to have lot sizes appropriate for on-site treatment and disposal of wastewater.

Support residential infill development within existing residential zones.

Protect areas for future urban growth, particularly avoiding the fragmentation of rural residential land on the urban fringe.

Support medium density development for tourist and residential use in residential zones.

Preserve intervening areas of rural or natural landscapes to protect the separation between settlements.

Provide any new lot created in the Township Zone or Low Density Residential Zone with urban infrastructure.

Encourage development of township centres through consolidation of retail and commercial areas.

Encourage retail and commercial uses requiring larger sites to locate adjacent to the central commercial areas, rather than in free-standing sites on the outskirts of towns.

11.01-1L-02 Growth area towns

~~25/11/2022~~ ~~C162egip~~Proposed C172egip

Bairnsdale

Policy application

This policy applies to all land in the Bairnsdale Framework Plan and the East Bairnsdale – Lucknow Precinct Plan to this clause.

Strategies - Bairnsdale

Support infill medium density housing close to Bairnsdale CBD to provide greater housing choices.

Facilitate urban development for Bairnsdale within the existing town boundary.

Encourage residential development in Brookfield Lakes and Shannon Waters Estate.

Encourage infill industrial activity on serviced industrial land.

Encourage industrial expansion around the Bosworth Rd-Holloway-Kyle Street area.

Avoid further linear expansion of commercial development and activities adjacent to the Princes Highway outside the town boundary.

Enhance the Mitchell River corridor, restoration of the Port of Bairnsdale and development of a Botanical Gardens in the area between Clifton Creek backwater and the Mitchell River.

Facilitate development of 26 Phillips Lane, Lucknow in accordance with the *Site Specific Control – 26 Phillips Lane, Lucknow* (May 2012) Incorporated Document.

Facilitate development of 870 Princes Highway, Hillside in accordance with the *Specific Control for Land at 1015 Bairnsdale-Dargo Road, Hillside* (October 2010) Incorporated Document.

Encourage light industry, motels, take-away food premises and service stations in the Mixed-Use Zone north of the Princes Highway.

Encourage transport businesses and light industry in the Mixed-Use Zone south of the Princes Highway.

Encourage medical related uses and offices in the Mixed-Use Zone at Main Street / Gould Street.

Encourage motels, medical centres and small offices in the Mixed-Use Zone at Main Street / Macleod.

Encourage residential development fronting Wood Street and a mix of residential and service industrial type uses fronting Macleod Street in the Mixed-Use Zone at Macleod Street (east of Wood Street).

Protect Macleods Morass from adverse impacts of urban uses and facility operations.

Strategies – East Bairnsdale

Facilitate the East Bairnsdale – Lucknow precinct for urban growth with a mix of activities including residential, local area commercial and industrial.

Provide roads within the precinct for connectivity, efficient access and dispersal of traffic.

Ensure the future Princes Highway diversion is not compromised.

Design road layout, open space and lots in residential subdivisions as a buffer from industrial activity.

Plan for community and recreation infrastructure, including a multipurpose space in East Bairnsdale.

Preserve remnant vegetation and incorporate it into public open spaces.

Design development along Princes Highway at the eastern gateway as an attractive entrance to Bairnsdale.

Design drainage in subdivisions to support water management plans.

Provide urban infrastructure to support new residential and business development.

Support residential development in East Bairnsdale provided that it minimises amenity impacts and protects existing rights of local industry.

Consolidate employment opportunities in planned industrial and commercial land use activities.

Avoid land uses that adversely impact on the industrial activities in the precinct.

Policy guideline – East Bairnsdale

Consider as relevant:

- Whether to specify community and development infrastructure in a Section 173 agreement under the Planning and Environment Act 1987 implementing the *East Bairnsdale - Lucknow Precinct Structure Plan*.

Paynesville

Policy application

This policy applies to all land ~~in the Paynesville Framework Plan~~ shown in Map 1 to this clause.

Strategies - Paynesville

Provide a variety of lot sizes and housing types ~~and styles that add to the special character of Paynesville~~ to meet community needs.

Expansion of the town westwards should occur generally in accordance with Paynesville Framework Plan to this clause.

Promote higher residential densities in proximity to areas of high amenity in particular the activity centre, open space and recreational areas.

Provide network linkages between residential, commercial, recreation, ~~town~~activity centre ~~activity~~ areas, the foreshore, the waterfront and the rural hinterland.

Provide coordinated, orderly and integrated serviced development within growth areas with appropriate developer contributions.

~~Develop tourism opportunities and event spaces that facilitate an all~~Encourage high quality tourism and eco-tourism facilities that facilitate year-round ~~destination~~visitation.

Promote a high quality, integrated tourist accommodation facility at the township entrance generally in accordance with the Paynesville Framework Plan to this clause.

Encourage the maritime industry (including marinas and workshop facilities) and service industry to locate in the ~~Industrial 3 Zone at~~ Slip Road precinct.~~-~~

~~Discourage industry that is not reliant on access to water in the Industrial 3 Zone on Slip Road.~~

~~Expand the town westwards generally between Waratah Avenue and Grandview Road.~~

~~Contain urban development within the area to the east of Grandview Road~~Ensure retail and commercial activities located outside the activity centre do not affect the viability of the activity centre.

~~Promote higher densities in the redevelopment of existing areas.~~

Provide a distinct separation between the townships of Eagle Point and Paynesville incorporating extensive open space areas~~.~~

Provide a distinctive visual transition into Paynesville by establishing expansive green edges ~~to abut entry roads to maintain the sense of country atmosphere to the arrival experience~~abutting entry roads while maintaining vistas to the Gippsland Lakes.

~~Encourage development of a variety of tourist accommodation options within Paynesville, particularly in the town centre or close to the canals.~~ Protect and enhance Paynesville's significant landscapes, wetland and foreshore areas and the environmental values of the Gippsland Lakes

~~Encourage the use of the site adjoining the coast north-west of Paynesville, to be developed for resort development or for urban/residential use.~~

~~Plan any resort development as an integrated development that does not include land uses that would be prejudicial to the primacy of the Paynesville activity centre.~~

Policy ~~guideline - Paynesville~~document

~~Consider as relevant:~~

- ~~Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8-10 lots per hectare.~~

Paynesville Growth Area Structure Plan (2016, updated 2023)

Lakes Entrance

Policy application

This policy applies to all land in the Lakes Entrance Framework Plan to this clause and Rural Living Zones in the Colquhoun area.

Strategies - Lakes Entrance

Restrict development outside the Lakes Entrance settlement boundary.

Protect vegetated areas, particularly in vulnerable undeveloped areas within the town boundary as part of the subdivision process.

Provide additional industrial land in Lakes Entrance as identified on the Lakes Entrance Framework Plan.

Support development of the Colquhoun land north of Lakes Entrance for rural living.

Limit the adverse impacts of subdivision, use and residential development in environmentally sensitive areas in the Colquhoun area.

Improve the town entry by the creation of a new gateway landscape.

Improve linkages between the town centre and Kalimna residential area.

Develop the large rural holding north of Kalimna, adjoining North Arm, either for a resort-style development or an integrated residential development with recreational/tourist components.

Improve pedestrian connections across The Esplanade between the commercial edge and foreshore in particular adjacent to the Tourist Precinct and the Civic/Village Precinct.

Improve pedestrian access in the retail centre, particularly to the rear of The Esplanade in the vicinity of Church Street and along the foreshore.

Protect and maximise foreshore views along The Esplanade through building design.

Focus recreational and tourism uses within the Tourist Precinct and along the foreshore opposite the Tourist Precinct and the Civic/Village Precinct.

Locate recreational and tourist opportunities in the western portion of Bullock Island.

Integrate Bullock Island into the town's recreation/tourism attractions, in particular those located within the Tourist Precinct.

Provide improved linkages between the two nodes of Lakes Entrance and Bullock Island.

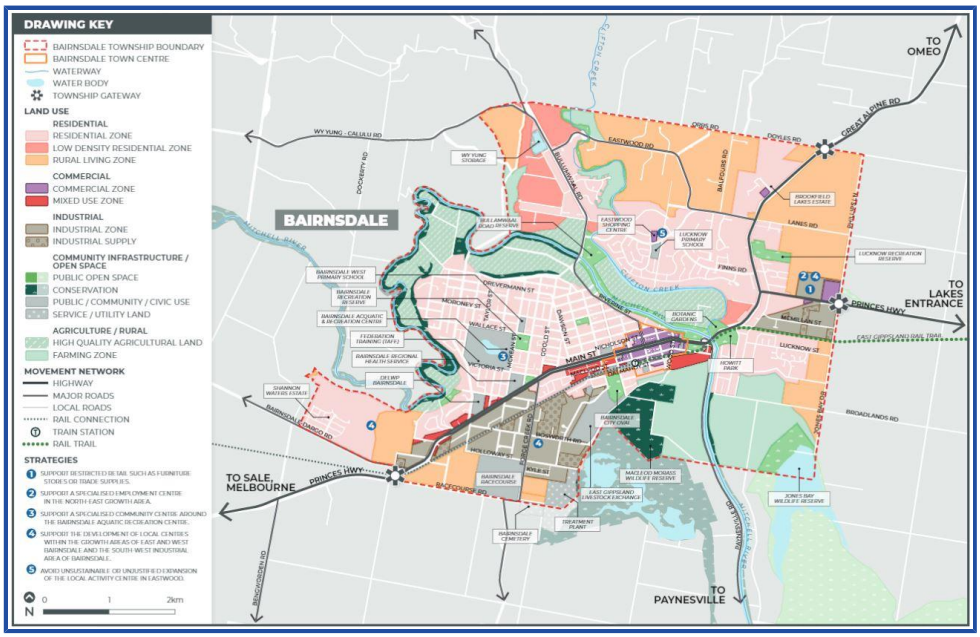
Policy guideline - Lakes Entrance

Consider as relevant:

- Providing urban infrastructure, open space and community facilities in accordance with the *Lakes Entrance Northern Growth Area Development Contributions Plan* (August, 2012) when subdividing any land included in the Outline Development Plan.
- Preserving environmental values through planting revegetation, rehabilitation or fencing on Rural Residential Zoned land in the Colquhoun area.
- The need for an agreement under Section 173 of the Planning and Environment Act 1987 to implement or control future use and maintenance of the rural residential land in the Colquhoun area.

EAST GIPPSLAND PLANNING SCHEME

Bairnsdale Framework Plan



East Bairnsdale – Lucknow Precinct Plan

EAST GIPPSLAND PLANNING SCHEME

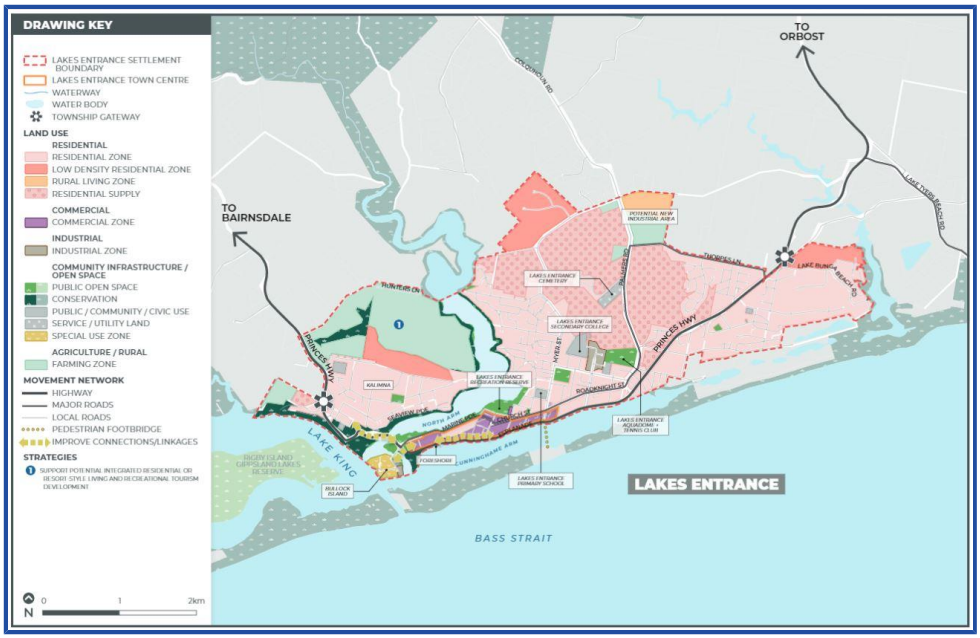
EAST GIPPSLAND PLANNING SCHEME

Paynesville Framework Plan

EAST GIPPSLAND PLANNING SCHEME

EAST GIPPSLAND PLANNING SCHEME

Lakes Entrance Framework Plan



11.01-1L-03 Rural settlements

25/11/2022
C162egip

Twin River towns

Policy application

This policy applies to all land in the Nicholson, Johnsonville and Swan Reach framework plans to this clause.

Strategies

Manage township growth to protect and enhance environmental and landscape values.

Preserve the separation between Nicholson, Johnsonville and Swan Reach.

Consolidate the existing undeveloped and underutilised Township Zone.

Encourage development of the undeveloped Low Density and Rural Living Zone land.

Encourage the development of infill commercial and tourism opportunities on sites with frontage to the Princes Highway.

Provide tourist accommodation in the Comprehensive Development Zone to the south east of the Nicholson township.

Direct township growth to the north of the existing Township Zone at 100 Nicholson Sarsfield Road.

Improve pedestrian connectivity between the Township Zone areas on either side of the Rivers.

Improve pedestrian connections adjacent to the Princes Highway including connections between Nicholson and settlement areas east of the Nicholson River, including the Nicholson Primary School, and between Johnsonville and Swan Reach.

Improve pedestrian and cycle connections between Nicholson, Johnsonville and the Rail Trail.

Improve entry treatments adjacent to the Princes Highway.

Improve linkages between the Rail Trail and townships.

Protect corridors of roadside vegetation, streamlines and habitat corridors including on the Princes Highway, Bumberrah Road and the Tambo River.

Protect the Princes Highway corridor and river corridor from inappropriate development.

Protect roadside vegetation, waterways and habitat corridors near the Tambo River, Princes Highway, Mossiface Swan Reach Road, Cunningham Road and Old Orbost Road.

Policy documents

Consider as relevant:

- *Twin Rivers Land Use Plan* (Meinhardt Infrastructure and Environment and Essential Economics, 2012)

Nowa Nowa

Policy application

This policy applies to all land in the Nowa Nowa township.

Strategies

Support Nowa Nowa's roles as a local retail and highway service centre and significant timber industry location.

Encourage retail and commercial activities on the Princes Highway and the Nowa Nowa-Bruthen Road.

Encourage value-adding in timber industry, on or adjacent to sites occupied by existing timber enterprises.

Encourage tourist facilities, subject to servicing being provided by the developer.

Lindenow

Policy application

This policy applies to all land in the Lindenow Framework Plan to this clause.

Strategies

Support development in the Lindenow local centre.

Encourage land uses that facilitate vegetable processing and dairy products.

Omeo

Policy application

This policy applies to all land in the Omeo Framework Plan to this clause.

Strategies

Support Omeo as a district centre for the north west and a centre for pastoral industry.

Ensure development along the Great Alpine Road between Omeo and Dinner Plain provides attractive environments for tourism or permanent living.

Prevent ribbon development and adverse effects on the environment or landscape of the area.

Preserve and enhance the cultural heritage of the Omeo and its environs.

Improve linkages between the town and Livingstone Creek.

Orbost

Policy application

This policy applies to all land in the Orbost Framework Plan to this clause.

Strategies

Support Orbost as a district centre for the timber, dairying and vegetable industries.

Avoid long term expansion east of Arnold Street until existing infill opportunities are taken up and reticulated sewerage and drainage services are able to be connected.

Accommodate smaller industrial activities on existing industrial zoned land including the Rifle Range.

Cann River

Policy application

This policy applies to all land in the Cann River township.

Strategies

Support Cann River as a local retail and highway service centre, timber industry location and access point for National Parks.

Encourage new value-adding timber processing industry.

Enhance Cann River as a base for nature-based tourism.

Encourage small-scale value-adding to dairy produce.

Encourage retail / commercial development to concentrate along the Princes and Monaro Highways, unless specific needs make another site more appropriate.

Encourage value-adding activities on the sawmill sites to the east of the town, in preference to the low-lying area near the river.

Mosquito Point

Policy application

This policy applies to all land in the Mosquito Point township.

Strategies

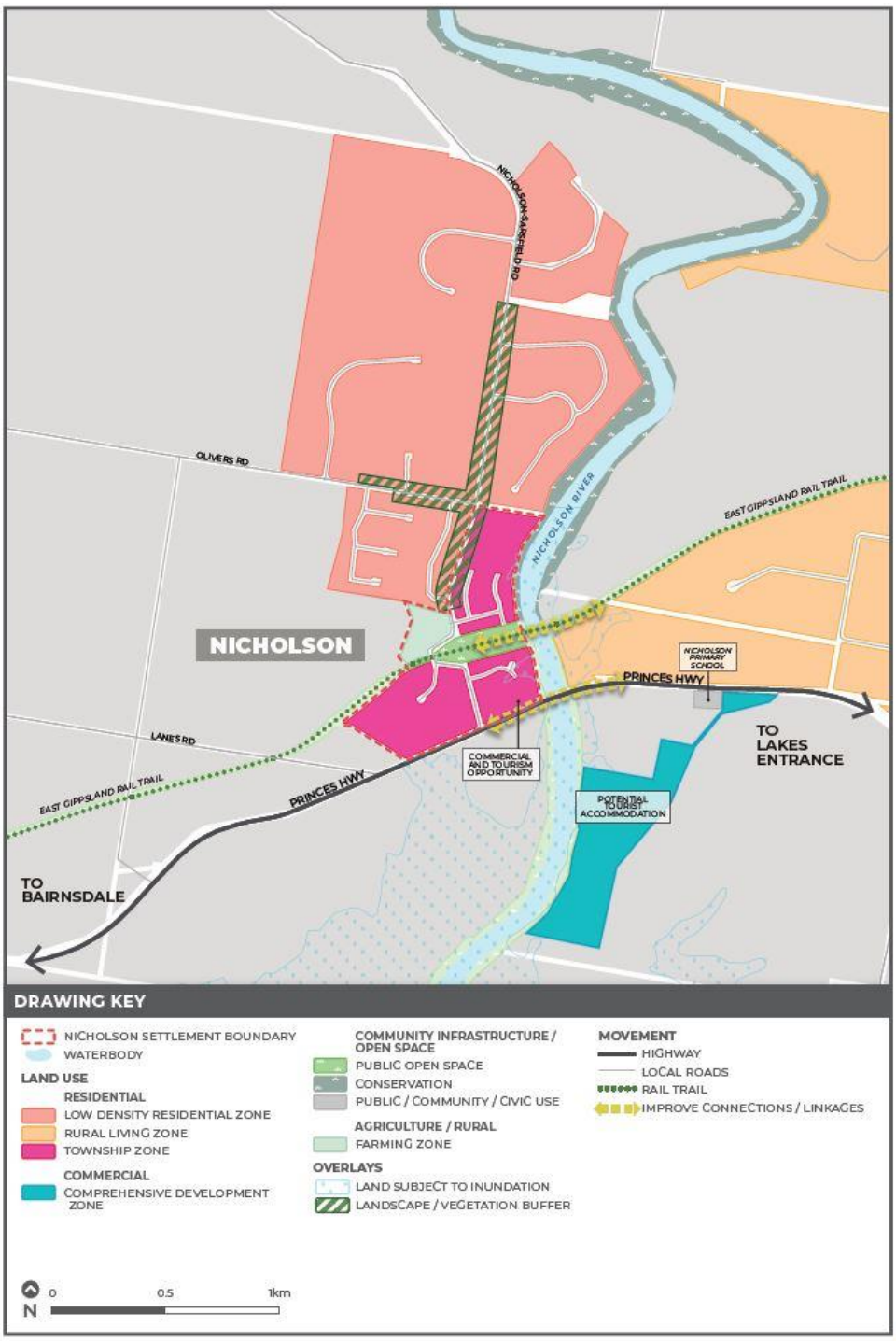
Support the existing role of Mosquito Point as a small holiday residential community.

Strictly limit further development in Mosquito Point.

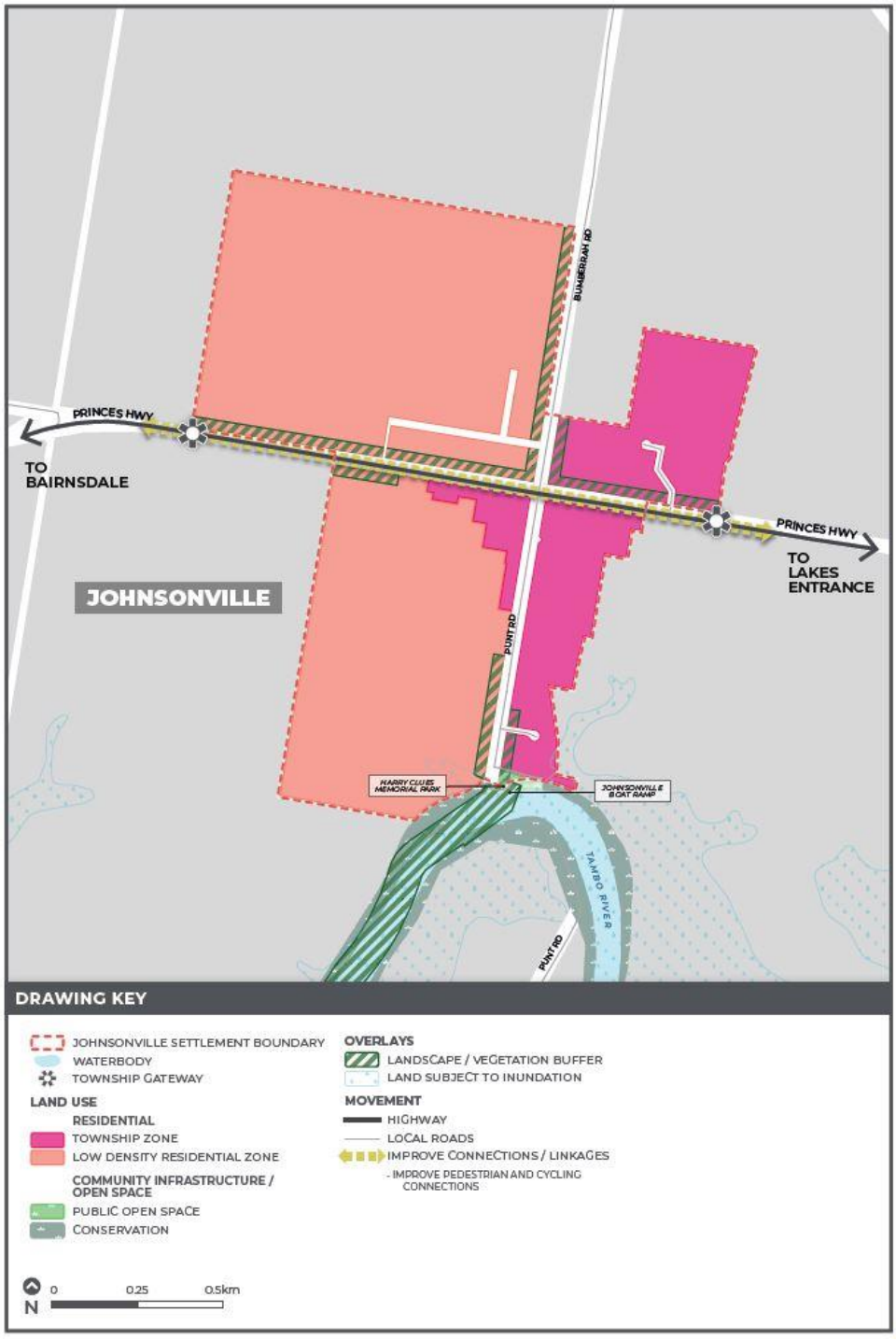
Discourage development of more than one dwelling on any lot unless the environmental qualities of the area will not be adversely affected.

EAST GIPPSLAND PLANNING SCHEME

Nicholson Framework Plan

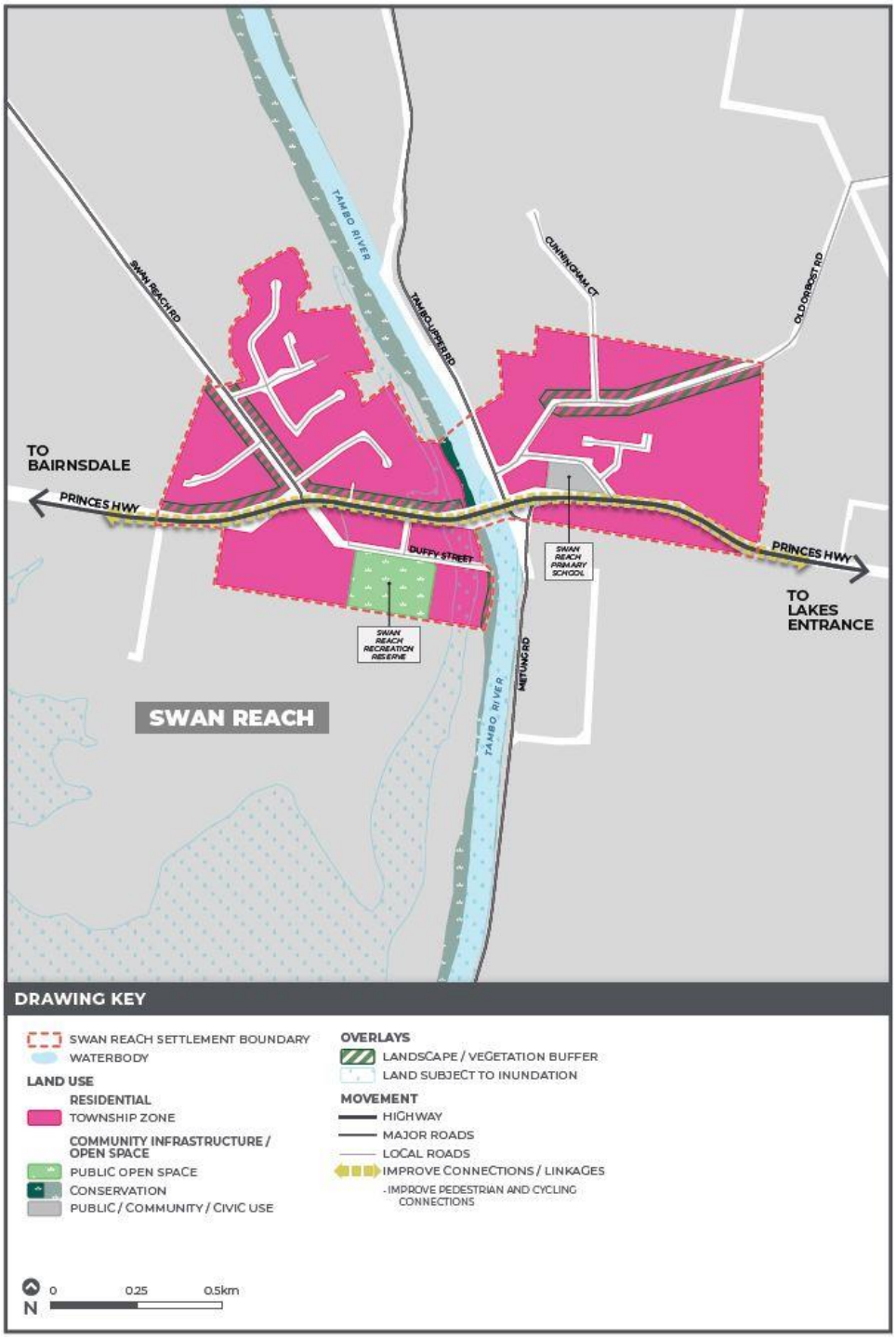


Johnsonville Framework Plan



EAST GIPPSLAND PLANNING SCHEME

Swan Reach Framework Plan

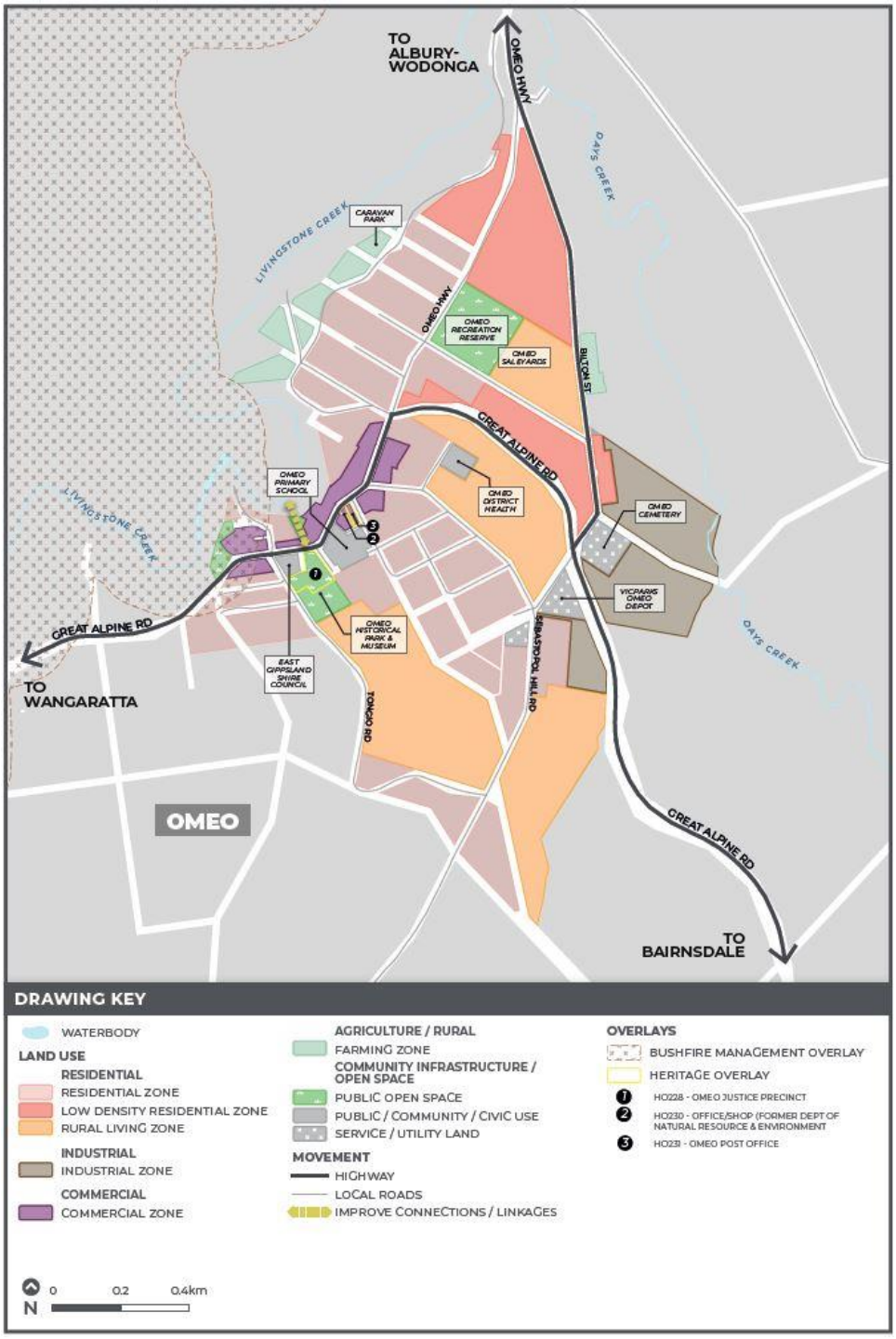


EAST GIPPSLAND PLANNING SCHEME

Lindenow Framework Plan

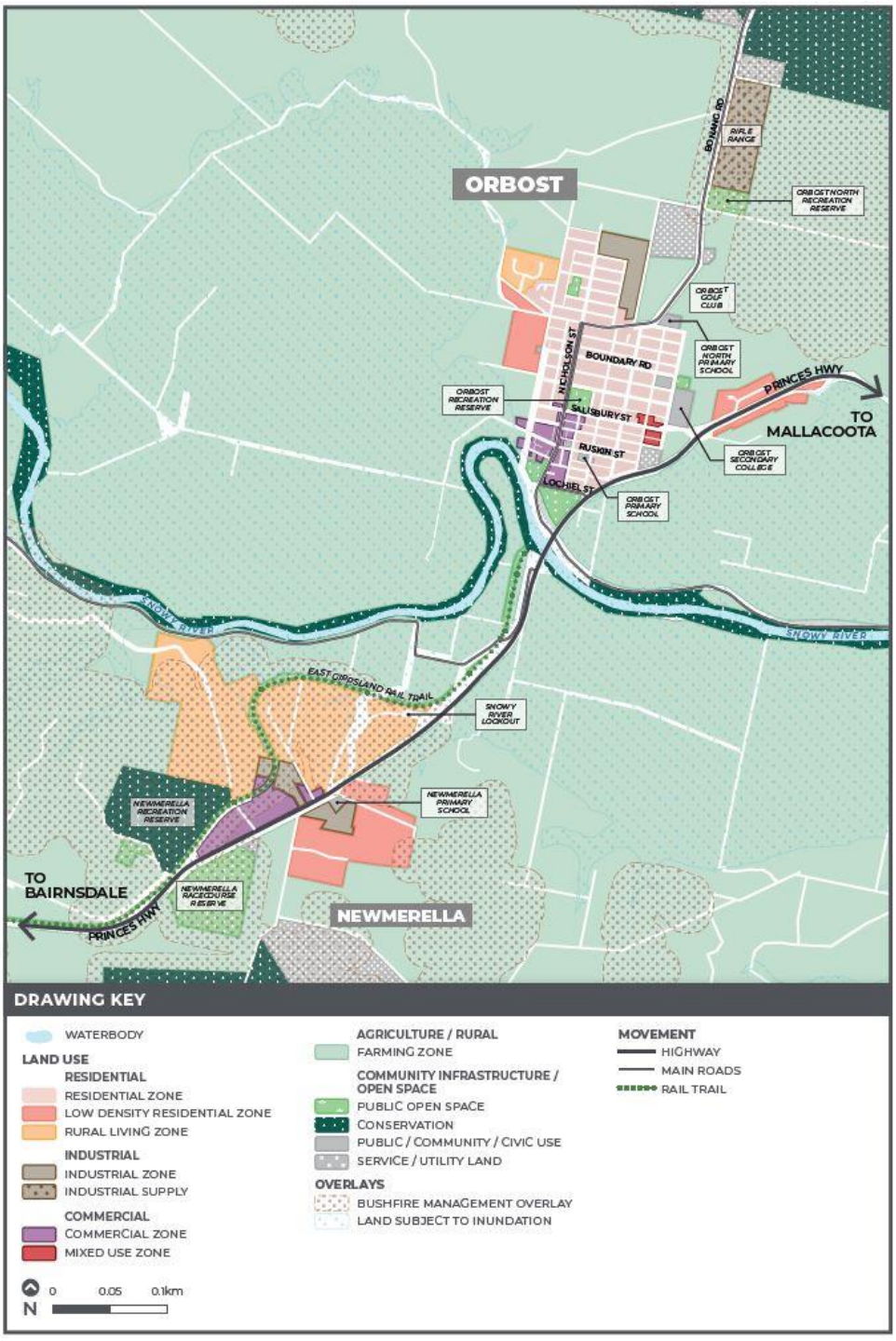
EAST GIPPSLAND PLANNING SCHEME

Omeo Framework Plan



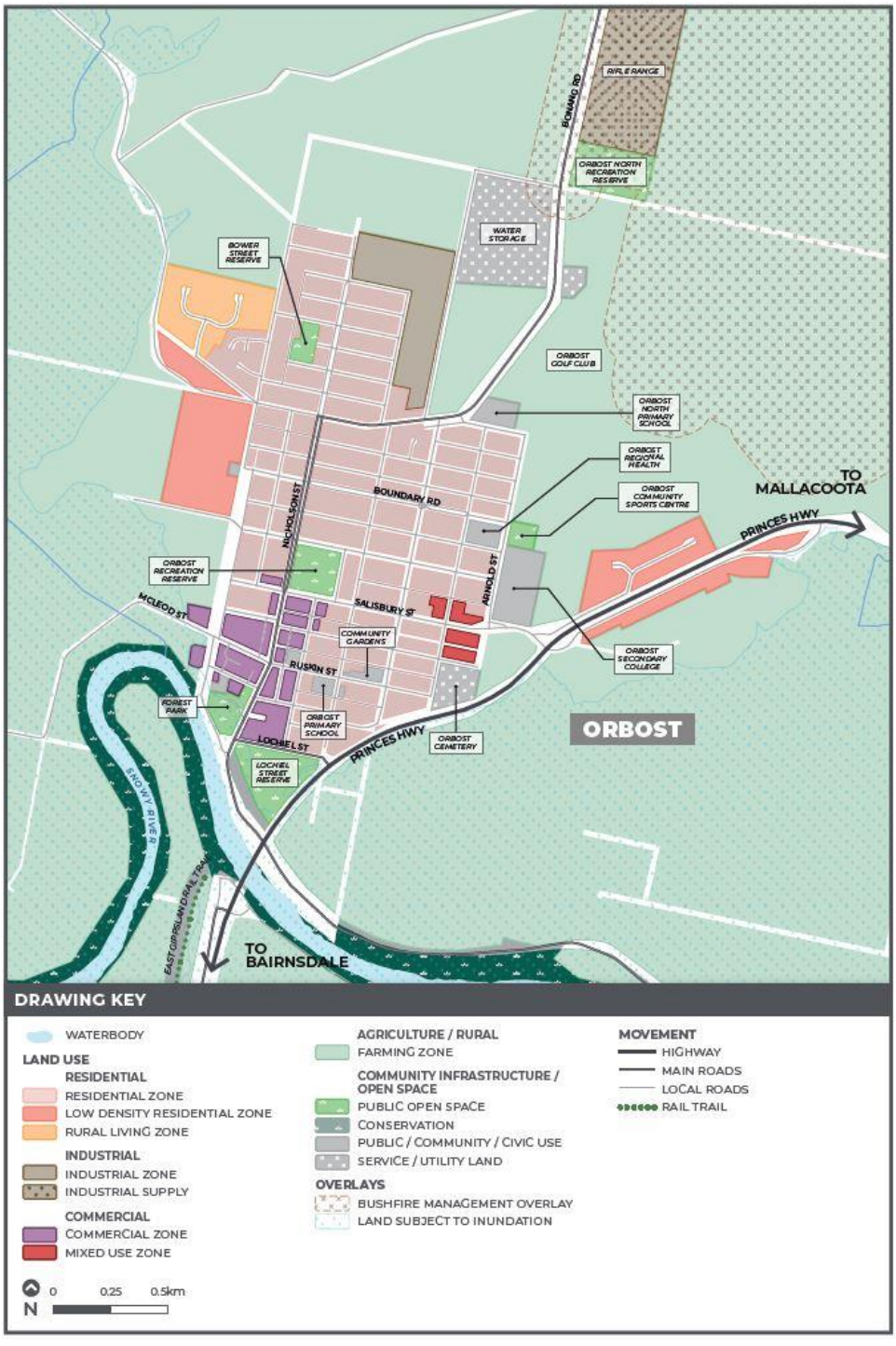
EAST GIPPSLAND PLANNING SCHEME

Orbost Newmerella Framework Plan



Orbost Framework Plan

EAST GIPPSLAND PLANNING SCHEME



11.01-1L-04 Smaller rural settlements

25/11/2022
C162egip

Policy application

This policy applies to the smaller rural settlements identified on the Strategic Framework Plan at Clause 02.04.

Strategies

Restructure Fernbank to reduce the potential development density.

Discourage lots being subdivided in Bullumwaal below a size that is environmentally capable of sustaining development.

Encourage the establishment of a major sporting facility in Bengworden.

Encourage agricultural intensification in Bengworden.

Encourage small scale tourist developments in rural areas at Clifton Creek and Woodglen.

Encourage Glen Wills to be restructured for low-density development.

Determine the environmental/ land use capability of the Cassilis Valley.

Retain large parcels of rural land at Swifts Creek for pastoral uses.

Support a range of small-scale tourist enterprises at Swifts Creek.

Encourage value-adding to timber products at Swifts Creek, subject to maintenance of buffer distances for air and noise emissions between the mill site and sensitive uses such as the schools and residences.

Encourage small scale tourist developments in rural areas at Goongerah.

Encourage Deddick, Tubbut, Bonang, Delegate River and Bendoc to develop their potential for nature-based tourism.

Encourage value-adding in timber industry, particularly at Bendoc.

Encourage plantation development on appropriate sites at Deddick, Tubbut, Bonang, Delegate River and Bendoc where these do not impact adversely on the community or adjoining owners and where appropriate road and bridge infrastructure can be guaranteed.

Encourage small scale tourist developments in Tubbut rural areas.

Develop Bonang, Delegate River and Bendoc as a base for nature-based tourism.

Encourage value-adding in timber industry at Bendoc.

Avoid residential or other urban development at Bengworden, Hinnomunjie, Tongio Munjie, Waygara, Manorina and Tabbara unless specific studies find the area to be suitable.

Ensure consolidation of lots at Bengworden, Hinnomunjie, Tongio Munjie, Waygara, Manorina and Tabbara.

Limit development on Ocean Grange and Barrier to protect the environmental qualities of the area and the ability of the land to absorb wastes.

Encourage enhanced river and lake frontages at Tambo Bay, protecting the quality of natural environment.

Encourage opportunities for cultural and nature-based tourism at Lake Tyers.

Avoid intensification of development, including more than one dwelling on a lot or the extension of the Tamboon and Tamboon South settlements.

Develop Genoa as the Eastern ‘Gateway’ with opportunities for small-scale tourist or commercial uses in association with rural activities.

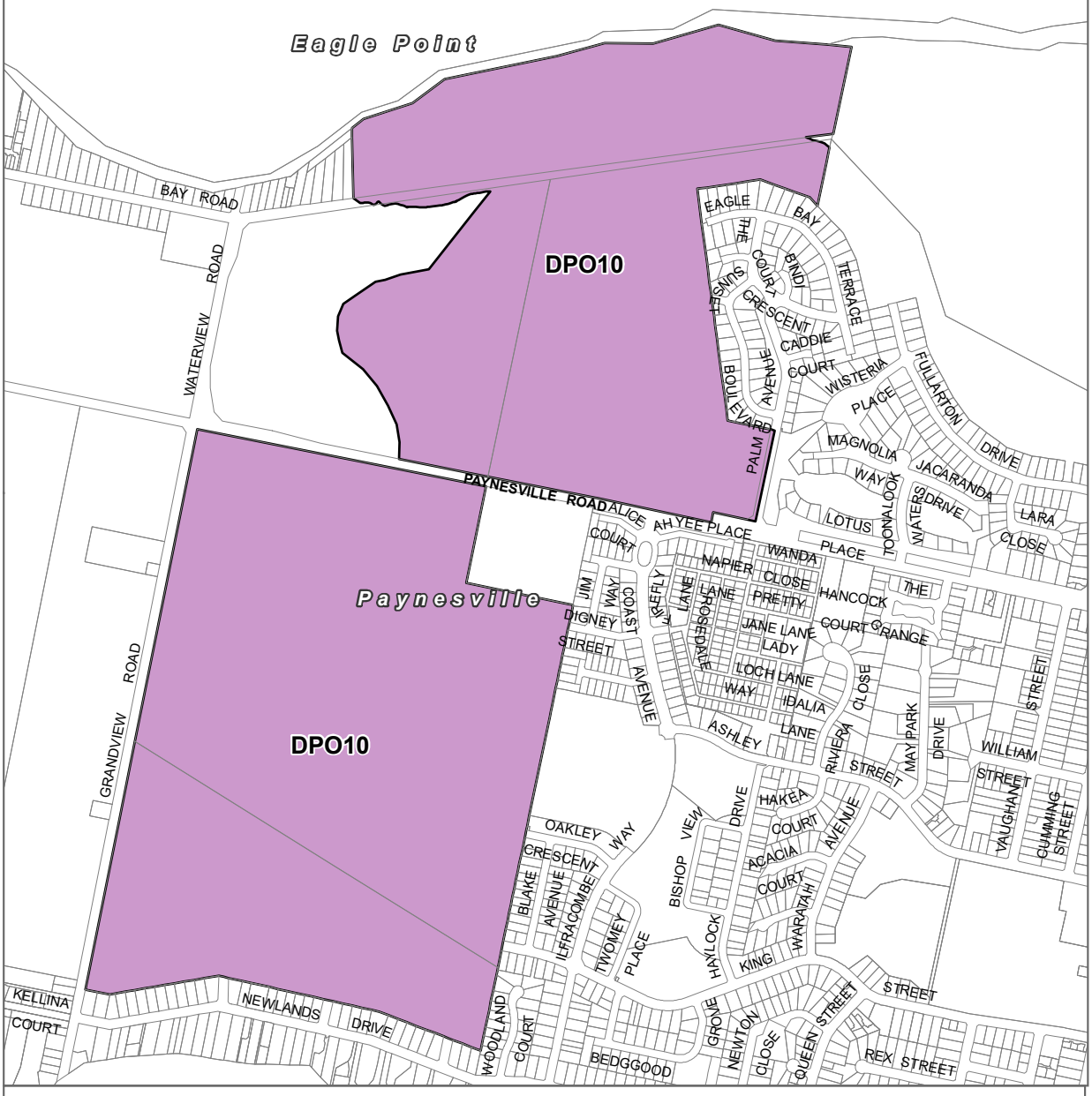
Retain large rural lot sizes in Genoa.

Encourage the retail, commercial and tourism role of Bruthen including small-scale tourist accommodation.

Support Buchan as a local retail centre and for tourism, the timber industry, mining and quarrying.

Encourage small scale tourist developments in rural areas near Tambo Upper.

EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C172egip



LEGEND

DPO10 - Development Plan Overlay - Schedule 10

Local Government Area

Part of Planning Scheme Map 51DPO

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Transport and Planning 2025

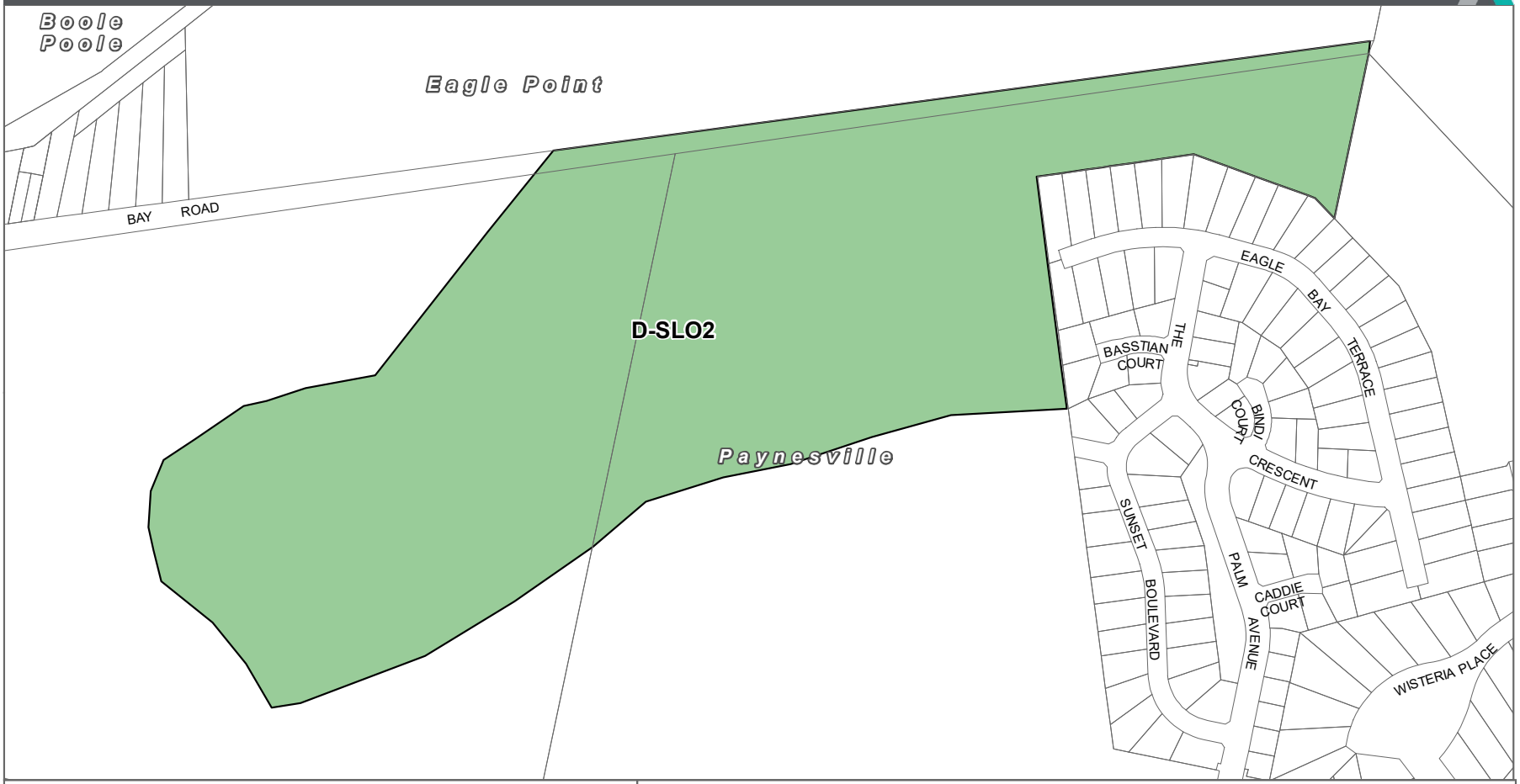
Planning Group
Print Date: 18/03/2025
Amendment Version: 5

0 275 550
Metres

VICTORIA State Government | Department of Transport and Planning

001

EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C172egip



LEGEND

D-SLO - Area to be deleted from a Significant Landscape Overlay

Local Government Area

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Transport and Planning 2024

Planning Group
Print Date: 09/07/2024
Amendment Version: 2

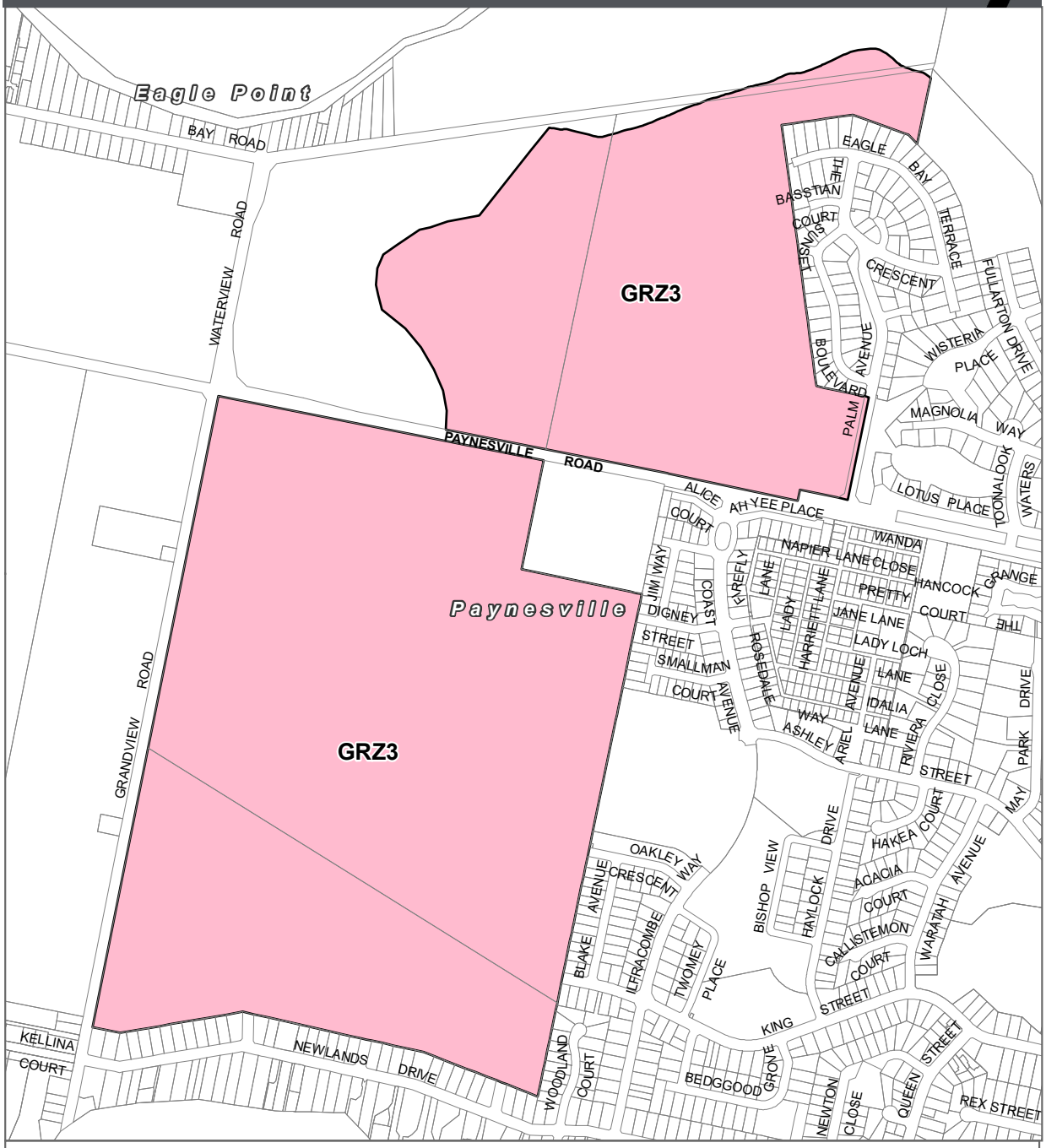
0 110 220
Metres

VICTORIA State Government | Department of Transport and Planning

Part of Planning Scheme Map 51SLO

002

EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C172egip



LEGEND

GRZ - General Residential Zone

Local Government Area

Part of Planning Scheme Map 51

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Transport and Planning 2025

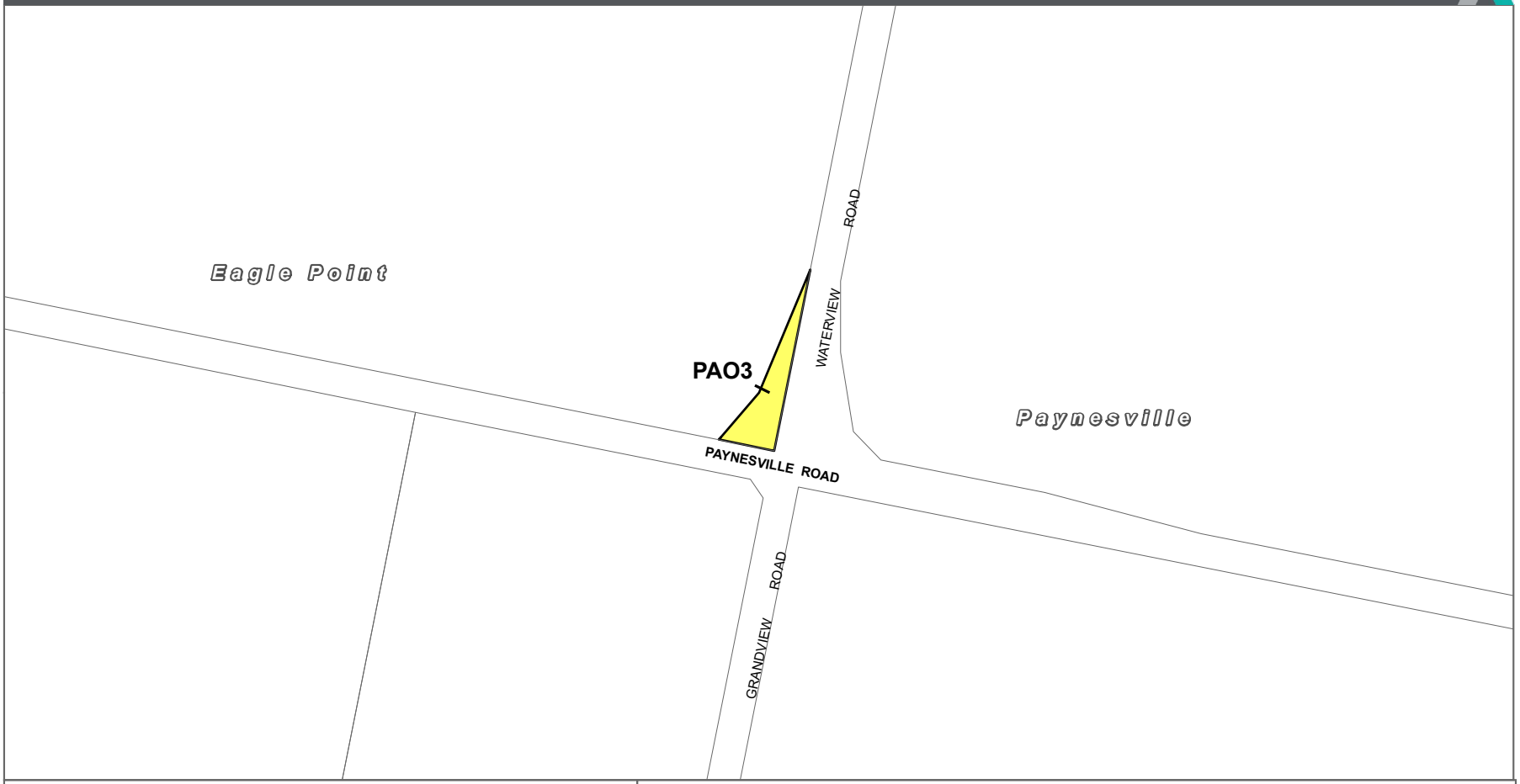
Planning Group
Print Date: 13/03/2025
Amendment Version: 5

0 230 460
Metres

003

EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C172egip



LEGEND

PAO3 - Public Acquisition Overlay - Schedule 3

Local Government Area

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Transport and Planning 2024

Planning Group
Print Date: 25/06/2024
Amendment Version: 1

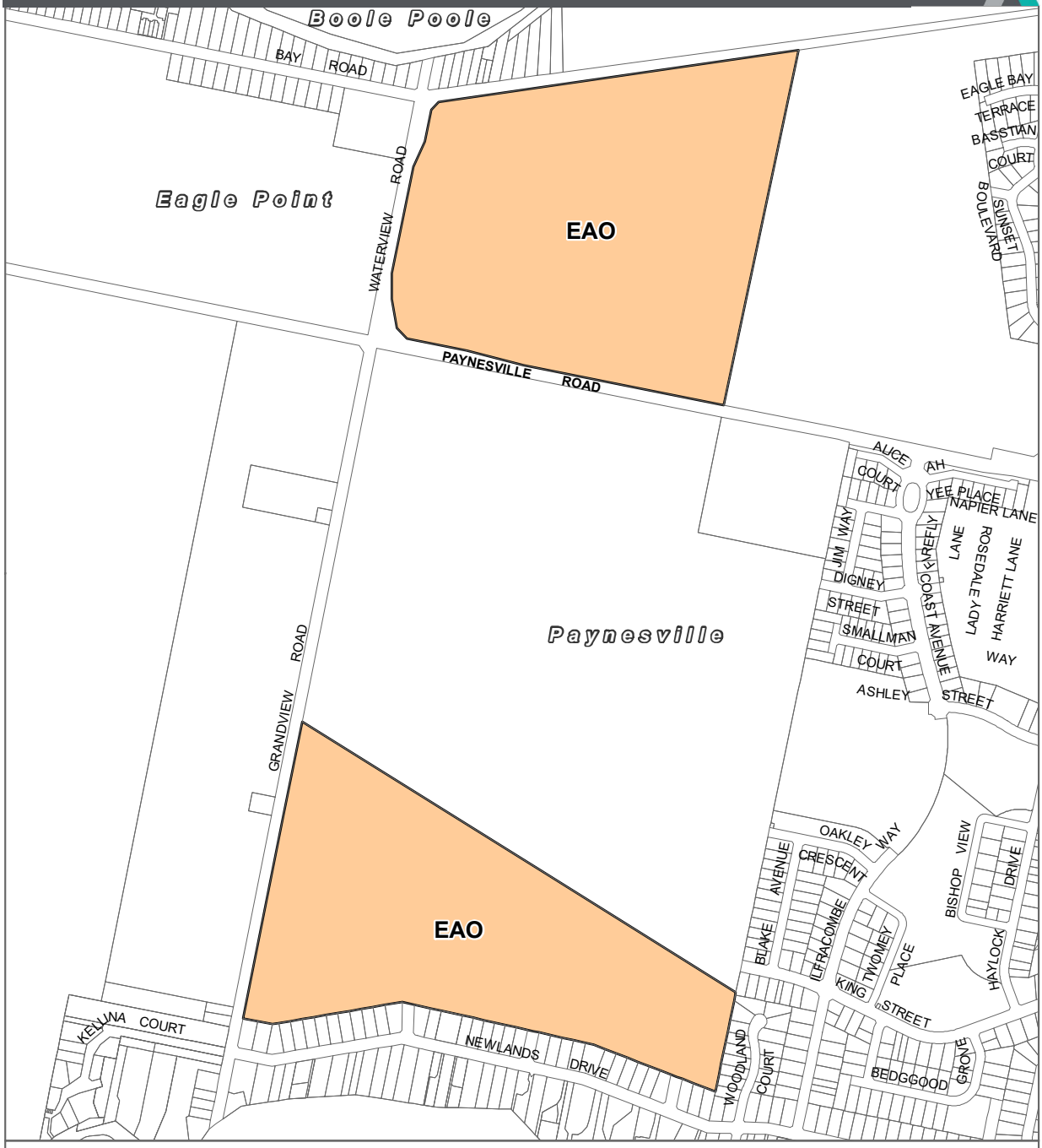
0 80 160
Metres

VICTORIA State Government | Department of Transport and Planning

Part of Planning Scheme Map 51PAO

004

EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C172egip



LEGEND

EAO - Environmental Audit Overlay

Local Government Area

Part of Planning Scheme Map 51EAO

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Transport and Planning 2024

Planning Group
Print Date: 25/06/2024
Amendment Version: 1

0 220 440
Metres

VICTORIA State Government
Department of Transport and Planning

005

EAST GIPPSLAND PLANNING SCHEME

--/--/----
Proposed C172egip

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ3**.

PAYNESVILLE GROWTH AREA

1.0 Neighbourhood character objectives

--/--/----
Proposed C172egip

To establish a pattern of residential development across the growth area that supports good access, neighbourhood cohesion and reinforces the local character of a small lakeside town.

To provide for diverse types of housing and a range of lot sizes and densities including medium density housing, aged care and retirement accommodation.

To ensure a high standard of design for housing development that reinforces Paynesville's character and environmental values and meets contemporary standards for efficiency and sustainability.

To establish native planted corridors in key locations and create distinctive tree-lined street environments that frame road corridors and major entry points, provide open space connections for cyclists and pedestrians and enhance the visual appearance of the built environment.

To ensure the provision of suitable infrastructure and utilities to efficiently service development and that are designed to enhance local character.

2.0 Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement

--/--/----
Proposed C172egip

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

--/--/----
Proposed C172egip

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

4.0 Maximum building height requirement for a dwelling, small second dwelling or residential building

--/--/----
Proposed C172egip

None specified

5.0 Application requirements

--/--/----
Proposed C172egip

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis plan and/or report demonstrating how development of the site responds to:
  - - Site features including vegetation to be removed and retained, topography, views and adjoining development conditions.
    - The Neighbourhood Character Objectives specified within this clause
- For subdivision applications, a landscape plan which details landscaping within the streetscape and other areas of public realm.
- For building and works applications, a landscape plan which details landscaping within the lot.
- For building and works applications, a schedule of colours and materials.

6.0 Decision guidelines

--/--/----
Proposed C172egip

None specified

EAST GIPPSLAND PLANNING SCHEME

--/--/----
Proposed C172egip

SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO10**.

PAYNESVILLE GROWTH AREAS

1.0 Objectives

--/--/----
Proposed C172egip

- To ensure orderly and integrated development of the land that enhances the character of Paynesville as a small lakeside town and creates a cohesive and accessible community.
- To provide for a range of compatible urban land uses, high quality public realm, drainage infrastructure, open space and community facilities.
- To ensure an integrated and connected movement network, including a pedestrian and cycle network, designed to connect into the wider township, foreshore reserves and surrounding areas.
- To provide for a single coordinated shared infrastructure plan, which delivers infrastructure and developer contributions.

2.0 Requirement before a permit is granted

--/--/----
Proposed C172egip

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority that does not prejudice the future, orderly development of the area affected by the Development Plan Overlay.

3.0 Conditions and requirements for permits

--/--/----
Proposed C172egip

The following conditions and/or requirements apply to permits:

Infrastructure Contributions Condition

Prior to the Certification of a plan of subdivision, the Owners of the land must enter into an Agreement under section 173 of the Planning and Environment Act 1987 and make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act. The Agreement must provide for infrastructure contributions to be paid, in accordance with the Shared Infrastructure Contributions Plan, prior to the issue of a Statement of Compliance.

Contributions must be in the proportions set out in the Shared Infrastructure Contributions Plan in the approved Development Plan.

The Agreement must be prepared at the cost of the Owner and be to the satisfaction of the responsible authority.

Three-Dimensional Building Envelope Condition

Prior to the issue of a Statement of Compliance of a plan of subdivision, for land on north-facing slopes at 1255 Paynesville Road (Lot 1 PS318977) and 1325 Paynesville Road (Lot 3 PS 307152), the Owner of the land must enter into an Agreement under section 173 of the Planning and Environment Act 1987 and make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act. The Agreement must provide for three dimensional building envelopes on individual lots in accordance with the approved Development Plan.

A dealing number from Land Victoria indicating that the application for registration has been made, must be provided to the responsible authority prior to the issue of a Statement of Compliance.

The Agreement must be prepared at the cost of the Owner and be to the satisfaction of the responsible authority.

4.0 Requirements for development plan

--/--/----
Proposed C172egip

A single Development Plan must be prepared to the satisfaction of the responsible authority for the whole of the land to which this Schedule applies.

A Development Plan must include the following requirements:

Land Use and Township Character

- Provide a layout that is generally in accordance with the Paynesville Framework Plan and includes a range of lot sizes and densities which provide the opportunity for a diverse range of housing types including medium density housing and aged care and retirement living where appropriate.
- Identify the location and preferred land uses of a Local Activity Centre generally in accordance with the Paynesville Framework Plan and the Retail Economic Assessment.
- Utilise landscape buffers or other mechanisms for sensitive interfaces to surrounding rural land.
- Identify streetscape treatments and landscaping to ensure development appropriately fronts streets, open space and public areas.
- Identify areas on the north-facing slopes at 1255 Paynesville Road (Lot 1 PS318977) and 1325 Paynesville Road (Lot 3 PS307152) that will require three-dimensional building envelopes to be prepared.
- Ensure that the subdivision provides appropriate linkages and interface treatments to adjoining land.
- Provide design guidelines to inform the preparation of three dimensional building envelopes on individual lots, where required, to include consideration of:
  - Views to and from Lake King through the management of maximum building heights from natural ground level.
  - Side boundary set backs to avoid continuous built form.
    Viewing corridors from the road network and public realm, including public open space, towards Lake King.
  - Reasonable sharing of views from dwellings to Lake King.
  - Set backs from sensitive foreshore areas.

Public Open Space

- A network of open space linkages that accommodate natural drainage patterns and existing native vegetation.
- Off-road pedestrian and cycling connections through the growth area and linkages to surrounding foreshore paths.
- Provision of appropriate public facilities in local open space, suited to the function of the open space.
- Maximise the safety of public open spaces through informal surveillance of streets and public spaces from dwellings and streets.

Public Infrastructure Plan

A Public Infrastructure Plan which addresses the following:

- Integrated stormwater management that incorporates water sensitive urban design techniques to protect natural systems, integrate stormwater treatment into the landscape, improve water quality, and reduce and mitigate run-off and peak flows, including consideration of downstream impacts.
- Provision of a road network providing a high degree of connectivity including the location and details of any required:
  - Upgrade of existing roads or intersections.
    New roads and intersections.
  - Access points to the primary road network.
  - Pedestrian crossings or safe refuges.
  - Pedestrian and cycle corridors.
- Public transport infrastructure within easy walking distance to dwellings and key destinations, in consultation with relevant agencies and authorities.
- Provision of suitable infrastructure and utilities to efficiently service development and minimise maintenance costs while meeting user needs.
- A detailed staging and sequencing plan indicating how the development of the growth area is to proceed.

Foreshore Improvement and Management Plan

A Foreshore Improvement and Management Plan that covers the land below 2.8mAHD and which also has regard to Point Fullarton wetlands and adjoining public areas, to the satisfaction of the responsible authority. The Foreshore Improvement and Management Plan should:

- Demonstrate how the land is to be rehabilitated including the provision of vegetated buffers to prevent wetland degradation and provide habitat.
- Demonstrate how works and future use of the land will protect and enhance the environmental values of the Gippsland Lakes, wetlands and fringing areas.
- Provide convenient public access to reserves and the provision of facilities suited to the natural foreshore environment, including interpretive facilities.
- Demonstrate how the visual impact of development when viewed from Lake King is minimised.
- Identify a new alignment for the walking/cycling path from Burden Place to Bay Road to provide greater separation from the adjacent wetlands and facilitate a natural vegetation shift over time.
- Outline ongoing maintenance obligations, including drainage management obligations if drainage assets are proposed to be located within the foreshore.
- Address coastal hazard vulnerability including risks associated with sea level rise, storm surge and coastal processes and mitigate any identified risks.

Flora and Fauna

A Flora and Fauna Assessment must demonstrate the application of the avoid and minimise principles and consider any impacts on native flora and fauna under relevant national, state and local legislation and policy frameworks, prepared by a suitably qualified professional in consultation with relevant agencies and authorities.

The assessment must make recommendations in relation to subdivision design and make appropriate links to the Foreshore Improvement Management Plan. The assessment must also have regard for any habitat values and threatened species and include targeted surveys of those threatened species.

Retail Economic Assessment

A Retail Economic Assessment which must be prepared by a suitably qualified professional to the satisfaction of the Responsible Authority. The assessment must determine the size of the future local activity centre and include suitable land uses. Proposed use and development within the local activity centre must not adversely affect the primary role of the existing Paynesville Activity Centre.

Infrastructure Contributions

A Shared Infrastructure Contributions Plan, which identifies all items for infrastructure contributions, the proportion of each lot to be provided for roads, open space, and stormwater drainage purposes and a clause that explains how the equalisation of land and contributions for the infrastructure items is to operate, including reference to staging and sequencing. The Shared Infrastructure Contributions Plan must include:

- Land for the construction of landscaped shared path corridors, areas of foreshore reserves, and the Paynesville Road/Grandview Road/Waterview Road intersection.
- Construction of landscaped shared path corridors.
- Construction of new roads and/or upgrades to existing roads.
- Construction of stormwater drainage infrastructure including main drainage, wetlands and retarding basins, and on site water storage in accordance with water sensitive urban design principles, as identified in the approved Development Plan.
- The provision of the public open space and associated infrastructure as identified in the approved Development Plan.
- Construction of public transport infrastructure.
- Construction of improvements in accordance with the Foreshore Improvement and Management Plan.
- A Community Infrastructure Levy (CIL) for the construction of other community or social facilities capped at the sum identified by Department of Transport and Planning at the time the planning permit is issued.

Bushfire Management

The Development Plan must include a requirement for any subdivision and development to provide a Site Management Plan that addresses bushfire risk during, and where necessary, after construction, to the satisfaction of the CFA. The Plan must specify, amongst other things:

- The staging of development and the likely bushfire risks at each stage;
- An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2018, where bushfire risk is managed to ensure a BAL rating of no greater than BAL12.5 is required;
- The measure to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape and protect residents and property from the threat of fire; and
- Adequate opportunities for access and egress for residents, construction workers and emergency vehicles.

Community and Stakeholder Consultation

The Development Plan will be developed with the appropriate level of community and public authority consultation as determined by the responsible authority.

EAST GIPPSLAND PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

--/--/----
Proposed C172egip

- 1, 1EMO 1ESO1, 1HO, 1RO, 1BMO
- 2, 2EMO, 2ESO1, 2BMO
- 3, 3EMO, 3ESO1
- 4, 4EMO, 4ESO1, 4BMO
- 5, 5EMO, 5ESO1, 5BMO
- 6, 6DDO, 6EMO, 6ESO1, 6HO, 6BMO
- 7, 7DDO, 7EMO, 7HO, 7BMO
- 8, 8DDO, 8EMO, 8ESO1, 8HO, 8BMO
- 9, 9EMO, 9ESO1, 9VPO, 9BMO
- 10, 10EMO, 10ESO1, 10ESO3, 10BMO
- 11, 11EMO, 11ESO1, 11HO, 11BMO
- 12, 12EMO, 12ESO1, 12HO, 12 BMO
- 13, 13EMO, 13BMO
- 14, 14EMO, 14ESO1, 14HO, 14VPO, 14BMO
- 15, 15DDO, 15EMO, 15ESO1, 15HO, 15VPO, 15BMO
- 16, 16EMO, 16ESO1, 16VPO, 16BMO
- 17, 17EMO, 17ESO1, 17ESO3, 17LSIO, 17BMO
- 18, 18DDO, 18EMO, 18ESO1, 18HO, 18BMO
- 19, 19DDO, 19EMO, 19ESO1, 19BMO
- 20, 20DDO, 20BMO
- 21, 21DDO, 21EMO, 21ESO1, 21HO, 21SLO, 21BMO
- 22, 22DDO, 22ESO1, 22HO, 22BMO
- 23, 23DDO, 23EMO, 23EAO, 23SLO, 23VPO, 23BMO
- 24, 24ESO1, 24ESO3, 24BMO
- 25, 25VPO, 25BMO
- 26, 26EMO, 26VPO, 26BMO
- 27, 27EMO, 27ESO1, 27ESO2, 27LSIO, 27VPO, 27BMO
- 28, 28DDO, 28DPO, 28EMO, 28ESO1, 28ESO2, 28HO, 28LSIO, 28SMO, 28VPO, 28BMO
- 29, 29EMO, 29ESO1, 29ESO2, 29LSIO, 29VPO
- 30, 30DDO, 30DPO, 30EMO, 30ESO1, 30ESO2, 30HO, 30LSIO, 30SCO, 30SMO, 30VPO
- 31, 31DDO, 31DPO, 31EMO, 31ESO1, 31ESO3, 31LSIO, 31SCO, 31SLO, 31SMO, 31VPO, 31BMO
- 32, 32DDO, 32EMO, 32ESO1, 32SMO, 32VPO, 32BMO
- 33, 33DDO, 33DPO, 33EMO, 33ESO1, 33ESO2, 33HO, 33LSIO, 33PAO, 33SCO, 33SLO, 33SMO, 33VPO

- 34, 34DDO, 34EAO, 34EMO, 34ESO1, 34ESO3, 34HO, 34LSIO, 34SLO, 34SMO, 34VPO, 34BMO
- 35, 35DDO, 35EMO, 35ESO1, 35VPO, 35BMO
- 36, 36DDO, 36EMO, 36ESO1, 36LSIO, 36VPO, 36BMO
- 37, 37DDO, 37DPO, 37EMO, 37ESO1, 37HO, 37SLO, 37VPO, 37BMO
- 38, 38DDO, 38EMO, 38BMO, 38PAO
- 39, 39DDO, 39EMO, 39ESO1, 39BMO
- 40, 40DDO, 40EMO, 40ESO1, 40LSIO, 40SLO, 40BMO
- 41, 41DDO, 41LSIO, 41SLO, 41BMO
- 42, 42DDO, 42EMO, 42ESO1, 42ESO3, 42LSIO, 42RO, 42SLO, 42BMO
- 43, 43DDO, 43DPO, 43ESO1, 43LSIO, 43SLO, 43BMO
- 44, 44DDO, 44EMO, 44ESO1, 44BMO
- 45, 45DDO, 45BMO
- 46, 46ESO1, 46HO. 46BMO
- 47, 47BMO
- 48, 48DDO, 48EMO, 48ESO1, 48ESO3, 48LSIO, 48RO, 48SMO, 48VPO, 48BMO
- 49, 49DDO, 49EMO, 49ESO1, 49ESO3, 49LSIO, 49SMO, 49VPO, 49BMO
- 50, 50DDO, 50EMO, 50ESO1, 50LSIO, 50SLO, 50SMO, 50VPO, 50BMO
- 51, 51DDO, 51EAO, 51EMO, 51ESO1, 51HO, 51LSIO, 51RO, 51SLO, 51VPO, 51BMO, 51DPO, 51PAO
- 52, 52DDO, 52EMO, 52ESO1, 52LSIO, 52SLO, 52VPO, 52BMO
- 53, 53DDO, 53EMO, 53ESO1, 53IPO, 53LSIO, 53RO, 53SLO, 53VPO, 53PAO, 53BMO
- 54, 54DDO, 54DPO, 54EMO, 54ESO1, 54ESO3, 54HO, 54LSIO, 54VPO, 54BMO
- 55, 55DDO, 55DPO, 55DCPO, 55EMO, 55EMO, 55ESO1, 55LSIO, 55PAO, 55VPO, 55BMO
- 56, 56DDO, 56EMO, 56ESO1, 56SLO, 56VPO, 56BMO,
- 57, 57DDO, 57EMO, 57ESO1, 57SLO, 57VPO, 57BMO
- 58, 58LSIO, 58SMO
- 59, 59DDO, 59EMO, 59ESO1, 59BMO

EAST GIPPSLAND PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

~~01/08/2024~~ ~~-/-/----~~
~~C167egip~~Proposed C172egip

- 1, 1EMO 1ESO1, 1HO, 1RO, 1BMO
- 2, 2EMO, 2ESO1, 2BMO
- 3, 3EMO, 3ESO1
- 4, 4EMO, 4ESO1, 4BMO
- 5, 5EMO, 5ESO1, 5BMO
- 6, 6DDO, 6EMO, 6ESO1, 6HO, 6BMO
- 7, 7DDO, 7EMO, 7HO, 7BMO
- 8, 8DDO, 8EMO, 8ESO1, 8HO, 8BMO
- 9, 9EMO, 9ESO1, 9VPO, 9BMO
- 10, 10EMO, 10ESO1, 10ESO3, 10BMO
- 11, 11EMO, 11ESO1, 11HO, 11BMO
- 12, 12EMO, 12ESO1, 12HO, 12 BMO
- 13, 13EMO, 13BMO
- 14, 14EMO, 14ESO1, 14HO, 14VPO, 14BMO
- 15, 15DDO, 15EMO, 15ESO1, 15HO, 15VPO, 15BMO
- 16, 16EMO, 16ESO1, 16VPO, 16BMO
- 17, 17EMO, 17ESO1, 17ESO3, 17LSIO, 17BMO
- 18, 18DDO, 18EMO, 18ESO1, 18HO, 18BMO
- 19, 19DDO, 19EMO, 19ESO1, 19BMO
- 20, 20DDO, 20BMO
- 21, 21DDO, 21EMO, 21ESO1, 21HO, 21SLO, 21BMO
- 22, 22DDO, 22ESO1, 22HO, 22BMO
- 23, 23DDO, 23EMO, 23EAO, 23SLO, 23VPO, 23BMO
- 24, 24ESO1, 24ESO3, 24BMO
- 25, 25VPO, 25BMO
- 26, 26EMO, 26VPO, 26BMO
- 27, 27EMO, 27ESO1, 27ESO2, 27LSIO, 27VPO, 27BMO
- 28, 28DDO, 28DPO, 28EMO, 28ESO1, 28ESO2, 28HO, 28LSIO, 28SMO, 28VPO, 28BMO
- 29, 29EMO, 29ESO1, 29ESO2, 29LSIO, 29VPO
- 30, 30DDO, 30DPO, 30EMO, 30ESO1, 30ESO2, 30HO, 30LSIO, 30SCO, 30SMO, 30VPO
- 31, 31DDO, 31DPO, 31EMO, 31ESO1, 31ESO3, 31LSIO, 31SCO, 31SLO, 31SMO, 31VPO, 31BMO
- 32, 32DDO, 32EMO, 32ESO1, 32SMO, 32VPO, 32BMO
- 33, 33DDO, 33DPO, 33EMO, 33ESO1, 33ESO2, 33HO, 33LSIO, 33PAO, 33SCO, 33SLO, 33SMO, 33VPO

- 34, 34DDO, 34EAO, 34EMO, 34ESO1, 34ESO3, 34HO, 34LSIO, 34SLO, 34SMO, 34VPO, 34BMO
- 35, 35DDO, 35EMO, 35ESO1, 35VPO, 35BMO
- 36, 36DDO, 36EMO, 36ESO1, 36LSIO, 36VPO, 36BMO
- 37, 37DDO, 37DPO, 37EMO, 37ESO1, 37HO, 37SLO, 37VPO, 37BMO
- 38, 38DDO, 38EMO, 38BMO, 38PAO
- 39, 39DDO, 39EMO, 39ESO1, 39BMO
- 40, 40DDO, 40EMO, 40ESO1, 40LSIO, 40SLO, 40BMO
- 41, 41DDO, 41LSIO, 41SLO, 41BMO
- 42, 42DDO, 42EMO, 42ESO1, 42ESO3, 42LSIO, 42RO, 42SLO, 42BMO
- 43, 43DDO, 43DPO, 43ESO1, 43LSIO, 43SLO, 43BMO
- 44, 44DDO, 44EMO, 44ESO1, 44BMO
- 45, 45DDO, 45BMO
- 46, 46ESO1, 46HO. 46BMO
- 47, 47BMO
- 48, 48DDO, 48EMO, 48ESO1, 48ESO3, 48LSIO, 48RO, 48SMO, 48VPO, 48BMO
- 49, 49DDO, 49EMO, 49ESO1, 49ESO3, 49LSIO, 49SMO, 49VPO, 49BMO
- 50, 50DDO, 50EMO, 50ESO1, 50LSIO, 50SLO, 50SMO, 50VPO, 50BMO
- 51, 51DDO, 51EAO, 51EMO, 51ESO1, 51HO, 51LSIO, 51RO, 51SLO, 51VPO, 51BMO, 51DPO, 51PAO
- 52, 52DDO, 52EMO, 52ESO1, 52LSIO, 52SLO, 52VPO, 52BMO
- 53, 53DDO, 53EMO, 53ESO1, 53IPO, 53LSIO, 53RO, 53SLO, 53VPO, 53PAO, 53BMO
- 54, 54DDO, 54DPO, 54EMO, 54ESO1, 54ESO3, 54HO, 54LSIO, 54VPO, 54BMO
- 55, 55DDO, 55DPO, 55DCPO, 55EMO, 55EMO, 55ESO1, 55LSIO, 55PAO, 55VPO, 55BMO
- 56, 56DDO, 56EMO, 56ESO1, 56SLO, 56VPO, 56BMO,
- 57, 57DDO, 57EMO, 57ESO1, 57SLO, 57VPO, 57BMO
- 58, 58LSIO, 58SMO
- 59, 59DDO, 59EMO, 59ESO1, 59BMO

EAST GIPPSLAND PLANNING SCHEME

20/04/2020
GC112

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

--/--/----
Proposed C172egip

Name of background document	Amendment number - clause reference
A Land Capability Study of the Cassilis Valley, Swifts Creek. Technical Report No. 27, Centre for Land Protection Research, D. M. Rees (Department of Conservation and Natural Resources, Victoria, 1995).	Clause 44.01s
Draft East Gippsland Native Vegetation Plan (Government of Victoria and East Gippsland Catchment Management Authority, 2000)	Clause 42.02s8
East Gippsland Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
East Gippsland Sites of Biological Significance, (Department of Natural Resources and Environment, 1997)	Clause 42.01
East Gippsland Soil Erosion Management Plan (Department of Primary Industries, 2009)	Clause 44.01s
Erosion Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2) (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.01s
Gippsland Lakes Coastal Action Plan (Gippsland Coastal Board, 1999)	Clause 42.02s2 Clause 42.02s4 Clause 42.02s5 Clause 42.02s6
Gippsland Lakes Environs Survey. D. F. Howe and T. Poutsma(Department of Conservation, Forests and Lands, unpublished)	Clause 44.01s
Infrastructure Design Manual (2020, Local Government Infrastructure Design Association)	GC112 - Clause 21.11-6
Input to Twin Rivers Land Use Plan – Economic Assessment of Future land Requirements *(Essential Economics Pty Ltd, August 2011)*	Clause 43.04s9
Lakes Entrance Northern Growth Area Social Impact Assessment (East Gippsland Shire Council, August 2012)	Clause 43.04s8
Lakes Entrance Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s13
Mallacoota Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s12
North Arm Action Plan. Friends of North Arm (East Gippsland Shire and Department of Natural Resources and Environment, 1996)	Clause 42.02s7
Northern Growth Area Lakes Entrance Development Concept Plan Hydrology, Water Technology (Water Technology Pty Ltd, October 2013)	Clause 43.04s8
Paynesville Growth Areas Structure Plan (Tim Weight Consulting, The Right Man & Design Urban, 2016 updated December 2023)	Clause 11.01-1L-02

EAST GIPPSLAND PLANNING SCHEME

Name of background document	Amendment number - clause reference
Paynesville Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s14
Raymond Island Strategy (Shire of Bairnsdale, 1992)	Clause 42.02s2
Revegetation Planting Standards	Clause 43.04s4 Clause 43.04s7
Roadside Management Plan (East Gippsland Shire Council, 1995)	Clause 42.02s1
Salinity Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2) (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.02s
The Siting and Design Guidelines for Structures on the Victorian Coast(Victorian Coastal Council, 1998)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
State Overview Report, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
Twin Rivers Land Use Plan – Final Report *(Meinhardt Infrastructure & Environment Pty Lty, May 2012)*	Clause 43.04s9
Twin Rivers Land Use Plan, Nicholson – Options for future Township Zone growth Desktop Analysis – 2012, Meinhardt	Clause 43.04s9
Victoria's Native Vegetation Management – A Framework for Action	Clause 43.04s3 Clause 43.04s4 Clause 43.04s7
*Urban Design Frameworks for Bemm River, Eagle Point, Gipsy Point, Lake Tyers Beach, Marlo, Metung, Newlands Arm, Nungurner, Raymond Island and Tambo Bluff (*Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s11
Urban Waterway Guidelines *(East Gippsland Shire Council, March 2013)*	Clause 43.04s9

EAST GIPPSLAND PLANNING SCHEME

20/04/2020
GC112

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

~~25/11/2022~~ ~~-/--/----~~
~~C162egip~~Proposed C172egip

Name of background document	Amendment number - clause reference
A Land Capability Study of the Cassilis Valley, Swifts Creek. Technical Report No. 27, Centre for Land Protection Research, D. M. Rees (Department of Conservation and Natural Resources, Victoria, 1995).	Clause 44.01s
Draft East Gippsland Native Vegetation Plan (Government of Victoria and East Gippsland Catchment Management Authority, 2000)	Clause 42.02s8
East Gippsland Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
East Gippsland Sites of Biological Significance, (Department of Natural Resources and Environment, 1997)	Clause 42.01
East Gippsland Soil Erosion Management Plan (Department of Primary Industries, 2009)	Clause 44.01s
Erosion Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2) (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.01s
Gippsland Lakes Coastal Action Plan (Gippsland Coastal Board, 1999)	Clause 42.02s2 Clause 42.02s4 Clause 42.02s5 Clause 42.02s6
Gippsland Lakes Environs Survey. D. F. Howe and T. Poutsma(Department of Conservation, Forests and Lands, unpublished)	Clause 44.01s
Infrastructure Design Manual (2020, Local Government Infrastructure Design Association)	GC112 - Clause 21.11-6
Input to Twin Rivers Land Use Plan – Economic Assessment of Future land Requirements *(Essential Economics Pty Ltd, August 2011)*	Clause 43.04s9
Lakes Entrance Northern Growth Area Social Impact Assessment (East Gippsland Shire Council, August 2012)	Clause 43.04s8
Lakes Entrance Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s13
Mallacoota Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s12
North Arm Action Plan. Friends of North Arm (East Gippsland Shire and Department of Natural Resources and Environment, 1996)	Clause 42.02s7
Northern Growth Area Lakes Entrance Development Concept Plan Hydrology, Water Technology (Water Technology Pty Ltd, October 2013)	Clause 43.04s8
Paynesville Growth Areas Structure Plan (Tim Weight Consulting, The Right Man & Design Urban, 2016 updated December 2023)	Clause 11.01-1L-02

EAST GIPPSLAND PLANNING SCHEME

Name of background document	Amendment number - clause reference
Paynesville Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s14
Raymond Island Strategy (Shire of Bairnsdale, 1992)	Clause 42.02s2
Revegetation Planting Standards	Clause 43.04s4 Clause 43.04s7
Roadside Management Plan (East Gippsland Shire Council, 1995)	Clause 42.02s1
Salinity Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2) (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.02s
The Siting and Design Guidelines for Structures on the Victorian Coast(Victorian Coastal Council, 1998)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
State Overview Report, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
Twin Rivers Land Use Plan – Final Report *(Meinhardt Infrastructure & Environment Pty Lty, May 2012)*	Clause 43.04s9
Twin Rivers Land Use Plan, Nicholson – Options for future Township Zone growth Desktop Analysis – 2012, Meinhardt	Clause 43.04s9
Victoria's Native Vegetation Management – A Framework for Action	Clause 43.04s3 Clause 43.04s4 Clause 43.04s7
*Urban Design Frameworks for Bemm River, Eagle Point, Gipsy Point, Lake Tyers Beach, Marlo, Metung, Newlands Arm, Nungurner, Raymond Island and Tambo Bluff (*Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s11
Urban Waterway Guidelines *(East Gippsland Shire Council, March 2013)*	Clause 43.04s9

EAST GIPPSLAND PLANNING SCHEME

25/11/2022
C162egip

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0 Further strategic work

--/--/----
Proposed C172egip

Review of the Coastal Settlements Design and Development Overlays.

Prepare a planning scheme amendment to update municipal planning statement, including a municipal overview and integration of the Council Plan 2021-2025.

Review Heritage Gap Study, prepare local planning policy and update schedule to the Heritage Overlay.

Prepare and implement into the planning scheme the Rural Land Use Strategy.

Undertake a review of the land demand and supply for rural living.

Prepare and implement into the planning scheme the Settlement and Housing Strategy.

Prepare a land supply and demand analysis for residential land at a municipal wide level.

Review Coastal Inundation and Erosion Policy as part of the Update to the flooding mapping, policy and schedules.

Prepare a Planning Scheme Amendment to implement planning controls to protect landfill and water infrastructure.

Investigate rezoning land to facilitate the Paynesville Employment and Emergency Services Precinct in accordance with the Paynesville Growth Area Structure Plan (January 2023).

Implement rezoning of land parcels immediately adjacent to Lake King from Farming Zone to Public Conservation and Resource Zone upon the completion of the transfer of land process to a Public Land Manager.

Prepare Planning Scheme Amendment to implement the Eagle Point Structure Plan.

Review and update Bairnsdale Growth Strategy.

Prepare a land demand and supply analysis for industrial land at a municipal wide level.

Prepare a Structure Plan for Lindenow.

Review and update the Erosion Management Overlay mapping, schedules and local policy.

Review and update the Flooding mapping, schedules and planning policy.

Consider planning policy implications of climate change, sea level rise and coastal inundation as part of the update of the planning scheme flooding controls.

Review and update the Bushfire Management mapping, schedules, planning policy and develop schedules for strategically identified townships.

Prepare an Industrial land demand and supply analysis.

Review and update the mapping and schedule to the Environmental Significance Overlay.

Review and update the development contributions plans for Lakes Entrance Northern Growth Area.

Prepare a Planning Scheme Amendment to update planning policy, zoning review and residential land supply for Omeo.

Prepare an Open Space Strategy.

Work with the landowner to prepare a Structure Plan for Lake Tyers Beach.

Review Master Plans contained in the Urban Design Frameworks on a township and needs basis as part of the review and preparation of structure plans.

EAST GIPPSLAND PLANNING SCHEME

25/11/2022 C162egip

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0 Further strategic work

~~25/11/2022~~ ~~-/-/----~~ ~~C162egip~~Proposed C172egipReview of the Coastal Settlements Design and Development Overlays.

Prepare a planning scheme amendment to update municipal planning statement, including a municipal overview and integration of the Council Plan 2021-2025.

Review Heritage Gap Study, prepare local planning policy and update schedule to the Heritage Overlay.

Prepare and implement into the planning scheme the Rural Land Use Strategy.

Undertake a review of the land demand and supply for rural living.

Prepare and implement into the planning scheme the Settlement and Housing Strategy.

Prepare a land supply and demand analysis for residential land at a municipal wide level.

Review Coastal Inundation and Erosion Policy as part of the Update to the flooding mapping, policy and schedules.

Prepare a Planning Scheme Amendment to implement planning controls to protect landfill and water infrastructure.

~~Prepare Planning Scheme Amendment to implement the Paynesville~~Investigate rezoning land to facilitate the Paynesville Employment and Emergency Services Precinct in accordance with the Paynesville Growth Area Structure Plan (~~PGASP~~January 2023).

Implement rezoning of land parcels immediately adjacent to Lake King from Farming Zone to Public Conservation and Resource Zone upon the completion of the transfer of land process to a Public Land Manager.

Prepare Planning Scheme Amendment to implement the Eagle Point Structure Plan.

Review and update Bairnsdale Growth Strategy.

Prepare a land demand and supply analysis for industrial land at a municipal wide level.

Prepare a Structure Plan for Lindenow.

Review and update the Erosion Management Overlay mapping, schedules and local policy.

Review and update the Flooding mapping, schedules and planning policy.

Consider planning policy implications of climate change, sea level rise and coastal inundation as part of the update of the planning scheme flooding controls.

Review and update the Bushfire Management mapping, schedules, planning policy and develop schedules for strategically identified townships.

Prepare an Industrial land demand and supply analysis.

Review and update the mapping and schedule to the Environmental Significance Overlay.

Review and update the development contributions plans for Lakes Entrance Northern Growth Area.

Prepare a Planning Scheme Amendment to update planning policy, zoning review and residential land supply for Omeo.

Prepare an Open Space Strategy.

Work with the landowner to prepare a Structure Plan for Lake Tyers Beach.

Review Master Plans contained in the Urban Design Frameworks on a township and needs basis as part of the review and preparation of structure plans.

Planning Assessment – Planning Scheme Amendment C172egip

What does the Amendment do?

Planning Scheme Amendment C172egip ('the Amendment') is required to implement the Paynesville Growth Area Structure Plan ('the Structure Plan') into the East Gippsland Planning Scheme. The Structure Plan will facilitate the growth and expansion of Paynesville for the next 20+ years. Council adopted the Structure Plan in August 2016. The Amendment proposes to update the Planning Policy Framework relating to Paynesville, rezone specified land as identified for growth, apply relevant overlays and insert the Structure Plan as a background document.

The Amendment proposes to make the following changes:

- Introduces new local policy into the Planning Policy Framework (PPF) to guide land use, subdivision and development in the Paynesville Growth Area.
- Rezones land from Farming Zone to General Residential Zone Schedule 3 (GRZ3) to guide residential growth and protect areas of environmental significance.
- Introduces the Development Plan Overlay Schedule 10 (DPO10) to require landowners to prepare a detailed Development Plan prior to the subdivision and development of the growth area.
- Introduces the Public Acquisition Overlay Schedule 3 (PAO3) to facilitate intersection improvements at 25 Waterview Road Eagle Point.
- Introduces the Environmental Audit Overlay (EAO) to ensure appropriate investigation of potentially contaminated land.
- Removes the Significant Landscape Overlay (SLO) from land identified for urban growth within the growth area.
- Amends Schedule 72.08 to update background documents to include the Structure Plan.
- Amends the Schedule to the relevant maps at clause 72.03.
- Amends the Schedule relating to Further Strategic Work at clause 74.02.

The land affected by the Amendment is.

- 95 Grandview Road, Paynesville (Lot 1 & 2, TP810124).
- 5 Grandview Road, Paynesville (Lot 1 & 2, TP842185 and 140A, PP2042).
- 1255 Paynesville Road, Paynesville (Lot 1, PS318977).
- 1325 Paynesville Road, Paynesville (Lot 3, SP307152).
- 25 Waterview Road, Eagle Point (Lot A, PS523941) (where land Public Acquisition Overlay is required for future intersection upgrade).

Strategic Justification

Why is the Amendment required?

The Amendment is required to facilitate the implementation of the Structure Plan for the Paynesville growth area. The Amendment will deliver local planning policy updates and a series of changes to planning controls to facilitate the provision of land supply for residential growth for the township of Paynesville.

The implementation of the Structure Plan for Paynesville is identified in the East Gippsland Planning Scheme as further strategic work and has been for some time. The Amendment delivers

the first stage of this item, with later work identified to progress the steps required for the Emergency Services and Employment Precinct, and the Future Tourism Area.

The timing for implementation of Structure Plan via a planning scheme amendment is critical to enable Council to appropriately respond to increased demand for residential development in Paynesville. Updated policy direction will provide a robust decision-making basis for Council to balance the increased demand for residential development with the character, amenity and environmental assets of the town. The Amendment will achieve net community benefit.

How does the Amendment implement objectives of planning in Victoria?

The Amendment aims to deliver fair, orderly and sustainable use and development by implementing the Structure Plan, utilizing the vision statement, design principles, preferred urban structure objectives, requirements and guidelines as recommended in the adopted structure plan. The Amendment delivers planning controls which address the needs of the existing and future community of Paynesville.

The amendment is also consistent with Plan for Victoria which the State Government released in March 2025. Plan for Victoria has provided housing targets to all municipalities. Including East Gippsland, where the target is 11,000 new homes by 2051.

The Amendment seeks to protect the ecological values of Lake King as part of the Gippsland Lakes, including measures to ensure transfer of low-lying land to public ownership for foreshore and migrating wetland areas, relocation of existing walking tracks and rehabilitation of the section of land currently in private ownership. The Development Plan Schedule ('DPO') requires the preparation of a Foreshore Improvement and Management Plan, as a key deliverable prior to use and development occurring. Upon the transfer of the land, the land will be zoned for Public Conservation and Resource Zone purposes, to reflect the public ownership.

The Environmental Audit Overlay has been applied to ensure that appropriate investigation of potentially contained land is undertaken prior to development and land use as required by State policy.

Cultural heritage has been considered as part of the Amendment and will be subject to the preparation of a Cultural Heritage Management Plan as part of the subdivision processes.

The Amendment will make a positive contribution to affordable housing in Victoria by delivering zoned land that includes the coordination of infrastructure, services, traffic and drainage assets as part of the consideration of developer contributions and shire infrastructure plans for the precinct. There will be a range of allotments which will promote diversity in housing stock and location. The Amendment will also deliver the implementation of a Local Activity Centre ('LAC') for local order neighbourhood retail goods and services. The DPO requires the preparation of a Retail Economic Assessment to provide a detailed analysis of the spatial requirements and possible land uses to support Paynesville.

Paynesville Growth Area Structure Plan (2016)

The PGASP was adopted by Council on 2 August 2016. Preparation of the Structure Plan included a strategic planning process with extensive engagement with the community, relevant stakeholders, landowners and agencies. The Structure Plan draws on background analysis

including assessment of traffic management, drainage, land supply and demand and social impact.

A review and refresh of the Structure Plan and technical background reports was undertaken in 2023 to update statistical information and reflect changes to the East Gippsland Planning Scheme and Planning Policy Framework. The updates were policy neutral and did not affect the policy intent of the recommendations contained in the original 2016 version of the Structure Plan. The modifications are summarised as follows.

- Updates to statistical information including land supply and updated mapping.
- Updates to technical terminologies, zone names and further strategic work to be consistent with recent state planning changes.
- Modified wording for landowner agreements, section 173 legal agreements and developer contributions.
- Deletion of reference to Comprehensive Development Zone and Special Use Zone for because these areas are subject to a future process.
- Clarification to deletion of Significant Landscapes Overlay to only residential land (retain in tourism land).
- Deletion of reference to Design & Development Overlay Schedule to be addressed in DPO10 and GRZ3.
- Reference to developer contributions to be secured via section 173 legal agreements.

Council adopted plans and strategies.

Paynesville is identified in the Gippsland Regional Growth Plan and the East Gippsland Planning Scheme ('the Scheme') as a settlement that will accommodate future residential growth. The Structure Plan provides the framework to accommodate future growth whilst protecting and enhancing the town's local character.

Strategic Objective 2 of the East Gippsland Shire Council – Council Plan 2021-2025 is for '*Planning and infrastructure that enriches the environment, lifestyle, and character of our communities'*. To meet this strategic objective Council is responsible for the identification of an adequate supply of suitably zoned land across the municipality and to provide clear direction to achieve high quality development outcomes.

The Amendment will deliver zoned land for residential purposes which is consistent with the recently adopted *East Gippsland Housing and Settlement* Strategy (2023) ('HSS')

Paynesville is identified in the HSS as one of two Growth Area townships, being Paynesville and Lake Entrance, in addition to Bairnsdale's role as a regional centre.

*"From 2021 to 2041 the population in East Gippsland is projected to increase by 15,400 people, to a total of 63,800. To accommodate population growth, Council is planning for an additional 8,271 dwellings across the Shire. While change throughout the municipality is inevitable, it is important that it is managed in a way that ensures the ongoing health and prosperity of communities, while protecting valued natural landscapes and environments" (*East Gippsland Housing and Settlement Strategy, 2023, page 5*).*

The HSS presents a robust and clear policy approach to the future growth of settlements and the use and development of land for housing. Its development is informed by and consistent with the policy provisions of the East Gippsland Planning Scheme, East Gippsland Council Plan (2021-

2025) and other key strategies including the Economic Development Strategy (2022-2032), Environmental Sustainability Strategy (2022-2032) and Rural Land Use Strategy (2023).

What are the Planning tools and controls?

The translation of the Structure Plan into the scheme must be consistent with State Planning Policy and must be in the format prescribed by *Ministerial Direction – The Form and Content of Planning Schemes*. The Amendment translates the Structure Plan recommendations into the relevant sections of the Scheme, as set out below.

Planning Policy Framework

Updates Clause 11 (Settlement) to implement strategies to guide the future use, subdivision and development of land in the growth areas and introduces a new *Paynesville Framework Plan*.

Zone controls

The Amendment rezones the land identified for future residential development in the PGASP from Farming Zone to General Residential Zone Schedule 3 (GRZ3). This is an appropriate zone which supports residential growth while also providing clear neighbourhood character objectives for the growth area.

Overlay controls

The Amendment applies the Development Plan Overlay Schedule 10 (DPO10). The DPO is a commonly used planning tool to ensure coordinated and orderly development over time. The DPO10 directs the preparation of a Development Plan and what it must contain to ensure that site specific and detailed planning is done before use or development commences.

The Amendment also applies a Public Acquisition Overlay (PAO) to the south-west corner of the Waterview Road and Paynesville Road intersection to provide for the future upgrade of the intersection to a roundabout. A PAO is the best mechanism to ensure the land can be acquired at the appropriate time for the infrastructure.

The Amendment will also remove the SLO as it is good practice to remove overlays that are no longer consistent with the new use and development which in this case is the urbanisation of land that was previously used for grazing.

History

Date	Milestone
2013	The preparation of the Structure Plan commenced in 2013 with significant stakeholder and community consultation. This work was reviewed and updated in 2015 based on further community input and further refined in 2016.
2016	The Structure Plan was finalised with continued community consultation and was adopted by Council in August 2016.
2016 - 2022	Officers commenced discussions with landowners to seek agreement on the implementation of the Structure Plan into the scheme between 2016 and 2022. This included matters such as staging of development, delivery of key infrastructure items

	and developer contributions to facilitate growth and protect environmental assets and the preparation of draft section 173 legal agreements to support shared infrastructure provision and conditions, such as traffic, walking tracks, intersections, roads, fencing and drainage assets.
July 2024	Officers prepared Planning Scheme Amendment C172egip and presented it to Council seeking permission for authorisation and public notice.
September 2024	The Minister for Planning authorised the amendment
November 2024 to January 2025	Public Notice and referrals were undertaken between 25 November 2024 to 31 January 2025 (10 weeks).

Specific considerations

Developer Contributions

The Structure Plan and DPO Schedule requires the developers to prepare a *Public Infrastructure Plan* and a *Shared Infrastructure Plan* as part of the Development Plan process. In addition to this, it requires the owners of the land to enter in an Agreement under Section 173 of the *Planning and Environment Act 1987* to provide for infrastructure contributions to be paid.

Environmental considerations

The Structure Plan protects the Lake King foreshore and wetlands through the requirement for the need to transfer foreshore land that is privately owned to a public authority. Once this transfer has occurred, the land will be rezoned to Public Conservation and Resource Zone ('PCRZ'). The DPO10 also requires a Foreshore Improvement and Management Plan to the satisfaction of Responsible Authority. The Structure Plan identifies the areas of the foreshore land below 2.8m AHD shall not be developed for urban purposes and should be transferred to public ownership and managed to maintain and enhance ecological values.

The Structure Plan identifies that stormwater management can be integrated into the design of residential lots, roads and open space (including the Lake King foreshore reserve), providing that recreational functions are also maintained and enhanced.

The Amendment also addresses coastal inundation, which requires planning for land at risk of inundation, including an allowance for sea level rise of not less than 0.8m by 2100. In the context of the Amendment, this means all land below the level of 2.8m AHD will be excluded from urban development.

The DPO10 requires the preparation of a Flora and Fauna Assessment which will need to consider any implications to native flora and fauna under relevant national, state and local legislation and policy frameworks. Any recommendations made as part of the assessment will need to be considered and addressed during the preparation of the Development Plan.

Bushfire considerations

The Amendment meets bushfire policy outlined in Clause 13.02 of the East Gippsland Planning Scheme. The potential for bushfire risk has been assessed by *Euca Planning - Review of Bushfire Planning Considerations (March 2019).*

Service Station / Local Activity Centre

The Structure Plan outlined the need for a mixed-use site to be provided in the growth area, accessed via Paynesville Road. It has been identified that a Local Activity Centre although the DPO10 requires more detailed analysis of how big the activity centre should be based on local projected need.

Environmental Audit

In accordance with Ministerial Direction 1 (Potentially Contaminated Land), land that is to be rezoned and used for a sensitive use (such as a residential use), must be checked for potential contamination. A Preliminary Site Investigation was undertaken across parts of the growth area. Based on the results of the report, officers are satisfied that that portion of land are has a low contamination risk. The balance of the land, where the investigation was not conducted, will have the EAO applied to ensure that the appropriate investigations are undertaken in the future.

Social Impact Assessment Report

Based on the projected population provided in the Social Impact Assessment Report, it is expected that the new development will contribute towards the upgrade of the existing facilities within the township and include some community functions within a future local activity centre.

Public Exhibition

Public notice was given between 25 November 2024 to 31 January 2025 (10 weeks).

Public notice was undertaken in accordance the *Planning and Environment Act 1987* requirements, with a total of 83 written submissions received. 6 of the submissions were supporting with requested changes to the planning scheme amendment documentation, one submission supports without changes and 76 submissions are not in support of the Amendment.

Response to Submissions

A submissions summary table has been prepared as a separate attachment.

Proposed Changes to the Amendment

In response to the submissions, some minor changes to the amendment documentation have been made. A changes table has been prepared as a separate attachment.

Conclusion

Planning Scheme Amendment C172egip is consistent with all relevant planning policy and has used appropriate planning tools to facilitate long term urban development within Paynesville. While there has been some opposition to the Amendment as outlined in the submissions, the DPO10 will provide the next layer of detailed planning that is required before any subdivision or development occurs.

Engagement Report

Planning Scheme Amendment C172egip – Implementation of the Paynesville Growth Area Structure Plan

Public Consultation Period - 25 November 2024 to 31 January 2025 (10 weeks)

February 2025

Table of contents

1 Executive summary 3
2 Engagement design overview 4
2.1 Methodology 4
2.2 Engagement Design and Communication Tools 5
3 Feedback received 7
3.1 Written submissions 7

1 Executive summary

Originally to run from 25 November 2024 to 10 January 2025, the consultation period was extended until 31 January 2025 to further allow for the Christmas/New Year and School Holiday period.

126 letters were sent to adjoining landowners and two face to face sessions were conducted in Paynesville. The team also met face to face with various landowners at their request.

In addition, and as required by the Planning and Environment Act 1987, notices were placed in the Bairnsdale Advertiser and Government Gazette and the notices were also sent to prescribed Ministers and referral agencies.

83 submissions were received over the 10-week period from landowners, referral agencies and a community group. While there was some support for the amendment, the following key areas of concerns were raised:

- Requests for changes to local planning policy.
- Timing and duration of community consultation.
- Criticism that the background reports are outdated or lacking in detail.
- Traffic concerns.
- Interface issues to existing residential areas.
- Environmental concerns, especially in relation to the Gippsland Lakes and the foreshore interface to the north.
- Concerns about neighbourhood character and future lot sizes.
- Lack of services including medical, dental and emergency services.
- Inadequate infrastructure.
- The location of the 2.8mAHD line to the north.
- Coastal inundation and climate change concerns.
- The use of the Development Plan as a planning tool.

2 Engagement design overview

2.1 Methodology

Council's *Community Engagement Policy* applies the International Association of Public Participation's (IAP2) "Public Participation Spectrum" which establishes five levels of engagement.

The engagement design targeted a "Consult" level of public consultation within the IAP2 Spectrum (refer ***Error! Reference source not found.***).

	Inform	Consult	Involve	Collaborate	Empower
Our Goal	To provide balanced and objective information to make our community aware of something that has happened or will happen	To listen to our community's feedback on ideas, alternatives, and proposals to inform our decision making	To seek input to identify issues, concerns, and aspirations to inform decision making and show how that input has informed the decision	To work with our community to develop a detailed understanding of all the issues and opportunities and identify agreed solutions at every step of the process	To build the capacity of our community to identify solutions and/or lead change
Our promise to the community	We will keep you informed	We will listen to and acknowledge your concerns	We will work with you to exchange information, ideas, and concerns	We will seek advice and innovation from amongst the various stakeholder groups	We will work with you to identify options that will influence the final decision
Role of community and/or stakeholders	Listen	Contribute	Participate	Partner	Lead
Examples of Methods	Signs Advertisements Fact sheets Newsletter Public Notices Social media Websites	Focus groups Public exhibition Surveys (online and hard copy) Ideas boards Creative projects Online pin dropping map tools Face-to-face interviews and discussions	Workshops • Community panels • Advisory groups • Online forums • Co designing • Detailed online mapping, ranking and prioritising tools • Regularly reporting back to the community across multiple stages of engagement • Elements of deliberative engagement processes		Independently governed reference groups Citizens juries Representative deliberative panels Deliberative budgeting

Figure 1: East Gippsland Shire Council's Spectrum of Engagement

2.2 Engagement Design and Communication Tools

The period for public consultation was 25 November 2024 to 31 January 2025. *Table 1* below documents each activity undertaken as part of the consultation process.

Engagement Tool	Total No.	Date and engagement details	Success measures
Have Your Say Shire ad	4	Shire ad 11 Dec 2024, 8 Jan 2025 and 22 Jan 2025 Public Notice section 11 Dec 2025 Government Gazette 12 Dec 2025	Circulation: Bairnsdale Advertiser: 6,450
EGSC Socials	1	11 Dec 2024	Awareness only Difficult to measure reach or success
Meetings and communication with key stakeholders (External)	126 3 3	25 November 2025 - Landowners with property affected, abutting or adjacent were informed through direct mail and email Meetings Jan/Feb 2025 Letters sent to relevant Ministers	Postal addresses subject to change *Council records may show multiple email addresses for a single property Difficult to measure reach or success with hard copy engagement tools
Drop-in session	21	9 Dec 2024 at the Paynesville Service Centre 2-4pm and 5-7pm	Informed Difficult to measure reach or success
External Referrals	6	Emails sent 25 Nov 2024	Awareness only Difficult to measure reach or success
Meetings and communication with key stakeholders (Internal)	3	Prior to commencement of exhibition: Advised Statutory Planning team Advised Customer Service and Media teams Advised Councillors	Awareness only *Further distribution to team, difficult to measure reach or success
Hardcopies		Hardcopies of all documents available on request via Customer Service	Difficult to measure reach or success with hard copy engagement tools
YourSay East Gippsland webpage **(Source: YourSay Report)**	1	Live from 25 Nov 2024	Approximately 876 visits

Table 1 - Communications activity undertaken as part of the consultation process

Figure 2 below summarises and measures the success of the communication channels and engagement methods for this round of engagement.

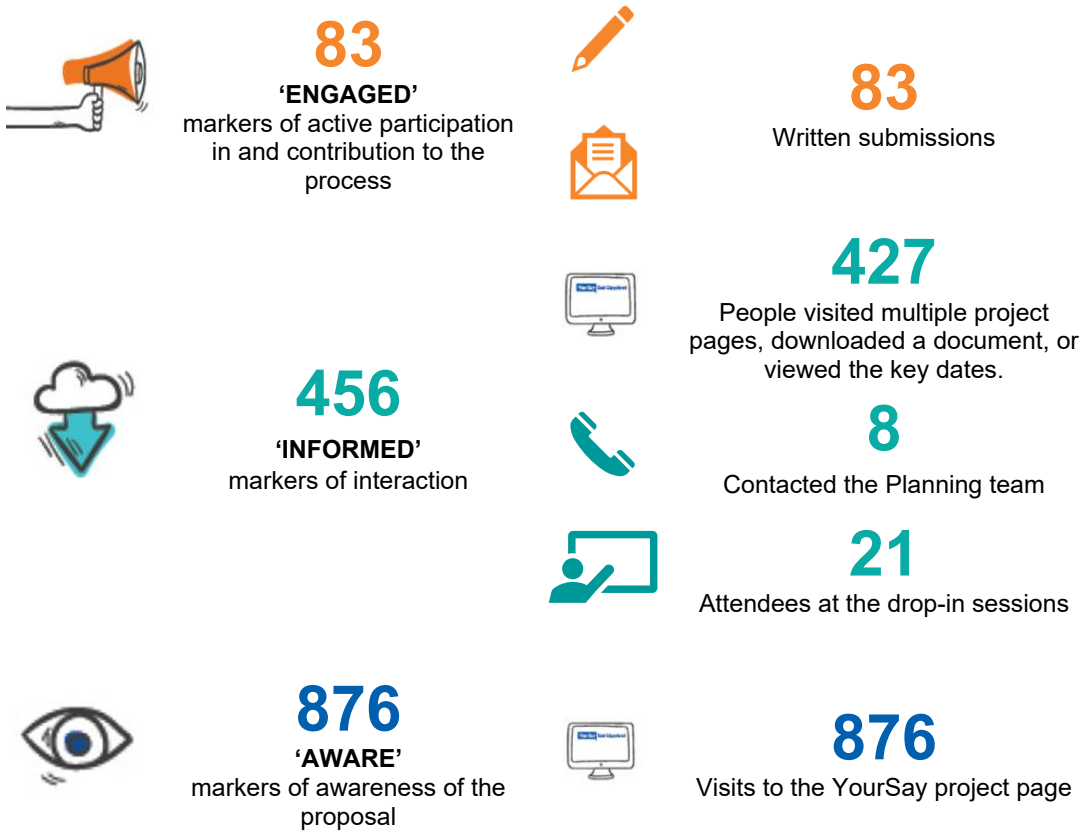


Figure 2 - Communication channels and engagement methods summary

3 Feedback received

3.1 Written submissions

83 submissions were received from landowners, community organisations and referral authorities.

The redacted submissions have been provided with the report to Councillors and were also made available via the project YourSay page.

There was some support for the amendment however the following key areas of concern were raised:

- Requests for changes to local planning policy.
- Timing and duration of community consultation.
- Criticism that the background reports are outdated or lacking in detail.
- Traffic concerns.
- Interface issues to existing residential areas.
- Environmental concerns, especially in relation to the Gippsland Lakes and the foreshore interface to the north.
- Concerns about neighbourhood character and future lot sizes.
- Lack of services including medical, dental and emergency services.
- Inadequate infrastructure.
- The location of the 2.8mAHD line to the north.
- Coastal inundation and climate change concerns.
- The use of the Development Plan as a planning tool.

5.1.2 Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan

Authorised by General Manager Place and Community

Purpose

This report seeks Council approval to refer Planning Scheme Amendment C171egip to an independent Planning Panel, in accordance with the *Planning and Environment Act 1987*, to enable all submissions to be considered by the panel and for the panel to make recommendations about the amendment.

The report also provides Council with an overview of the recent exhibition of Planning Scheme Amendment C171egip, including the issues raised within submissions, the Officer's response to those issues and the suggested changes to the amendment. This can be found at **Attachment 1**. A copy of the redacted submissions is at **Attachment 2**.

Key Points

Planning Scheme Amendment C171egip seeks to implement the *Eagle Point Structure Plan* (EPSP) (2019) into the East Gippsland Planning Scheme. The amendment does this by:

- Amending clause 02.03-1 of the Municipal Planning Strategy to update the strategic direction for Eagle Point.
- Introducing a new clause 11.03-4L-12 (Eagle Point) to the Planning Policy Framework and a new Eagle Point Framework Plan to include the relevant strategies of the EPSP.
- Rezoning land in Eagle Point in accordance with the recommendations of the EPSP, as follows:
    - Rezoning land at Mathiesons Road and Forge Creek Road from Low Density Residential Zone to Rural Living Zone Schedule 1.
    - Rezoning land at 30 Forge Creek Road from General Residential Zone to Low Density Residential Zone Schedule 2.
    - Rezoning land at 25 Waterview Road from Farming Zone to General Residential Zone Schedule 2.
- Applying Low-Density Residential Zone Schedule 2 to all land in the Low-Density Residential Zone with a minimum subdivision area of 4,000 square metres. A minimum subdivision area of 2,000 square metres is identified for land at 1, 3, 4, 5, 6, 7, 8 Morecroft Rise; 1007A and 1007B Paynesville Road; 1005 Paynesville Road and 76 Eagle Point Road because there are approved subdivisions associated with these sites.
- Applying General Residential Zone Schedule 2 to all land currently zoned General Residential Zone to provide neighbourhood character objectives (except 30 Forge Creek Road).
- Extending the Significant Landscape Overlay Schedule 2 to part of land in the Farming Zone at 25 Waterview Road.
- Amending the Schedule to Clause 72.08 (Background Documents) to insert the Eagle Point Structure Plan (2019) as a Background Document.

- Amending the Schedule to Clause 74.02 (Further strategic work) to remove reference to the preparation of a Planning Scheme Amendment to implement the Eagle Point Structure Plan (2019).

This planning scheme amendment will support diverse housing options while maintaining the area's unique identity and landscape qualities. The EPSP was developed between 2016 and 2019 with extensive input from the community, relevant stakeholders, landowners, and agencies. The EPSP also draws on detailed analysis of background information including the assessment of infrastructure, land supply and demand, ecology, bushfire, socio-economic data and cultural heritage. A full planning assessment is provided at **Attachment 3**.

The amendment was on public exhibition from 25 November 2024 until 10 January 2025 and 19 submissions were received. An Engagement Report is provided at **Attachment 6.**

The general themes of the submissions included the timing and quality of consultation, traffic impacts, lack of services including medical, the age of the background reports, stormwater drainage issues, lack of justification for rezoning of 25 Waterview Road (part), environmental considerations such as coastal risk and impact on wildlife and bushfire risk. The submissions have been provided at **Attachment 2** and a detailed summary of the submissions and the officer's response is available at **Attachment 1**.

There are very few changes that can be made to the amendment in response to the submissions. However, based on feedback from the East Gippsland Catchment Management Authority and the Friends of the Gippsland Lakes, it is proposed to amend Clause 74.02 (Further Strategic Work) to update references to flood mapping and climate change. In addition, it is proposed to remove the Environmental Audit Overlay (EAO) from 25 Waterview Road (part), as an environmental assessment by Ewers Consulting confirms a low contamination risk and therefore the EAO is no longer required. A detailed summary of the proposed post-exhibition changes to C171egip is available in **Attachment 4** and the revised planning scheme documentation can be found at **Attachment 5**.

Recommendation

That Council:

1. ***having formally considered all written submissions received to Amendment C171egip, notes the issues raised by the submissions and the officer's response to those issues, as outlined in Attachment 1;***

2. ***requests the Minister for Planning appoints an Independent Planning Panel to consider all submissions received for Amendment C171egip as provided at Attachment 2, in accordance with Part 8 of the Planning and Environment Act 1987;***

3. ***refers all submissions, including any late submissions, to the Independent Planning Panel appointed by the Minister for Planning;***

4. ***endorses the Officer's response to the issues raised by the submissions and the recommended changes to Amendment C171egip, as outlined in Attachment 1 and 4, as the basis for Council's submission to the Independent Planning Panel;***

5. ***authorises the General Manager Place and Community to make minor changes to Amendment C171egip which are consistent with the purpose and intent of Council's resolution; and***

6. ***approves the General Manager Place and Community or delegate to advise all submitters to Amendment C171egip of Council's decision.***

Strategic Alignment

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.1 Statutory and strategic planning for land use delivers sustainable outcomes that balance the need for growth with the enhancement of our lifestyle, character, the built and natural environment.

Consultation/Community Engagement/Impacts

The public exhibition of the amendment was originally planned to run from 25 November 2024 to 10 January 2025. It was extended until the 31 January 2025 in response to community feedback that they needed more time to consider the amendment.

537 letters were sent to landowners in Eagle Point, resulting in 19 submissions over the 10-week period. The majority of the submissions were from Eagle Point landowners, along with a community group and referral agencies. A detailed summary including detailed methodology and engagement tools employed as a part of the Consultation process is available at **Attachment 6**. A copy of the redacted submissions is available at **Attachment 2.**

Opportunities and Risks

	Opportunities	**Risks**
Financial	-	Council has invested in the preparation of the EPSP and if it is not implemented, this investment will be lost. Council also incurs a cost in fees and staff resourcing when a Planning Scheme Amendment is undertaken.
Environmental	If the amendment proceeds, the amendment will provide strategic direction regarding the environmental qualities of Eagle Point and how these can be protected and enhanced. Importantly, the amendment proposes minimum lot sizes for residential land in sensitive environmental areas, aligning with the land's environmental quality and capacity. It also aims to improve connectivity between environmentally significant sites to boost biodiversity and support passive recreation.	If the amendment does not proceed, there is a risk of compromising Eagle Point's environmental qualities, allowing inappropriate development in sensitive areas, and lacking clear policy guidance for future growth.
Social	The Amendment positively impacts the community by reflecting the EPSP's findings, which address local values and social needs. It establishes a clear land use framework,	If the amendment does not proceed then neighbourhood character and the values that the community has identified for Eagle Point may be put at risk through inappropriate development.

	Opportunities	Risks
	promoting housing diversity through appropriate residential and rural residential zones.	
Operational	The amendment will result in changes to zone and overlay provisions which would enhance the efficiency of decision-making processes.	If the amendment does not proceed, the legal enforceability of the adopted Eagle Point Structure Plan will be lost, and the extensive community engagement undertaken by Council would be disregarded. This may result in poor outcomes that fail to align with the area's environmental qualities and community aspirations.

Climate change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

Legislation

Planning and Environment Act 1987 (including ss. 4, 6, 12, 12B, 60)

Category

Land Use Planning: Consideration is given to climate change in the local land use planning and includes responses to direct and indirect impacts.

Options

There are three options for Council to consider:

1. Refer the submissions to an Independent Planning Panel;
2. Request changes to the amendment and, if substantial, undertake a further public notification and submission process; or
3. Abandon the Amendment.

The preferred option is **Option 1**.

Option 1 progresses the amendment and satisfies Council's obligation to plan for the orderly development of Eagle Point and to provide strategic direction for housing growth as identified in the Planning Scheme. The Independent Planning Panel provides the opportunity for all submitters to be heard and for any potential changes to the amendment to be further considered by Council.

Option 2 would require the changes to be specifically identified, strategic justification to be provided and, if the changes are substantial, the amendment would need to be re-advertised for public submissions. It is important to note that all of the matters raised in the submissions will be considered by the Planning Panel, regardless of whether the amendment is changed, and that Council will have a further opportunity to consider those matters when the Panel Report is received. This option would create a 4–6-month delay and additional resourcing implications. Option 1 does not limit Council's options to change the amendment following receipt of the Panel Report.

Option 3 would require the amendment to be abandoned in full, because the policy changes and rezoning are interconnected and the written submissions fundamentally oppose urban growth, so no substantial changes can be made.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. Submissions Summary [**5.1.2.1** - 4 pages]
2. Redacted Submissions [**5.1.2.2** - 70 pages]
3. Planning Assessment C171egip Final [**5.1.2.3** - 7 pages]
4. Post Exhibition Changes Table [**5.1.2.4** - 1 page]
5. Post Exhibition PSA Docs [**5.1.2.5** - 205 pages]
6. Engagement Report [**5.1.2.6** - 7 pages]

No.	Support	Submission Summary	Themes	Officer Response	Action taken	Resolved	Withdrawn
1	No	~Public exhibition during the holiday period is seen as a tactic to limit public participation. Allegations of inadequate consultation by East Gippsland Shire Council (EGSC), especially with affected residents of Bay Road, Rogerson Close, and Green Court. ~Development of "The Hub" is viewed as contrary to Eagle Point Structure Plan objectives, particularly regarding coastal character and environmental protection. ~Strong objections to the extension and upgrade of the Lake King path, citing negative impacts on resident privacy, natural environment, and local wildlife. ~Objections to the misuse of the foreshore pathway, originally intended for pedestrians, now used by high-speed bicycles, e-scooters, electric bikes, and motorcycles. Concerns that replacing the walkway with a 3-metre-wide concrete path will worsen these issues. ~Criticism of the lack of enforcement to control inappropriate path usage. ~Opposition to housing developments in GRZ2 areas until infrastructure, like healthcare services, is adequately developed. ~Questions the rezoning near Bay Road and Lake King to GRZ2, suggesting LDRZ2 is more suitable for the area's low-density character. ~Concerns about rezoning 76 Bay Road (Lake King Waterside Caravan Park) to GRZ2, advocating for consistency with its current use or LDRZ2. ~Belief that certain properties were singled out in the amendment to increase their market value through deals with the Council. ~Eagle Point is described as a locale, not a town, arguing against suburban-style development. ~Recommends land beside the creek be zoned LDRZ instead of GRZ. ~Claims inadequate infrastructure makes new development in GRZ2 inappropriate. ~Advocates for passive, nature-based recreational activities on Lake King, discouraging disruptive watercraft usage.	~Public Engagement ~Environmental and community impacts ~Eagle Point Foreshore concerns ~Infrastructure and Recreational Recommendations ~Zoning and Development issues	~Eagle Point Hub is a completed Council project and outside the sope of the amendment. ~Eagle Point Foreshore pathway is a separate project and is outside of scope of the amendment. ~The public exhibition period was extended in response to community feedback. Public exhibition was undertaken in accordance with the Planning & Environment Act 1987 and Council's standard consultation practices. ~The infrastructure listed (healthcare services) is managed by State Government and is outside of the scope of the amendment. ~The amendment is proposing schedule changes in the GRZ and LDRZ and rezoning of land from LDRZ to RLZ or GRZ to LDRZ, all of which endeavour to protect the character of Eagle Point and not increase land supply. The only parcel that is proposed to be rezoned which will slightly increase land supply is 25 Waterview Road (part). Some sites that the submission refers to are not being rezoned to a different zone but are having Schedule 2 to the GRZ applied.	No changes or action taken.	No	No
2	No	~Opposes rezoning 30 Forge Creek Road from General Residential Zone (GRZ) to Low Density Residential Zone (LDRZ) due to access to existing infrastructure, including reticulated sewerage. ~Believes retaining GRZ supports housing affordability for a growing population. ~Suggests land beside Tyers Creek should remain LDRZ, not GRZ. ~Disappointed with inadequate consultation during the Eagle Point Structure Plan (EPSP) process. ~Claims no formal discussions with the Council regarding public easements, drainage reserves, and pedestrian pathways on private property. ~Alleges certain properties benefit from rezoning due to undisclosed deals with the Council. ~Strongly opposes public access and pedestrian pathways through private property, citing privacy and land use concerns. ~Opposes the creation of a Drainage Reserve through their property, raising access issues and property devaluation concerns. ~Seeks clarification on who will maintain the proposed Drainage Reserve. ~Criticizes the Council's failure to address stormwater drainage problems, demanding a comprehensive plan before new developments. ~Reports long-standing stormwater runoff issues from nearby developments, causing erosion and access challenges. ~Recommends an Environmental and Ecological study of Tyers Creek, involving East Gippsland Catchment Management Authority and affected landowners. ~Tyers Creek is not a free-flowing waterway; blocked pipes under Paynesville Road cause water backups. Requests clarification on Tyers Creek's status and nearby unused government roads. ~Emphasizes the creek's stagnant condition and its importance as a habitat for local wildlife, recommending minimal disturbance.	~Public Engagement ~Zoning and Development issues ~Property and privacy concerns ~Stormwater and Environmental issues ~Infrastructure issues	~The Structure Plan recommends that 30 Forge Creek Road be zoned from GRZ to LDRZ due to significant environmental constraints on the site. ~The public exhibition period was extended in response to community feedback. Public exhibition was undertaken in accordance with the Planning & Environment Act 1987 and Council's standard consultation practices ~The Structure Plan provides a broad guide to how the land might be developed in the future which includes pedestrian connections and formalisation of the waterway. It is noted that the amendment is not proposing to create walkways or drainage reserves and that these would only be considered if the landowner lodged a planning permit to develop the land. Future development will trigger the need for an appropriate waterway management plan to ensure drainage is appropriately managed on a constrained site as directed by State Planning Policy. ~It is acknowleged that the site contains a significant natural waterway. Council's Infrastructure Department is working with the landowner seperately to try to solve some of their existing onsite issues associated with the waterway.	No changes or action taken.	No	No
3	No	~Requests that the Mctaggarts road and Jones Road precinct is included as a part of the amendment as the landowners believe that the site has potential to provide for small increase in residential density while retaining the character of the area.	~Exclusion of Mctaggarts Road ~Rezoning	~ The McTaggarts/Jones Road precinct is outside the scope of the amendment and well outside the township boundary. A municipal wide review of Rural Living Zone schedules is a separate project that Council has commenced.	No changes or action taken.	No	No
4	No	~States that little justification has been provided for rezoning of existing farmland to General Residential Zone and that the planning amendment process has failed to garner overwhelming community support to undertake rezoning of land. ~Argue that there is no urgency to rezone land currently from Farming Zone to General Residential Zone to accomodate modest residential growth. They further point out that Eagle Point Structure Plan states that population and residential dwelling growth has been historically low in Eagle Point and that this trend is expected to continue. ~State that the Eagle Point Structure Plan states has no stormwater management plan proposed for Eagle Point. ~Untreated and unregulated water runoff as a result of proposed future residential development along the creek will further exacerbate the stormwater issues and adversly impact the ecologically sensitive Gippsland Lakes system. ~Rezoning of productive farmland to residential housing will significantly compromise and adversly impact high quality natural features of Eagle Point. ~The existing farmland is elevated and presents a significant risk as fire would travel rapidly up the slope presenting a significant risk to life and property. The Eagle Point Structure Plan states that not increasing the risk of bushfire as a result of future development is a priority. ~Proposed rezoning will take away productive agricultural land which will lead to erosion of productive agricultural land and unregulated development. ~Recommend review period in the planning process (i.e. between 5 to 8 years) to review priorities and direction as set out originally in Eagle Point Structure Plan.	~Rezoning ~Stormwater & Enviornmental issues ~Bushfire risk ~Agricultural impact	~The Structure Plan provides detailed strategic justification to rezone 25 Waterview Road (part) and leaves the remainder of the farming land in the Farming Zone, including the higher section referred to in the submission. ~The proposed rezoning of 25 Waterview Road (part) will only provide modest growth of 40-60 lots over a period of time which provides adequate future land supply in accordance with State Policy (15 years land supply). ~Matters pertaining to stormwater can be appropriately managed as part of a future Planning Permit process. ~The land is not high quality agricultural land and the large balance can continue to be grazed or used for other agricultural purposes as per the Farming Zone. ~The CFA has been consulted about the amendment and they have expressed no concerns with the proposed amendment in relation to bushfire.	No changes or action taken.	No	No
5	No	~The proposed Eagle Point township boundary does not cover the McTaggarts Road area, a 1.6 km rural residential zone south of Paynesville Road, extending to Jones Road. ~Preliminary discussions with Council by Development Solutions on behalf of the landowners in 2023, indicated that Mctaggarts Road could be included in the settlement boundary for C171egip to explore rezoning for additional rural residential or low-density development, without harming the area's environmental qualities. The area in question is not included in the proposed settlement boundary for C171egip amendment. ~Small areas of zoning change (rezoning of 30 Forge Creek Road from General Residential Zone to Low Density Residential Zone) will not significantly increase the rural residential or low density residential opportunities. ~Recommend McTaggarts Road and Jones Road should be included in C171egip to appropriately respond to Victoria's Housing crisis via rezoning while maintaining the rural character.	~Exclusion of Mctaggarts Road ~Rezoning	~ The proposed township boundary is set around the urbanised area of Eagle Point as outlined in the Structure Plan. ~ McTaggarts Road precinct is outside the scope of the amendment. A municipal review of the Rural Living Zone schedules is a separate project which Council has commenced.	No changes or action taken.	No	No

6	No	~Would like the background documents pertaining to C171egip updates as five years have elapsed since adoption of Eagle Point Structure Plan. ~C171egip Explanatory Report stresses the need for timely residential development in Eagle Point. However, the proposed minimum lot size of 0.4ha is not as per Planning Practice Note 91 (July 2023) which allows for a minimum lot size of 0.2ha where land is serviced by reticulated sewer. ~C171egip does not provide clear rationale for proposing 0.4Ha minimum lot size for LDRZ. ~Identifies eleven properties eligible for subdivision to a minimum lot size of 0.2ha. Eight out of eleven properties are already below 0.4ha in area. No analysis has been provided to justify why the remaining three properties are still eligible for subdivision to 0.2ha. ~Proposed change to the minimum lot size will result in reduced development yields for larger LDRZ parcels, higher development costs making projects financially unviable, potential loss of housing gains as well as worsening housing availability and affordability issues. ~Schedule 2 of GRZ does not specify requirements for standards such as site layout and building massing, amenity impacts, on site amenity, height and facilities. ~GRZ2 doesn't utilize Clause 32.08-11, which allows for setting a maximum building height for dwellings, small second dwellings, or residential buildings. ~Prior to rezoning of 25 Waterview Road, specific site studies pertaining to cultural heritage, flora and fauna, stormwater management, bushfire mitigation, treatment of waterway buffers, traffic, servicing and infrastructure should be undertaken.	~Background documents ~Subdivision eligibility ~Zoning and development issues ~GRZ2 ~Site specific assessment	~The Structure Plan identifies existing LDRZ zoned land for increamental change. Therefore, a minimum lot size 4000m² is appropriate and is based on neighbourhood character and natural site constraints. Therefore, no change to the proposed application of LDRZ, Schedule 2 is recommended. ~The GRZ2 seeks to encourage a preferred character for Eagle Point via the objectives. The height is unable to be controlled by the schedule (unless the height is proposed to be more than 11 metres) and the other standards have not been changed as we do not have adequate strategic justification to do so. ~ The Structure Plan and associated background documentation provides adequate justification for the rezoning of 25 Waterview Road. Additional site specific reports will be required at planning permit stage which will address site specific planning considerations.	No changes or action taken.	No	No
7	No	~Lack of specific obectives to address coastal hazard risk . C171egip amendment relies mainly on 1% Annual Exceedance Probability (AEP) predictions for inundation and fails to consider more recent data on projected coastal hazard risks and coastal processes as well as Planning Practice Note 53 and Ministerial Direction 13 which provide guidance for strategic planning in coastal areas. ~Proposed amendment allows for incremental growth and development in foreshore areas at risk from coastal hazards but lacks sufficient measures to protect communities and assets from coastal hazard risks. ~The amendment allows for permit applications within LSIO (Land Subject to Inundation Overlay) areas, which contradicts the strategy requiring new development to be sited away from flood risk areas. ~Proposed planning amendment appears inconsistent with the objectives and planning principles of the Marine and Coastal Act 2018 (MAC Act)	~Coastal Hazard risk ~Inconsistency in flooding data ~Reliance on outdated data	~Council acknowledges that the LSIO mapping is out of date across the municipality, including for Eagle Point. The nine flood studies, which would inform a future planning scheme amendment, are currently being peer reviewed. ~The amendment is not proposing change or rezoning in areas that are within the LSIO or that are located immediately on the coast. ~Planning permits are able to be applied for within the LSIO, it does not prohibit use or development but does provide a trigger for a permit and further consideration by Council and the floodplain manager.	Council is unable to address all of the concerns raised however does propose to update Clause 74.02 (Further Strategic Work) to better address the need for Council to review its flood mapping in relation to climate change, sea level rise and rainfall intensity.	Partial	No
8	No	~Lack of appropriate health and educational facilities to cater for the increased growth proposed as a result of C171 egip. ~Proposed growth will put a strain on existing infrasructure such as roads, water, sewerage etc. ~Percieved bushfire risk. ~Percieved risk to wildlife as a result of proposed growth.	~Health & Educational facilities ~Infrastructure issues ~Bushfire risk ~Biodiversity risk	~ Provision of health and educational facilities are outside the scope of the amendment as they are provided by the State Government. ~The amendment is not about growing Eagle Point and only proposes to rezone a small section of 25 Waterview Road. Any future development of this site will be required to provide infrastructure such as roads, water, reticulated sewerage as part of the Planning Permit process. ~ The Structure Plan and the amendment recognises the importance of the environmental values of Eagle Point and seeks to protect them by setting a clear township boundary and rezoning specific parcels of land to a zone that holds the current lot patterns and/or promotoes very little development change.	No changes or action taken.	No	No
9	No	~The proposed township boundary does not cover the McTaggarts Road area, a 1.6 km rural residential zone south of Paynesville Road, extending to Jones Road. ~Preliminary discussions with Council by Development Solutions on behalf of the landowners in 2023, indicated that Mctaggarts Road could be included in the settlement boundary for C171egip to explore rezoning for additional rural residential or low-density development, without harming the area's environmental qualities. The area in question is not included in the proposed settlement boundary for C171egip amendment. ~Request that McTaggarts Road to be included in C171egip to provide for an increase in residential density whilst retaining the character of the area via a variation to the schedule to the Rural Living Zone to facilitate rural residential or low density development.	~Exclusion of Mctaggarts Road ~Rezoning	~ The proposed township boundary is set around the urbanised area of Eagle Point as outlined in the Structure Plan. ~ McTaggarts Road precinct is outside the scope of the amendment. A municipal wide review of Rural Living Zone schedules is a separate project which Council has commenced.	No changes or action taken.	No	No
10	No	~The combined area of the Ah Yee family land holding is approximately 190 hectares in area and is spread across the eastern end of Eagle Point and the western end of Paynesville. The owners would like all of their land included in the amendment to explore alternative future development options that prioritize public open spaces for connectivity and accessibility such as expanding the golf course integrating residential areas around it, developing a tourism resort, creating public walkways, improving vehicle access to Paynesville, enhancing existing waterways, providing access to Newlands Backwater etc. ~Does not agree that 25 Waterview Road should remain in the Farming Zone as it is not financially viable to farm. ~Additionally, leaving small, disconnected agricultural parcels could create future issues for neighboring residents. ~Proposed C171egip proposes a pedestrian pathway dissecting the current parcel of land at 25 Waterview Road, therefore resulting in issues pertaining to ongoing management and viability.	~Alternative development options ~Farming Zone concerns ~Pedestrian pathway concerns	~Only 25 Waterview Road is included within Amendment C171egip and the balance of the Ah Yee land holdings are outside the scope of the amendment. ~As per the Structure Plan, 25 Waterview Road provides important separation between Eagle Point and Paynesville and is therefore proposed to be retained in the Farming Zone. ~It is noted that some of the proposed uses and developments listed within the submission are not prohibited under the Farming Zone and could be further explored with Council via a planning permit process independently of this amendment process. ~The Structure Plan provides a broad guide to how the land might be developed in the future which includes pedestrian connections. It is noted that the amendment is not proposing to create walkways and that walkways would only be considered if the landowner lodged a planning permit to develop the land. Future development will trigger the need for an appropriate waterway management plan to ensure drainage is appropriately managed on a constrained site as directed by State Planning Policy.	No changes or action taken.	No	No

11	Partial	~Supports changing the zoning of land in the Mathiesons Road and Forge Creek Road precinct from Low Density Residential Zone (LDRZ) to Rural Living Zone (RLZ) to protect neighbourhood character and environmental values. ~Advocates for allowing landowners to apply for subdivision if it results in good planning outcomes, such as a modest increase in residences without negatively impacting neighbourhood character or the environment. Many blocks in the area are underutilized, mainly used for keeping a few horses rather than intensive residential or agricultural purposes. ~The area is well-located, being close to Paynesville, Eagle Point, and Bairnsdale, and offers good potential for passive solar housing with appropriate vegetation. ~ Recommends if the rezoning is approved, a planning note could be added under the RLZ to accommodate limited subdivision while maintaining planning integrity.	~Rezoning ~Subdivision eligilibility	~Further subdivision can be considered under the Rural Living Zone, subject to meeting certain requirements such as minimum lot sizes. However, it is noted that many existing lots in this precinct are already at the minimum lot size and therefore do not have the opportunity to further subdivide. ~There is also no ability to place a note in the zone about subdivision as the zone and associated schedule controls subdivision/minimum loy sizes.	No changes or action taken.	No	No
12	No	~Indicates increased minimum lot size would reduce revenue while increasing the development costs and thus will contradict Council's Housing and Settlement Strategy. ~Indicates there are no impediments to allowing subdivision at the existing 0.2ha minimum lot size.The property has an even landform, with no erosion or degradation, is surrounded by low-threat vegetation, making BAL-12.5 construction achievable and all existing vegetation on-site is planted, meaning no native vegetation would be adversly impacted. ~Indicates the property is included in VPO1 due to proximity to Forge Creek Road, but it does not contain any native vegetation. ~Access provisions can be upgraded to support more vehicles without harming the environment. The objectives of ESO1-43 (Goonnure Wildlife Corridor) can still be met, as vegetation in the overlay area can be preserved regardless of subdivision size. ~There are no distinct views to or from the site as well as any established neighbourhood character. ~The land is not within an area of Cultural Heritage Sensitivity, as per the Aboriginal Heritage Regulations 2018. ~High-quality development has already been achieved on lots smaller than 0.4ha in Eagle Point, proving that the LDRZ can still support good outcomes at a 0.2ha minimum.	~Financial implications ~Conflict with Housing Strategy ~Suitability for future development ~Precedence for smaller lots	~The Structure Plan identifies existing LDRZ zoned land for increamental change. Therefore, a minimum lot size 4000m² is appropriate and is based on neighbourhood character and natural site constraints. Therefore, no change to the proposed application of LDRZ, Schedule 2 is recommended.	No changes or action taken.	No	No
13	Yes	~DEECA supports integrating the Eagle Point Structure Plan (EPSP) into the East Gippsland Planning Scheme as it acknowledges Eagle Point's natural environment and lake foreshore as key landscape features. ~Further comments that changing land from LDRZ to RLZ will enhance native vegetation and environmental value protection, including areas covered by VPO1 and ESO1-43. ~Recommends future planning permits for the site at 25 Waterview Road (proposed to be rezoned from FZ1 to GRZ2) should ensure lot boundaries avoid or minimize crossovers through significant roadside vegetation, aligning with VPO1 objectives.	~Support for C171 egip ~Environmental considerations ~Alignment with VPO1 objectives	~Notes support of the proposed amendment. ~Any future development at 25 Waterview Road will be required to address the objectives and requirements of VPO1 including retaining of significant roadside vegetation.	No changes or action required.	Yes	No
14	Yes	~Indicates rezoning from FZ to GRZ will require minor modifications to East Gippsland Water's sewer servicing district boundaries. ~Indicates that the proposed rezoning has not been previously assessed in the 20-year water and sewer master plan,but is able to be accommodated. ~Timing, developer contributions, and servicing requirements for individual land holdings will be required. ~Developers must fund the extension of sewer and water services as per East Gippsland Water's requirements. ~Supports working with the Council to introduce planning controls to protect the Paynesville Water Recycling facility and existing sewer infrastructure.	~Support for C171egip	~Notes support for the proposed amendment and the need for minor changes to sewer district boundaries. ~It is noted matters pertaining to provision of water and sewer connections as well as potential need for infrastructure reserves and easements can be appropriately managed as a part of future subdivision / development process. ~Ongoing work between East Gippsland Water and Council in relation to Paynesville Water Recycling Facility is a separate project and does not form part of Amendment C171egip.	No changes or action required.	Yes	No
15	Yes	~Supports retaining farming zoned land southeast of the town (south of Bay Road) due to high inundation risk, making it unsuitable for residential development. ~Supports the proposed conservation open space reserve near Lake King foreshore as well as a drainage reserve along the southeast township boundary. ~Expresses concerns that EGCMA previously recommended including 0.8m sea level rise projections for 2100 (based on provided mapping) but Council did not integrate these recommendations before adopting the Structure Plan in 2019. ~Suggests existing Land Subject to Inundation Overlay (LSIO) mapping for East Gippsland is out of date and inaccurate. Flood studies have been completed for numerous locations across the Shire, including the Gippsland Lakes (Lakes Entrance, Metung, Paynesville, Newlands Arm, Raymond Island and Eagle Point). The mapping obtained from these studies needs to be incorporated in the relevant flood overlays. ~The 2019 Structure Plan was adopted before the 2020 DELWP Design Guidelines – Settlement Planning at the Bushfire Interface. ~ Waterway Management of existing waterways has not been incorporated.	~Support for C171egip ~Inconsistency in flooding data ~Current LSIO mapping out of date.	~Council acknowledges that the LSIO mapping is out of date across the municipality, including for Eagle Point. The nine flood studies, which would inform a future planning scheme amendment, are currently being peer reviewed. ~EGCMA's concerns pertaining to future sea level rise can be incorporated as a part of further Strategic work identified by Council and any future amendment to update the flood mapping. ~It is noted that the waterway policy which requires a 30 metre buffer either side of a waterway was introduced after the Structure Plan was prepared and finalised. Waterway and bushfire buffers can still be secured at the time of development as part of a planning permit process.	Council is unable to address all of the concerns raised however does propose to update Clause 74.02 (Further Strategic Work) to better address the need for Council to review its flood mapping in relation to climate change, sea level rise and rainfall intensity.	Partial	No

16	No	~Rezoning will result in the loss of farming land which contributes to the local economy, biodiversity, and acts as a buffer between urban areas and the environment. ~Rezoning would change the character of area, disrupting the rural aesthetic and neighbourhood character. ~Removal of eucalyptus trees will reduce biodiversity, increase local temperatures, result in loss of open green spaces and thus will negatively impact the community's environmental quality and sense of space. ~Rezoning would limit scenic outlooks to new developments. ~Rezoning would increase vehicle traffic, worsening delays, particularly at Paynesville Road intersection. Higher traffic levels would make it harder for residents to enter/exit the area safely. ~Pedestrian and cyclist safety concerns due to limited footpaths and bike lanes. ~Loss of agricultural land and vegetation will remove natural sound barriers, further amplifying noise levels and reducing residential amenity.	~Agricultural impact ~Protection of views ~Settlement boundary ~Increased traffic ~Pedestrian Safety ~Residential amenity	~ The Structure Plan and amendment proposes a very modest increase in growth via the rezoning of 25 Waterview Road (part). Any future development of this site would need to consider biodiversity, traffic, pedestrian connectivity and residential amenity as part of the planning permit process. ~The Structure Plan and amendment seeks to plan for incremental change over a 20 year period and does not indentify Eagle Point as a growth area. Therefore the amendment will not decrease residential amenity or place undue pressure on existing infrastructure.	No changes or action taken.	No	No
17	No	~Rezoning will result in the loss of farming land which contributes to the local economy, biodiversity, and acts as a buffer between urban areas and the environment. ~Eagle Point Structure Plan discourages development beyond the township boundary. 25 Waterview Road falls outside the current boundary, meaning rezoning would require an expansion of the settlement boundary. ~Expansion of existing residential area would be more appropriate as it will retain farming land for green space and agricultural use, preserving the rural character of the area. ~C171egip discourages development beyond the township boundary but 25 Waterview Road falls outside the current boundary, meaning rezoning would require an expansion of the settlement boundary. ~Rezoning would change the character of area, disrupting the rural aesthetic and neighbourhood character. ~Removal of eucalyptus trees will reduce biodiversity, increase local temperatures, result in loss of open green spaces and thus will negatively impact the community's environmental quality and sense of space. ~Rezoning would limit scenic outlooks to new developments. ~Rezoning would increase vehicle traffic, worsening delays, particularly at Paynesville Road intersection. Higher traffic levels would make it harder for residents to enter/exit the area safely. ~Pedestrian and cyclist safety concerns due to limited footpaths and bike lanes. ~Loss of agricultural land and vegetation will remove natural sound barriers, further amplifying noise levels and reducing residential amenity.	~Agricultural impact ~Protection of views ~Settlement boundary ~Increased traffic ~Pedestrian Safety ~Residential amenity	~ The Structure Plan and amendment proposes a very modest increase in growth via the rezoning of 25 Waterview Road (part). Any future development of this site would need to consider biodiversity, traffic, pedestrian connectivity and residential amenity as part of the planning permit process. ~The Structure Plan and amendment seeks to plan for incremental change over a 20 year period and does not indentify Eagle Point as a growth area. Therefore the amendment will not decrease residential amenity or place undue pressure on existing infrastructure.	No changes or action taken.	No	No
18	Yes	~Amendment C171egip acknowledges increasing demand for residential development in Eagle Point and aligns with the owner's intent to develop the site in future. ~Proposed development supports innovative housing opportunities, particularly for an ageing population. ~It includes waterway revegetation, best practice stormwater management, and retention of significant vegetation. ~Proposed zoning change and believes their current Planning Application already meets the new requirements. The proposed built form aligns with coastal design themes and neighbourhood character objectives under Clause 11.03-4L-12. ~Proposed planned development at 27 Eagle Point will align appropriately with the amendment's strategic direction and represent a well-considered infill residential opportunity.	~Residential Demand ~Environmental considerations ~Stormwater management ~GRZ2	~Notes support for the proposed amendment.	No changes or action required.	Yes	No
19	No	~Strongly opposes rezoning of land parcels along Mathiesons Road from LDRZ to RLZ.	~Rezoning	~The intent to rezone the Mathiesons Road/Forge Creek precinct from LDRZ to RLZ is strategically justified and seeks to protect the environmental features of the land and hold the subdvision pattern to a minimum lot size.	No changes or action taken.	No	No

Submission 1

From: [redacted]
To: EGSC Feedback
Subject: Amendment C171egip
Date: Sunday, 5 January 2025 9:52:32 AM
Importance: High

You don't often get email from [redacted]. Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Amendment C171egip

I have lived at [redacted] Eagle Point, for almost 25 years. Before that, my parents lived at the property from 1981. My property is within the boundary identified by the Amendment maps as being the area of Eagle Point for rezoning.

In relation to Amendment C171egip to the East Gippsland Planning Scheme, I would firstly wish to state that I am disgusted by the council's adoption of the well- known developer tactic of publishing planning applications right before a holiday period, particularly the Christmas/New Year period, when developers know that affected persons are distracted from such issues in that period, or are away on holidays. For the East Gippsland Shire Council to follow the lead of developers in this case (with a publication date of the Amendment of 25 November 2024 (date of Martin Richardson's letter) and a deadline for submissions of 10 January 2025 (although on the Council's website it is stated that "There are no specific requirements for a submission, but it should be received by Council before the advertised closing date of 31 January 2025" (which is it?), a period which straddles the holiday season). This is disgraceful, and indicates how little the Council is interested in meaningful consultation.

Secondly, I refer to statements made in the letter dated 25 November 2024 by Martin Richardson, and those in the Fact Sheet published on the Council's website. Those statements relating to the intent of the Amendment include "Protect and enhance the coastal character of Eagle Point", and "Protect and enhance landscape, environmental values". Nothing that the council has done in the past has done any of these things, and nothing in the Structure Plan will do them either. One major example is the so-called Hub. No-one in Eagle Point wanted what was foisted upon them. The Hub is a white elephant and an eyesore. This is no more exemplified by the removal of the caravan park office from its original position to an office at the rear of the Hub. This was never going to work, and as soon as the Council leased the operation of the caravan park to private operators, the office was moved back to the location where it had successfully operated for a long time. Also, the Hub blocks the view of the lake from the caravan park. To think that the Council wanted someone to operate a restaurant or wine bar at the Hub shows how out of touch the Council is. And we now know that the Hub was funded by a loan, which ratepayers will now have to repay.

If the East Gippsland Shire Council was serious in protecting and enhancing coastal character and environmental values, here are some suggestions. Firstly, it should reinstate the beach to the east of the public jetty. This has been (inadequately) fenced off for decades, with no work being done on it. Bringing the beach back would add more bathing

facilities to the foreshore. Secondly, the Council's "thought bubble" proposal to extend and upgrade the path alongside Lake King to the east of Boat Ramp Road should be abandoned forthwith. It would destroy the environment along the water's edge, and adversely affect wildlife and nearby residents. The existing Eagle Point Foreshore Walkway (and note the description "walkway") was foisted upon residents of Bay Road, Rogerson Close and Green Court without meaningful consultation. But at least it was intended to be for pedestrians only: initially there were signs banning bicycles. But when cyclist stated using it, the Council threw up its hands and allowed them. Now we have e-scooters, electric bikes, electric motorcycles and occasionally regular motor cycles using the path, often travelling at high speeds. There is no policing of the path by Council officers. It would only be worse if there were to be a three-metre wide concrete path in place of the present gravel. Thirdly, the Council should be promoting passive use of Lake King, by kayaks, canoes, stand-up paddleboards, kite surfing, sail boarding and yachting. Use of personal water craft should be dissuaded. This would be in line with Mr Richardson's letter, where he refers to "nature-based tourism opportunities". Another issue is the failure of the Council to police dogs using the Foreshore Walkway. Although Council requires dogs to be on a leash in that area, many dog walkers do not comply, and no policing of the requirement is ever evident.

But this brings up a problem: for too long, the East Gippsland Shire Council has, in relation to Eagle Point, put tourists ahead of residents and ratepayers. This has to stop. Residents and ratepayers pay the salaries of Council officers, and they should be cognisant of that. In the Amendment documents, this is stated: "The amendment seeks to protect and enhance the quiet, natural and coastal character of Eagle Point", and elsewhere reference is made to "planning and infrastructure that enriches the environment, lifestyle and character of our communities". Well, all of the suburban-sized housing developments the Council has approved in recent years have operated in the reverse direction, impoverishing those aspects of life in Eagle Point.

Going to the detail of the Amendment, it is firstly noted that it refers to "the town" and the "township" of Eagle Point. Eagle Point is not a town, it is a locale which despite the worst efforts of the East Gippsland Shire Council still has, in the words of the Amendments documents, "unique character and environmental qualities". These aspects will not continue to exist if the Council keeps approving suburban-sized housing developments. The Strategic Plan must include a caveat that no housing developments in existing or proposed GRZ2 zones be approved until there is infrastructure in place to deal with the resulting new residents. This includes hospital facilities (BRHS is already struggling with the existing population in the Bairnsdale area), schools, roads and transport. At the moment, the infrastructure is not keeping up with the increase in population, and approving developments in the proposed new GRZ2 zones would exacerbate the issue.

Why has the area between Bay Road/School Road, Bay Road/Green Court and Lake King be proposed to be rezoned GRZ2, when most of the properties in the area contain low-density housing? This area should not be rezoned, or if it is, it should be zoned LDRZ2.

Similarly, the area between Tait Street/Cardinal Drive and Ah Yee Creek should also be zoned LDRZ2, because it would be inappropriate to have suburban-style housing on the south side of Bay Road, with low-density housing across the road on the north side of the road. In addition, due to the steep slope of the land east of Tait Street, suburban-style housing would be inappropriate.

Turning to specifics, why are particular addresses singled out in the Amendment: 30 Forge Creek Road, 76 Bay Road and 25 Waterview Road. Is this Amendment not to a Strategic Plan, so why these specific addresses? It seems as though the owners of 30 Forge Creek Road and 25 Waterview Road have some kind of arrangement with the Council to be able to sell their properties for a higher price when rezoning takes place. I think residents and ratepayers need answers. In relation to 30 Forge Creek Road, does it not have a heritage overlay? What would the proposed rezoning to LDRZ2 mean for the heritage overlay?
And 76 Bay Road is the Lake King Waterside Caravan Park. Does the Council intend to turn this business into suburban-style housing, in between low-density properties? This property should have a zoning reflecting its current use or at the worst, LDRZ2.
In summary, this Strategic Plan, as proposed to be amended, is a blueprint for more unacceptable development in Eagle Point.

[redacted]

Virus-free.www.avg.com

From: [redacted]
To: EGSC Feedback
Subject: Amendment C171egip
Date: Thursday, 30 January 2025 4:00:55 PM
Importance: High

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

As an addendum to my earlier submission, I wish to discuss the effect of the proposed rezoning of the area of land between Ah Yee Creek and Tait Street, and the area to the south of the houses at the rear of Cardinal Drive, to Eagle Point Road, leading down to Ah Yee Creek.
For many years, properties at 57, 55 and 53 Bay Road were affected by flooding from Ah Yee Creek. This was caused by runoff from the suburban-type development at the top of the hill, to the south of Tait/Hosking Street. This flooding occurred because of inadequate means being put in place to deal with runoff when the development was approved and then constructed. The Council finally accepted that it was responsible for the creek and the flodding, and has taken upon itself to clear the bed of the creek north of Bay Road.
However, the GRZ2 zoning proposed for the areas in question would lead to more flooding, as those areas of land slope down to Ah Yee Creek, and all of the runoff would flow into the creek. I have no confidence that this time that the East Gippsland Shire Council would ensure that steps were taken to deal with runoff so that it would not lead to the flooding of my property and adjacent properties.

[redacted]

Submission 2

[redacted]

10th January 2025

East Gippsland Council
Strategic Planning Unit
P.O. Box 1618
Bairnsdale 3875

Dear Sir/Madam,

Amendment C171egip to the East Gippsland Planning Scheme
Implementation of the Eagle Point Structure Plan (2019)

Thank you for the opportunity to provide input into the proposed Amendment C171egip to the East Gippsland Planning Scheme, (Amendment). This Amendment proposes to implement the recommendations of the 2019 Eagle Point Structure Plan, (EPSP) into the East Gippsland Planning Scheme.

[redacted]

Under the proposed Amendment the East Gippsland Shire Council plan to

1. Rezone our land from General Residential (GRZ) to Low Density Residential Zone(LDRZ).
2. Amend the LDRZ for our Property to a minimum size of 4,000m^2 from the standard 2,000m^2 for properties with reticulated Sewage available.
3. Implement a Drainage Line Linear Reserve (DLLR) through the middle of our Property to Tyers Creek , with public access to Tyers Creek.
4. Create a pedestrian path on this DLLR and also over our Property.

We are strongly opposed to this Amendment.

We oppose:

1. The rezoning of our Property;
2. The creation of a DLLR on our Property; and
3. The creation of a pedestrian pathway throughout our Property.

.

Background

We have been disappointed by the lack of consultation in the development of the EPSP. In May 2017, when the EPSP was a draft document, we met with Council representatives on two separate occasions to outline our concerns and to advocate that the existing zoning of GRZ on our Property should remain in place.

At these meetings the topographic constraints of the Property were raised in respect to the Residential zoning, however we indicated that these concerns could easily be managed at the planning permit stage to mitigate any environmental impacts and maintain the coastal character of Eagle Point, and to responsibly to manage drainage of any subdivision.

I also attended a Council meeting in 2019 where I voiced our objection to the specific changes relating to our Property in the EPSP and requested further consultation between us and Council before the Draft Plan was to be passed by East Gippsland Shire Council. This did not occur and we have not had any significant discussions relating specifically to the EPSP since that time.

We did attend the most recent community drop in session (12th December 2024) in the Eagle Point Foreshore Hub where we spoke with Mr Martin Richardson (Manager Planning and Development); Mr Richardson recommended that we present our concerns in a submission for review.

Our specific concerns.

1. Zoning of 30 Forge Creek Road.

The property consists of two titled lots. Lot 1 is 1.732ha and Lot 2 is 4.112ha. [redacted]

Our Property backs on to 22 small sized residential blocks (all zoned GRZ) that have existing homes built on them. Our property is located close to the Eagle Point Primary School, the Eagle Point foreshore and has straightforward access via Forge Creek Road. In addition our property contains a reticulated sewerage line. Town water and mains power are all easily accessible. Storm water would drain a short distance into the Tyers creek catchment.

Our land was purchased in 1995 from Council and it was then zoned GRZ. The fact that it was zoned GRZ was a significant factor in us buying the land from Council. The property was previously used as a quarry and then as a vegetation dump by Council. The Property was in a poor condition when we purchased it from Council. Since 1995 we have made continuous and costly improvements to the soil, landscape and maintenance of the Property in the hope that we could use the land to enable us to live a comfortable life both now and into the future. We built our family home [redacted] and have been running the Property as a hobby farm since that period. We feel that we would be severely financially impacted by the proposed rezoning. Should the further amendment to the

minimum size of 4000m^2 allotment sizes be implemented our potential resale market would be compromised even further. We cannot understand why the larger allotment size restrictions are being applied to our property as we have reticulated sewerage, town water and power all readily available to both allotments on our Property. Council need significant investigation justification to support such a decision.

Given also the increasing population of Council and the lack of availability of affordable housing options for this increasing population, we believe that our Property should remain zoned as General Residential. If a subdivision took place, having smaller residential blocks would increase the number of rate payers and allow a broader section of the community to afford to live in our beautiful region.

The proposed change of zoning for other parts of the Eagle Point township is also very inconsistent (Rural to General Residential as part of the amendments to the Eagle Point Structure Plan) which is creating a more sprawled township rather than maintaining the coastal character of this small community.

2. Implementation of a Drainage Line Linear Reserve to Tyers Creek

The proposed Drainage Line Linear Reserve (DLLR) is proposed to be on our existing Property and would split our property in two roughly in the middle of the two titled lots. It appears to take up around ¼ of our Property and Leased Land. This would have a major impact on how we operate and have access to our property. We have had no discussions with any Council representative regarding the creation of a DLLR on our property. The proposed DLLR also impacts DELWP (Deeca) unused Government Road which is also located alongside Tyres Creek.

We need to highlight the impact of storm water runoff onto our Property. We have had ongoing discussions with various members of the East Gippsland Shire Council planning department, engineering, and works departments since 2009 in relation to the lack of stormwater infrastructure in Eagle Point. Specifically, the storm water run-off from the Eagle Bay Rise development, and more recently, the Woodman Park development. Both subdivisions direct a significant volume of stormwater through our property which then flows into the Tyers Creek gully catchment. This has caused significant ongoing erosion of our Property. Wash-Aways have impacted on our vehicle access between our two title lots. Recent haphazard drainage works, (2016), undertaken by Council [redacted] 28 Forge Creek Road is undercutting an existing electricity pit and our water meter. We also perceive this has a public safety issue.

Stormwater running over our Property is now a frequent occurrence after every rainfall event, whereas in the 1990s it was only once or twice a year. The Eagle Bay Rise development has stormwater from a significant proportion of dwellings discharging stormwater runoff to our property line. The East Gippsland Shire Council has facilitated this storm water movement by putting a second under road pipe on Forge Creek Road for this stormwater run-off, and created a large open rock lined spoon drain which stops at our property line.

The lack of management of the stormwater by the developer of that subdivision has created significant challenges both financially and physically for us to manage. The discussions with Council up until June 2024 have been frustrating and unproductive.

In June 2024, the Woodman Park subdivision began infrastructure earthworks, and again the proposed storm water management for the subdivision is non-existent. In the Eagle Point Structure Plan draft (2018) page 57 there were two retention basins indicated on the diagrams for this subdivision. These retention basins have not been created and so we are again dealing with stormwater from another subdivision. We have had initial discussions with engineers from the East Gippsland Shire Council in August 2024 to address some of our concerns however no proposal has yet been received regarding a potential solution to the stormwater issues. Council need a strategic plan to address stormwater drainage prior to these subdivisions being approved. Any plan should not place the onus of responsibility for dealing with the stormwater run-off on the property owner at the point of discharge.

We have significant concerns regarding the maintenance of the proposed DLLR should it be implemented on our Property. It has not been made clear if the DLLR would be acquired by Council or if it would become an Easement which would potentially devalue our land further. It would split the access to our two allotments necessitating a secondary access point to Lot 2 of our Property which we regard is an unreasonable cost impost on us. If the DLLR was to be acquired by Council as we are sceptical that sufficient maintenance will be undertaken to ensure that it does not become an overgrown mess, as it was when we purchased the Property from Council in 1995.

3. Creation of pedestrian paths for public use and improved access to Tyres Creek

While aware that pedestrian pathways are a necessary part of all communities the plan to install one of these on our Property impinges on our use of the land and our privacy. At no stage has any formal discussion taken place relating to us releasing any part of our Property for public use or as a Council controlled Easement.

The proposed pathway splits our Property and overlooks the overgrown Tyers Creek catchment area.

There is also mention in multiple sections of the EPSP regarding enhancement to Tyres Creek. This waterway is not a free running creek, but only has water flow during heavy rain events at which time the flow can be significant. The water does not flow past the now dis-used old Paynesville Road as the pipes under that disused roadway that discharge into the Mitchell River are blocked with the build-up of debris and silt over many years. This blockage causes significant build-up of water back up the Tyres Creek gully during these rain events. For the majority of the year there is no water flow in Tyers Creek and the water that is in the remnants of the creek is stagnant, full of reeds and is home to a large number of snakes of various species, foxes and a small number of wallabies. All of which, I would advocate, should be left to their own devices without human interaction or interference.

We would recommend Council (in consultation with the East Gippsland Catchment Management Authority) in conjunction with affected landowners; undertake an Environmental and Ecological study of the Tyers Creek and its catchment area to better understand its characteristics and values. We would also seek clarification of where Tyres Creek is actually located along with the location of the unused Government Road in the gully area adjoining our property. To assist the flow of Tyers Creek and its amenity, Council could investigate realignment of Tyers Creek or at the very least Council could investigate more options and seek suitable resolution with will affected landowners, should Council deem this waterway an integral part of the Eagle Point Structure Plan.

To conclude, we strongly oppose the proposed Amendment. In particular we oppose the proposed changes in the EPSP pertaining to our Property as stated in this submission.

Due to the initial advertised short time frame between the receipt of the letter regarding the implementation of this Amendment (25th November 2024) and the closing date of submissions (12th January 2025), we request that some meaningful consultation with Council be undertaken with ourselves addressing our concerns before the Amendment be considered. The extension of time permitted for submissions to Council to 31st January was not conveyed to ourselves as named landowners which was yet another inadequate and disappointing act from this Council.

If the Planning Scheme Amendment goes to panel, I would be very appreciative of an opportunity to be able to discuss our submission, in person, with any planning panel (if appointed).

Yours Sincerely,

[redacted]

[redacted]

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Our Ref: 23114

24th January, 2025

[redacted]
East Gippsland Shire Council
Strategic Planning Coordinator
PO Box 1618
Bairnsdale Vic 3875

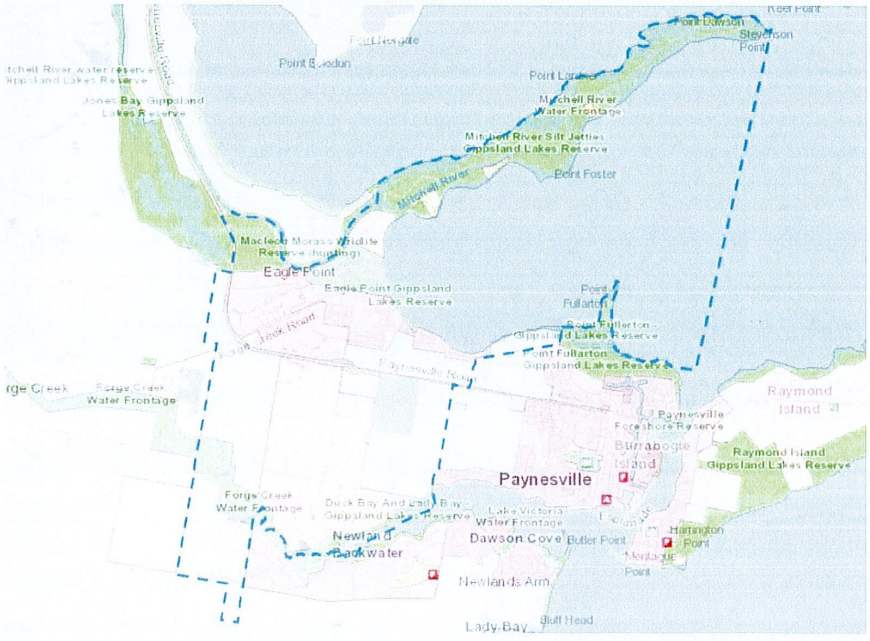
Dear Kellinde,

Re: Planning Scheme Amendment C171
Eagle Point Structure Plan

Development Solutions Victoria act on behalf of [redacted] owners of land in McTaggarts Road, Eagle Point.

This submission is in response to the East Gippsland Planning Scheme Amendment C171 currently on exhibition which proposes to implement the recommendations of the Eagle Point Structure Plan (EPSP) as previously adopted by the East Gippsland Shire Council in 2019.

The EPSP 2019 recognises "*Eagle Point is a small village that is defined by its natural environment and low scale development pattern that has organically formed over time.*"



48 Bailey Street, Bairnsdale VIC 3875 03 5152 4858 admin@devsolvic.com.au www.devsolvic.com.au

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

The EPSP clearly defines the locality of Eagle Point and seeks to create a smaller township boundary. The map above demonstrates the extent of the locality of Eagle Point, which was recently revised to alter the eastern boundary alignment with Paynesville. The map in the EPSP, is the previous locality map prior to the revision.

The township boundary as proposed by the EPSP does not include or address the area surrounding McTaggarts Road. McTaggarts Road is approximately 1.6 kilometres long and is south of the Paynesville Road extending through to Jones Road. This area is an existing rural residential area comprising dwellings on relatively large lots ranging between 5 hectares to 14 hectares. This area includes a small section of Farming Zone and adjoins the residential development along the Paynesville Road that is included in the township boundary.

The EPSP seeks to ensure that residential development is concentrated within the township area identified in the map below as extracted from the EPSP.

The area of McTaggarts Road has the potential to provide for a small increase in residential density whilst retaining the character of the area.

In 2023, several landowners from McTaggarts Road engaged Development Solutions Victoria to engage with the East Gippsland Shire Council Strategic Planners to investigate potential rezoning or variation to the schedule to the Rural Living Zone to facilitate additional rural residential or low density development.

Preliminary discussions with the East Gippsland Shire Council were positive and revealed that subject to expert investigations, it was considered likely that the land could appropriately accommodate additional development without detrimental impact to the environmental qualities of the area.

It was determined at the time that the suggested strategic changes to this location were both supported and encouraged by the draft "Housing and Settlement Strategy" as prepared by the East Gippsland Shire Council.

There is a small area of Low Density Residential land along Mathiesons Road that is proposed to be changed to Rural Living Zone and a reasonable sized Residential Zoned parcel of land at 30 Forge Creek Road which is proposed to be changed to Low Density Residential Zone. Whilst there are small areas of increased Residential Zone there does not appear to be a significant increase in the number of rural residential or low density residential opportunities.

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

The current housing crisis in Victoria is the perfect time to ensure that these strategic matters are inclusive and responsive to the lifestyle choices sought in this locality. The Paynesville Growth Area Structure Plan will provide for significant residential allotments, resulting in an opportunity for the Eagle Point Structure Plan to encourage rural residential style development.

It is respectfully requested that [redacted] are given an opportunity to present their requests to any Planning Panel if appointed and request that the McTaggarts and Jones Road Rural Living Zone be included in the EPSP and show a reclassification of the zone to achieve a higher density, while still maintaining its rural character.

Should you wish to discuss any element of this request further, please do not hesitate to contact our office on 03 5152 4858.

Regards,

[redacted]

Courtney Campbell
Development Solutions Victoria

Submission 4

Mr Martin Richardson
Manager Planning and Development
East Gippsland Council
PO Box 1618
Baimsdale Vic 3875

Monday 13 January 2025

[redacted]

RECEIVED EGSC
28 JAN 2025
INFORMATION MANAGEMENT

Dear Mr Richardson

Re: Amendment C171egip to the East Gippsland Planning Scheme - Implementation of the Eagle Point Structure Plan (2019)

In response to the notification received from the East Gippsland Shire Council regarding the proposal to incorporate the recommendation of the Eagle Point Structure Plan (EPSP) into the East Gippsland Planning Scheme, we wish to lodge an objection. Specifically we object to the proposal to rezone an area of land from Farming Zone (FZ) to General Residential Zone (GRZ). The land identified in the EPSP for rezoning is boarded by Eagle Point Road, Cardinal Drive, Tait Street and is adjacent too Paynesville Road.

Our objection is based upon the following:

Community consultation process
The lack of evidence that the community consultation process associated with the development of the EPSP is supportive of rezoning productive land from farming (FZ) to general residential zone (GRZ). Who was consulted? How rigours and/or extensive was the engagement process? What were the outcomes? Is there a prioritised timeline?

Population projections
When considering rezoning land from farming to residential zone a key driver is population projections, anticipated demand and possible trends over the long term i.e. 10 - 20 years.

Projections identified in the EPSP confirm *"that population and residential dwelling growth has been historically low in Eagle Point and that this trend is expected to continue"*. Furthermore it confirms that up to 20% of current housing stock in Eagle Point is vacant and that there is more than adequate residential lot construction to meet current and future demand. It goes on to say that future residential development (10 - 20 years) can be accommodated in the existing zoned land and *"that the township should maintain its small village character that is influenced by the natural environment. This character is to be protected and enhanced."*

In addition the Australian Bureau of Statistics (ABS) confirms that over the next 20 - 30 years East Gippsland Shire will experience low to modest population growth principally around the larger township of Baimsdale and to a lesser degree Lakes Entrance, Bruthen and Paynesville.

The natural environment
The farm land proposed to be rezoned rises up to form one of the key high points in Eagle Point. The land's elevation provides commanding views across the surrounding landscape and the Gippsland Lakes. The EPSP confirms that *"impacts on natural features, ridge lines, existing vegetation, views and vistas are important and any development encroachment is to be avoided"*.

If the land were to be rezoned and developed for housing it will significantly compromise and impact one of the high quality natural features of Eagle Point. The views, vistas and surrounding open green space are valued by the community and are one of the very attributes that make the town special. To develop it for residential purpose will further erode the integrity of Eagle Point as articulated in the EPSP Vision Statement.

Bushfire risk
The farm land is elevated and presents significant risk of grass fire which if fanned by the prevailing wind, which are prevalent during the hotter summer period, the fire would travel rapidly up the slope, presenting a real threat to infrastructure and to human life. The EPSP confirms that *"not increasing the risk of bushfire as a result of future development is a priority."*

Storm water and Drainage
The EPSP confirms that there is no storm water management plan for Eagle Point. The farm land proposed to be rezoned is boarded by a creek and the land as previously mentioned is elevated. Water run-off, which is unregulated and untreated, flows into the creek and makes its way into the Gippsland Lakes. Any proposed residential development will further exacerbate this issue and contribute to degrading the ecologically valuable and protected Gippsland Lakes system.

Agricultural production
The proposed rezoning of productive farm land to residential zone will take important agricultural production out of the food supply chain. Valuable agricultural land is under threat from climate change, natural disasters, urban sprawl etc. Council has a responsibility (and a duty to future generations) to preserve the limited open space that we have and ensure that as the responsible authority it does not contribute to the continued erosion of agricultural land and of unchecked development.

Summary
There is no urgency to rezone the farmland to general residential zone (GRZ). The EPSP confirms that based upon projected demand, there is ample existing supply of land available in Eagle Point for current and future housing needs. Little evidence has been provided to justify the proposed rezoning, nor has it been demonstrated that the proposal has significant community support.

If the farming land identified in the EPSP is rezoned, the decision can't be undone. The land is lost as a future opportunity for the local community for ever! The township boundaries should remain as they are, with no further encroachment upon open space.

Amending the East Gippsland Planning Scheme to incorporate the EPSP in its current form is premature. I urge Council to reconsider and suggest the following course of action:

1. Review and consult on all feedback received from the community regarding the EPSP.
2. Delete from the EPSP the proposed rezoning of the affected land from farming (FZ) to general residential zone (GRZ).
3. Imbed a review period in the planning process (i.e. between 5 - 8 years). At that stage, review priorities and direction as set out in the EPSP.

I urge Council to give serious consideration to the above objection and request that the EPSP consultants recommendation to rezone land from faming (FZ) to general residential zone (GRZ) is not accepted and is deleted from the plan.

Yours sincerely

[redacted]

PS Please send an acknowledgement of receipt of this letter. Thank you.

Cc East Gippsland Shire - Mayor John White and Councillor Jodie Ashworth

Submission 5

24th January, 2025

Kellinde Chester

East Gippsland Shire Council

Strategic Planning Coordinator

PO Box 1618

Bairnsdale Vic 3875

Dear Kellinde,

Re: Planning Scheme Amendment C171

Eagle Point Structure Plan

This submission is in response to the East Gippsland Planning Scheme Amendment C171 currently on exhibition which proposes to implement the recommendations of the Eagle Point Structure Plan (EPSP) as previously adopted by the East Gippsland Shire Council in 2019.

The EPSP 2019 recognises “Eagle Point is a small village that is defined by its natural environment and low scale development pattern that has organically formed over time.”

The EPSP clearly defines the locality of Eagle Point and seeks to create a smaller township boundary. The map above demonstrates the extent of the locality of Eagle Point, which was recently revised to alter the eastern boundary alignment with Paynesville. The map in the EPSP, is the previous locality map prior to the revision.

The township boundary as proposed by the EPSP does not include or address the area surrounding McTaggarts Road. McTaggarts Road is approximately 1.6 kilometres long and is south of the Paynesville Road extending through to Jones Road. This area is an existing rural residential area comprising dwellings on relatively large lots ranging between 5 hectares to 16 hectares. This area includes a small section of Farming Zone and adjoins the residential development along the Paynesville Road that is included in the township boundary.

The EPSP seeks to ensure that residential development is concentrated within the township area identified in the map below as extracted from the EPSP.

The area of McTaggarts Road has the potential to provide for a small increase in residential density whilst retaining the character of the area.

In 2023, several landowners from McTaggarts Road engaged Development Solutions Victoria to engage with the East Gippsland Shire Council Strategic Planners to investigate potential rezoning or variation to the schedule to the Rural Living Zone to facilitate additional rural residential or low density development.

Preliminary discussions with the East Gippsland Shire Council were positive and revealed that subject to expert investigations, it was considered likely that the land could appropriately accommodate additional development without detrimental impact to the environmental qualities of the area.

It was determined at the time that the suggested strategic changes to this location were both supported and encouraged by the draft “Housing and Settlement Strategy” as prepared by the East Gippsland Shire Council.

There is a small area of Low Density Residential land along Mathiesons Road that is proposed to be changed to Rural Living Zone and a reasonable sized Residential Zoned parcel of land at 30 Forge Creek Road which is proposed to be changed to Low Density Residential Zone. Whilst there are small areas of increased Residential Zone there does not appear to be a significant increase in the number of rural residential or low density residential opportunities.

The current housing crisis in Victoria is the perfect time to ensure that these strategic matters are inclusive and responsive to the lifestyle choices sought in this locality. The Paynesville Growth Area Structure Plan will provide for significant residential allotments, resulting in an opportunity for the Eagle Point Structure Plan to encourage rural residential style development.

It is respectfully requested that we are afforded the opportunity to present our requests to any Planning Panel if appointed and request that the McTaggarts and Jones Road Rural Living Zone be included in the EPSP and show a reclassification of the zone to achieve a higher density, while still maintaining its rural character.

Kind regards,

[redacted]

Crowther & Sadler Pty Ltd A.B.N. 81 660 442 982
LICENSED SURVEYORS & TOWN PLANNERS

Submission 6

Our ref: EPD/EPSP

30 January 2025

Strategic Planning Team
East Gippsland Shire Council
Via email: strategicplanning@egipps.vic.gov.au

Attention: Martin Richardson

Dear Martin,

Re: Planning Scheme Amendment C171egip
Implementation of the Eagle Point Structure Plan

Crowther & Sadler Pty Ltd have reviewed the documentation to Amendment C171egip to the East Gippsland Planning Scheme that seeks to implement the Eagle Point Structure Plan (June 2019) ('EPSP'), as adopted by Council on 6 August 2019.

Our review of C171egip has led us to determine that a submission from our firm is necessary, to ensure the Amendment will achieve an appropriate outcome within the current planning context.

Update required

We note that in parallel to C171egip, Council is currently exhibiting Amendment C172egip, to implement the Paynesville Growth Area Structure Plan ('PGASP'), and that both Amendments are looking to implement strategic documents adopted during the terms of previous Councils. Since the adoption of each of these strategic documents, the region's growth rates and demand for housing have changed exponentially, influenced in part by the COVID-19 pandemic.

The key difference between the two Amendments is that C172egip includes an updated Structure Plan, whereas no such update has been undertaken for the EPSP. It is our view that C171egip is proposing to implement an outdated document which no longer reflects the fabric of Eagle Point.

The population of Eagle Point has changed by the statistically valid extent of 19.4% since the adoption of the EPSP.[1] Three of the six areas identified within EPSP as change areas have had Planning Permits issued, and multiple developments completed with significant departure from the EPSP to undermine the statutory weight of the adopted document.

[1] https://abs.gov.au/census/find-census-data/quickstats/2021/SAL20822

152 Macleod Street
Bairnsdale VIC 3875
PO Box 722
Bairnsdale VIC 3875
Ph. 03 5152 5011
E: contact@crowthersadler.com.au

Given the considerable time that has already elapsed since the adoption of the document, more than five years, we encourage Council to pause and update the document to ensure it provides relevant guidance for development that will benefit the current and future residents of Eagle Point.

Low Density Residential Zone

C171egip includes the valid and admirable objective of balancing increasing residential demand with the character, community and environmental values of the settlement, however what is lacking is an assessment these very values. Instead, C171egip proposes to 'bundle together' all land within the Low Density Residential Zone ('LDRZ') into a homogenous classification without any understanding or appreciation of the environmental or character values of individual areas.

The C171egip Explanatory Report references the critical need for timely implementation "*to enable Council to appropriately respond to increasing demand for residential development in Eagle Point*"[2], however the imposition of a minimum lot size of 0.4ha defies this need.

The ability to create lots to a minimum of 0.2ha within the LDRZ where land is serviced by reticulated sewer is enshrined within *Planning Practice Note 91: Using the Residential Zones* (July 2023). It is not an ill-informed or ad hoc method of fragmentation; rather it is an entirely expected outcome across the state.

C171egip is lacking in the supporting documentation that warrants a departure from the State imposed minimum of 0.2ha where land can be sewered. There is simply no justification to support the proposed minimum lot size of 0.4ha.

Residential land (which includes the LDRZ) is a finite resource, which State Policy expects Council to use wisely, making the best use of fully serviced and zoned land. The proposed increase in the minimum subdivision area appears to be based on little more than a whim, thumbing its nose at State directives imploring Councils to increase housing supply and affordability; C171egip is explicitly reducing existing residential land supply, unsupported by any environmental or character analysis.

Schedule 2 to the LDRZ nominates eleven properties where subdivision may occur to a minimum lot size of 0.2ha, which we understand in many instances reflects previous subdivision approvals. In fact, eight of these properties are already below 0.4ha in area.

Whilst we do not dispute the exclusion of these properties, there is no analysis to justify why the remaining three of the eleven nominated properties which retain subdivision potential are considered to be appropriate for subdivision to 0.2ha. It is unclear what characteristics these three properties possess which deem subdivision to 0.2ha to be appropriate.

[2] ER, p.4

There are many other properties within the LDRZ which have been subdivided to create lots less than 0.4ha in area, however these properties have not been listed in at Clause 1.0 to the LDRZ. The basis on which some, but not all properties below 0.4ha are listed is perplexing.

The ER suggests the increased minimum lot size has been applied to *"residential land in sensitive environmental locations that is commensurate the environmental quality and capacity of the land"*[3], however beyond this statement there is no evidence of any such consideration. There are no Environment and Landscape Overlays, either existing or proposed, beyond those applying to road corridors. No new environmental constraints have been identified within the proposed LDRZ2 area.

In the absence of evidence to the contrary, this presents as an entirely arbitrary decision. We submit there are other properties within the LDRZ with similar characteristics that could appropriately accommodate development to a minimum of 0.2ha.

The proposed increase in minimum lot size is out of step with the *East Gippsland Housing & Settlement Strategy* (December 2023) which expects future growth within Eagle Point to be accommodated within existing residentially zoned areas through infill development. The proposed LDRZ2 is entirely contrary to the preference to avoid further rezoning without objective and strategic justification that demand for housing cannot otherwise be accommodated within existing residential areas.[4]

We anticipate the proposed change to the minimum lot size will result in a number of unintended and unfavourable consequences. For larger LDRZ parcels with subdivision potential, the reduction in yield contrasted against increasing development costs are likely to render many projects unviable. Any presumed housing gains would therefore be lost, compounding issues relating to housing availability and affordability.

As with any subdivision proposal, irrespective of the applicable Zone provisions, the individual characteristics of a site and its surrounding context should be an important consideration in the assessment of a Planning Application. A fundamental pillar of our Planning system is there is no presumption of 'yes' – simply because a Planning Application *can* be made does not mean a Planning Permit *will* be granted.

It is therefore essential that Council retains discretion to make those decisions based on the individual constraints and merits of a proposal. The obligation sits with the Planning Officer to make an informed decision based on the specifics of an individual site. We see no reason for this to change.

[3] ER, p.5
[4] East Gippsland Housing & Settlement Strategy, p.55

General Residential Zone

We understand current planning practice is to provide direction on planning and design principles within Schedules to the General Residential Zone ('GRZ'). The Schedules provide the opportunity to specify requirements to facilitate the intended outcomes relating to site layout and building massing (Clauses 54.03 and 55.03), amenity impacts (Clauses 54.04 and 55.04), and on-site amenity and facilities (Clauses 54.05 and 55.05). The exhibited GRZ2 fails to specify any requirements for these standards.

Similarly, the GRZ2 does not take advantage of the opportunity afforded by Clause 32.08-11 of the GRZ to nominate a maximum building height requirement for a dwelling, small second dwelling or residential building. In the absence of any specified requirement, development to a height not exceeding 11 metres or three storeys is therefore permissible within the context of the Zone.

The GRZ2 includes two neighbourhood character objectives, both of which are incredible broad and subjective. The inclusion of decision guidelines, at Clause 6.0 of the Schedule, would provide direction to assist decision makers, however no such guidelines are included, with this Clause left blank.

We therefore question how an Applicant should interpret these objectives when shaping their proposals, and more importantly, how a Statutory Planning Officer can assess whether a proposal responds to the natural, coastal setting, environmental attributes and significant views of Eagle Point. This is particularly relevant when the majority of staff in Council's Statutory Planning Department do not reside within the municipality. It is both impractical and unreasonable to expect Planning Officers to make good decisions if they are not being provided with the tools to do so. It is unclear how the community's expectations will be delivered.

The proposed changes to local policy at Clause 11.03-4L-12 could have offered valuable guidance; however, in our view, they only perpetuate ambiguity by using vague terms such as *"low scale coastal character"* and *"responsive landscaping, building siting and building height"*. Council should be more prescriptive of its expectations, if not in Local Policy, then certainly in Clauses 2.0-4.0 (inclusive) of the GRZ2.

The GRZ2 as drafted is an ill-conceived document that fails to take advantage of the opportunity to provide genuine strategic guidance for all users.

Proposed rezoning to GRZ

C171egip proposes the partial rezoning of 25 Waterview Road, Eagle Point from the Farming Zone to the GRZ.

We applaud Council's decision not to apply the Development Plan Overlay, a tool which we continue to be highly critical of when applied to a single property. Nonetheless, we believe the leap from the development guidance within an Appendix to the EPSP direct to a rezoning is premature.

To rezone this parcel without any of the necessary investigations required to inform the potential and constraints of the site is inappropriate. As a minimum, we would expect to see site-specific consideration of the following matters:

- Cultural heritage
- Flora and fauna
- Stormwater management
- Treatment of waterway buffers
- Bushfire mitigation (including consideration of classifiable vegetation resulting from waterway vegetation)
- Traffic
- Servicing and infrastructure

Examination of these areas may well prove the site is suitable for residential development, however without having undertaken the necessary investigations, there is no evidence to support that assumption. On that basis, it is our view that the proposed rezoning fails to satisfy *Ministerial direction 11 – Strategic Assessment of Amendments*.

Furthermore, to provide a 'free kick' to land within the EPSP, whilst at the same time setting a very high bar for the information required for similarly earmarked properties within the PGASP through C172egip is considered grossly unfair, and contrary to the objectives of planning in Victoria as established in section 4 of the *Planning & Environment Act 1987*, being "to provide for the fair, orderly, economic and sustainable use, and development of land"[5].

If Council is insistent that a 'spot rezoning' is appropriate without any of the required investigation or background reports, why not then for other areas that arguably provide fewer constraints to development. For example, the vacant area to the west of the Bairnsdale Golf Club holding comprises flat land with planted vegetation in a low threat bushfire context with no designated waterways. We suggest this site is surely likely to provide greater opportunity for residential development than the constrained parcel Council is proposing to rezone.

[5] Section 4, subsection (1)(a), p.21

We trust Council will carefully consider the issues raised in this submission, and look forward to reviewing the revised documentation after all submissions have been reviewed.

We would be pleased to elaborate on any issues raised within this submission.

Regards,

[redacted]

KATE YOUNG
Director & Planner

Submission 7

FRIENDS OF THE GIPPSLAND LAKES

Submission

East Gippsland Shire Council Planning Scheme Amendment C171egip

Date: 30 Jan 2025

By

[redacted]

Friends of Gippsland Lakes Inc.

Association No.: A0047246N

Ph. [redacted]

Friends of the Gippsland Lakes (FoGL) make the following submission in regard to the proposed planning scheme amendment C171egip for the Eagle Point township.

Amendment Intentions

We note that the amendment proposes to "Introduce a new clause 11.03-4L-12 (Eagle Point) to the Planning Policy Framework and a new Eagle Point Framework Plan (Figure 4) to include the relevant strategies of the Eagle Point Structure Plan".

We acknowledge that Eagle Point planning structure plan, is generally speaking, a far more comprehensive and detailed strategic plan compared to the fundamentally flawed Paynesville Growth Area Structure Plan.

We submit however, it is important to ensure that the EPSP, issued six years ago in 2019, is still "fit for purpose", particularly in response to climate change.

Coastal hazard risks

The Eagle Point Structure Plan (Section 9) assessment for coastal hazards rely almost exclusively on the 1% Annual Exceedance Probability (AEP) predictions for inundation (See Figure 3). This is reflected in the proposed new Eagle Point Framework Plan Map to be included in the East Gippsland Planning Scheme (see Figure 4).

We submit that this approach fails to adequately recognise more recent information on projected coastal hazard risks and the impacts of coastal processes, particularly foreshore inundation and recession. Of particular relevance is Planning Practice Note 53 and Ministerial Direction 13, which offer clear guidance on strategic planning pathways for coastal land for urban purposes.

The planning amendment still supports incremental growth and development in foreshore areas likely to be impacted by projected coastal hazards. Moreover, it fails to adequately cater for and protect communities and assets from coastal hazard risk.

In accordance with Planning Practice Note 53: *Managing Coastal Hazards and the Coastal Impact s of Climate Change*[1], we submit that the proposal needs to be informed by a new, more up to date coastal hazard risk assessment for Eagle Point, based on the best available data and advice which considers the following matters (none of which have been adequately addressed by the plan.

• the *Marine and Coastal Act 2018* guiding principles, including the precautionary principle
• the values, uses and objectives for the area
• the local geographic characteristics of the coastline such as ocean exposure (for example open coast or sheltered exposure) and land type (such as sandy, rocky, engineered)
• the role of natural coastal processes and the need to allow for such processes to continue as a cost-effective form of coastal defence against climate change
• the coastal hazard vulnerability and risk for all relevant site values and uses, including:
- probability, magnitude, frequency and consequences
- impacts on people, property, communities, infrastructure and environment
• the intended use, design lifespan and value of future development, assessed against the relative risk exposure during that time
• the adaptation options for managing coastal hazard set out in the *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020) comprising: non-intervention, avoid, nature-based, accommodate, retreat and protect.

[1] Planning Practice Note 53: *Managing Coastal Hazards and the Coastal Impact s of Climate Change,* p.3

• the critical need for coastal protection infrastructure (if the 'protect' pathway is required) and:
- the type, location and cost of providing and maintaining such infrastructure throughout its intended lifespan
- proposed actions when the design lifespan has been spent

- the cumulative impact or any flow-on effects of future use and development and any necessary associated protection works to adjacent properties and the coastline
- other identified geotechnical risks or natural hazards such as coastal acid sulfate soils, land subsidence, bushfire
- any other issues relative to the orderly and proper management of use and development within coastal areas such as development within an identified settlement boundary, significant landscapes, native vegetation and cultural heritage

We submit that the current EGSP does not make sufficient provisions for the impact of coastal processes (the impacts from wind, waves, floods, storms, tides, erosion) on foreshore areas and future risks to people and assets from coastal hazards and climate change.

None of the plan's objectives and strategies directly respond to coastal hazard risks associated with sea level rise, storm/tide surge and coastal inundation and erosion. Whereas even the deeply flawed Paynesville Growth Area Structure Plan makes some limited provisions for coastal inundation of the adjoining foreshore area, the Eagle Point plan (p.51) adopts only very vague strategies (NH2.1) to "regulate development of land [within] the estimated 1% AEP flood extent" and (NH2.3) "acknowledge and manage existing development in areas identified as flood risk areas".

The emphasis is on flooding rather than sea level rise and storm/tide surge induced coastal inundation, an important distinction seemingly missed by the plan. Most concerningly, is the commitment to still consider permit applications within LSIO areas (NH2.4) which is inconsistent with strategy (NH2.2) which requires "land uses and new development to be appropriately sited away from flood risk areas".

The lack of specific objectives and strategies to address coastal hazard risk is a fundamental weakness of the plan. The primary strategy appears to be to simply ignore coastal hazard risks, primarily inundation and erosion and maintain the status quo of permitting incremental growth within areas identified by the Victorian Coastal Inundation Dataset as vulnerable to extreme weather events and permanent coastal inundation.

Overall, the proposed planning amendment seems to be inconsistent with the objectives and planning principles of the *Marine and Coastal Act 2018 (*MAC Act*)*.

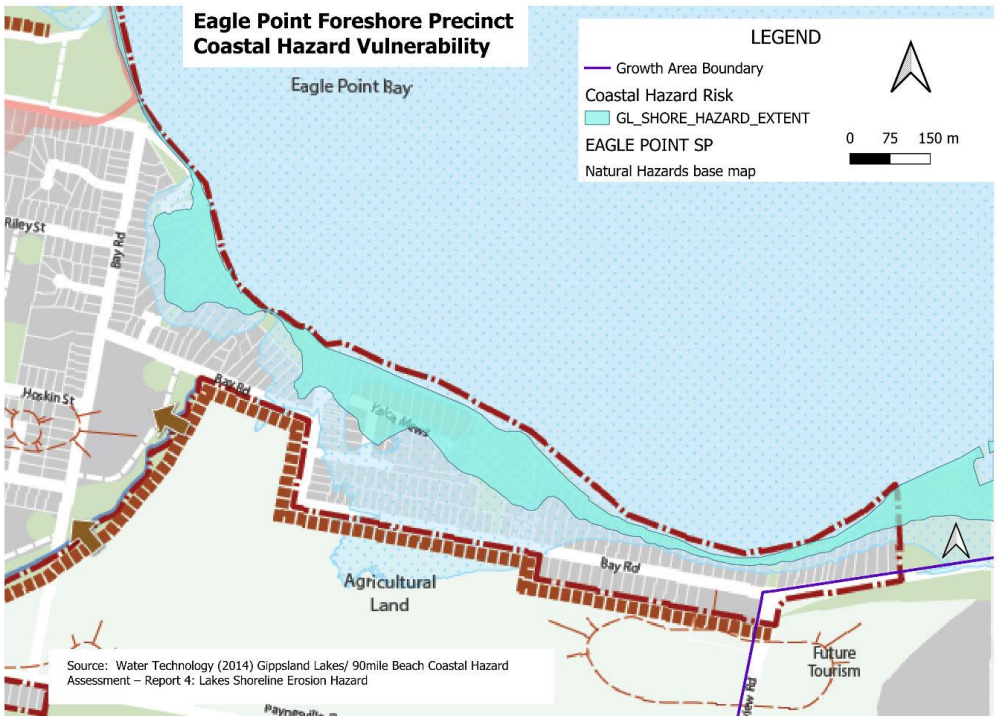
The most relevant objectives for the MAC Act in relation to planning and management of the marine and coastal environment of the proposed site include;

a) to protect and enhance the marine and coastal environment, especially Ramsar-listed foreshore area
b) to promote the resilience of marine and coastal ecosystems, communities and assets to climate change,
c) to respect natural processes in planning for and managing current and future risks to people and assets from coastal hazards and climate change,

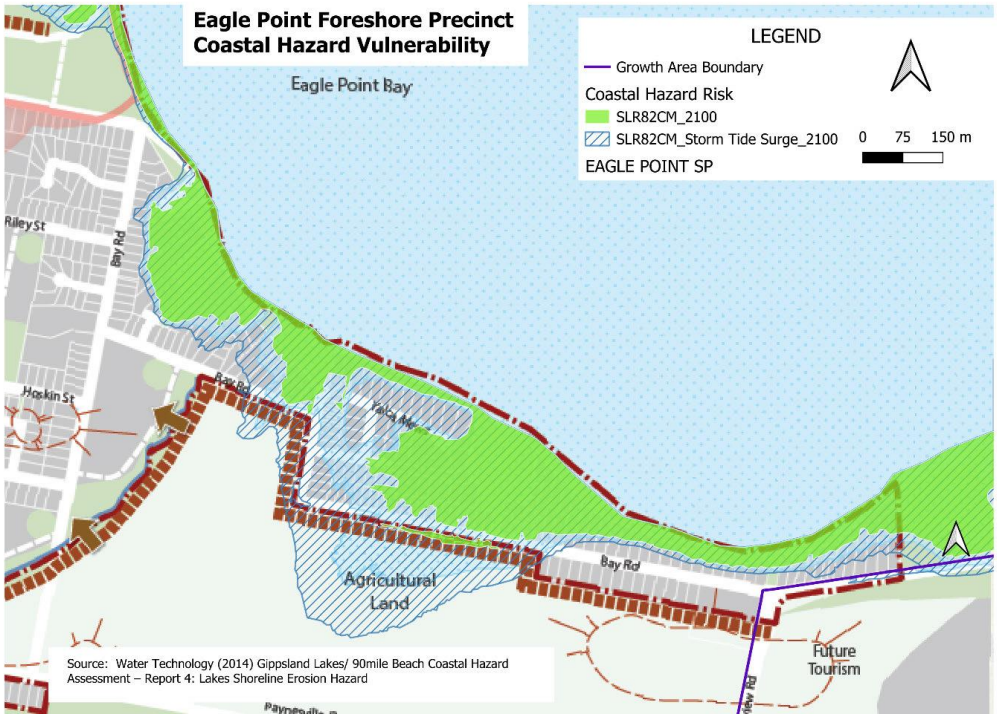
We submit that the current Eagle Point structure plan doesn't adequately achieve the aforementioned objectives of the MAC Act (Sec. 7) nor the requirements and provisions of a host of planning guidelines, directives and planning notes.

Coastal hazard impacts on public open space and conservation reserves along the foreshore precinct.

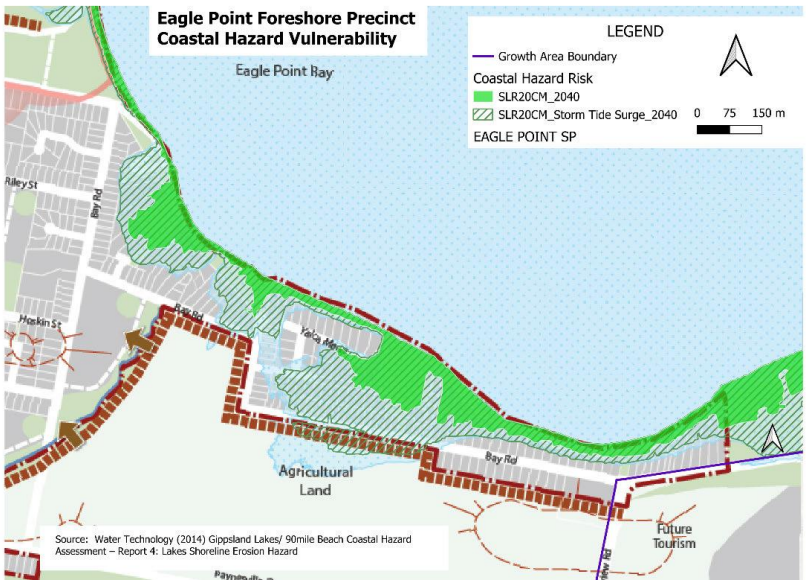
The combination of the highly erodible soils of the Lake King foreshore with more frequent and intense extreme weather events, is likely to result in the rapid erosion or *recession* of the existing Lake King foreshore precinct, as indicated by Water Technology Shoreline Erosion Hazard Extent mapping (2014). The map below shows the projected shoreline erosion extent by 2100 (in bright blue), along with the 1% AEP flood extent (light blue).



The following map shows the projected impact of an 82cm sea level rise by 2100 (bright blue) and the extent of storm/tide surge (blue diagonal lines). Note the far wide projected extent of storm/tide surge in 2100 compared to the 1% AEP flood extent used in the Structure Plan (light blue dots).



The map below indicates the significant flooding projected by a 20cm sea level rise and storm tide surges projected to occur within the life of the Structure Plan (2040).



With existing datasets indicating significant parts of the Eagle Point foreshore precinct are projected to be inundated by 2040, the plan's strategies of accepting more planning applications within these high-risk areas seems incongruent and out of step with the policy and planning framework[2].

We note that:

- By 2100 much of the foreshore precinct and adjacent private property will be impacted by the projected 82cm sea level rise and increasingly frequent storm and tide surges.

- Moreover, the CSIRO projects 1-in-100 year extreme weather events will occur every 4 to 36 days by 2100, making the foreshore area incredibly hazardous; and an unsuitable location for development[3].

Given these reasonably foreseeable risks, the Structure Plan's objectives and strategies related to natural hazards demonstrate a fundamental lack of long term strategic planning.

This is strikingly evident by strategy MN2.1 to "investigate opportunities to deliver a pedestrian path along the full length of foreshore", which appears to defy projections of severe coastal inundation and foreshore retreat by 2040, just 15 years from now.

Undertaking studies for an extended foreshore walk (at ratepayers' expense) when the evidence strongly suggest the foreshore is highly vulnerable to inundation; appears to defy the urgent need to seriously plan for climate change adaptation along the foreshore precinct, and the expected inundation of adjoining coastal properties.

We suggest it would be more prudent and strategic to undertake a full flood study before commissioning further foreshore infrastructure studies.

It's imperative that the natural hazard principles, objectives and strategies go beyond a recognition of the threats' bushfire and catchment flooding pose to existing and future residents, and specifically acknowledge and address coastal hazard risks (sea level rise, storm/tide surge, inundation and erosion).

As currently formulated, the plan offers no effective adaptation strategies for the significant coastal hazard risks and threats to the foreshore precinct. If anything, the proposed strategies are likely to enhance rather than reduce the number of properties and residents at risk of coastal inundation, adding to the future cost burden of responding to climate change impacts. This represents a clear case of maladaptation to climate risk, and must be remedied.

[2] DSE (2012) Victorian Coastal Inundation Dataset, Victorian Government
[3] CSIRO (2022) Report on the Vulnerability of the Gippsland Lakes Ramsar Site Catchment to Bushfire & Climate Change; p.62

Figure 1 Map showing Sea Level Rise and Storm Surge predictions by 2040

Figure 2 Map showing Sea Level Rise and Storm Surge predictions for 2100

Figure 16 Natural Hazards

Figure 3 Natural Hazards Map from Current Eagle Point Structure Plan including only 1% AEP for flood

Map 1 - Eagle Point Framework Plan

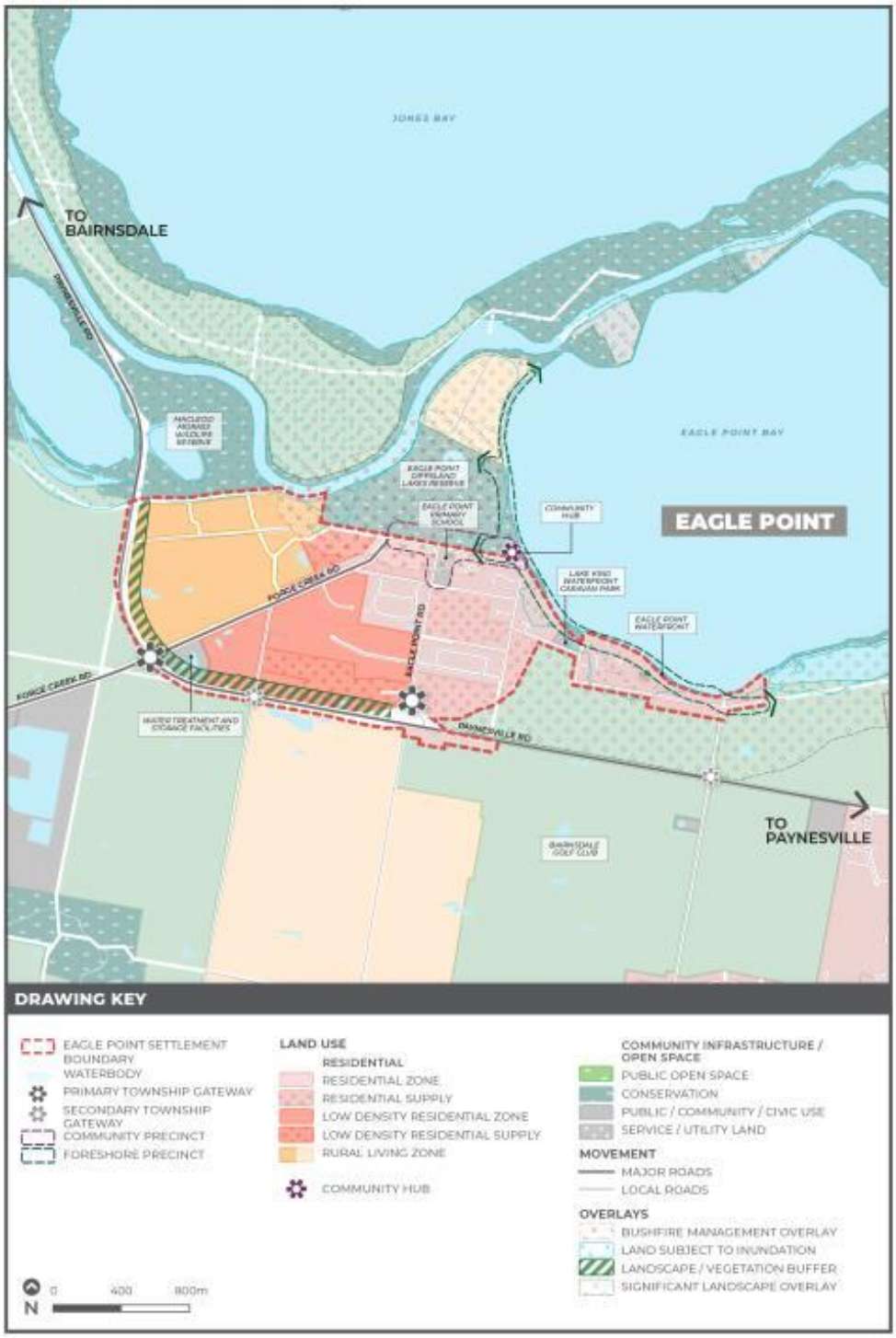


Figure 4 Proposed revised Eagle Point Framework Plan - note Land Subject to Inundation overlay which only reflects 1% AEP

Submission 8

From: [redacted]
To: Strategic Planning
Cc: [redacted]
Subject: Eagle Point Structure Plan.
Date: Friday, 31 January 2025 4:09:40 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

I would like to object to the **Eagle Point Growth Area Structure Plan.** For the following reasons.

For the lacking of services in East Gippsland to service this development would put more strain on it people of East Gippsland
that live here now.

Shortage of Doctors and very long wait times to see one.
Shortage of police , over a 1000 Victoria wide.
Shortage of Nurses.
Shortage of Medical services,
Shortage of Dentist.
Shortage of Teachers.
Shortage Ambulance.

For the lacking of infrastructure in East Gippsland to service this development.

Hospital, shortages of staff.
Sewage System, It already discharges in the lakes during wetter seasons ,on larger rain events.
Power, There is a shortage of power on the East coast.
Water,
Roads,
Schools,
The list goes on.

The fire risk is huge, Just a few years ago there was the **evacuation of Mallacoota** and now L.A in a America. **This is a very real risk** and these developments are not small they are doubling the population.

Also please look at what is happening in Melbourne, Cranbourne, Officer, Berwick ,Packenham ,Warrigal, it a mess and the pain the
rate payers are being put through. It is Mess and it is not progress.

This is all happening **NOW.**

The Lack of respect for our dwindling wild life population.

Also the STATE GOVERMENT is almost broke. So very little help for the above.

[redacted]

Submission 9

30th January, 2025

Kellinde Chester
East Gippsland Shire Council
Strategic Planning Coordinator
PO Box 1618
Bairnsdale Vic 3875

Dear Kellinde,

Re: Planning Scheme Amendment C171

Eagle Point Structure Plan

This submission is in response to the East Gippsland Planning Scheme Amendment C171 currently on exhibition which proposes to implement the recommendations of the Eagle Point Structure Plan (EPSP) as previously adopted by the East Gippsland Shire Council in 2019.

The EPSP clearly defines the locality of Eagle Point and seeks to create a smaller township boundary but does not include or address the area surrounding McTaggarts Road.

McTaggarts Road is approximately 1.6 kilometres long and is south of the Paynesville Road extending through to Jones Road. This area is an existing rural residential area comprising dwellings on relatively large lots ranging between 5 hectares to 14 hectares.

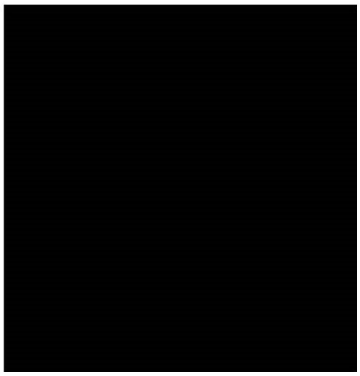
The area of McTaggarts Road has the potential to provide for an increase in residential density whilst retaining the character of the area via a variation to the schedule to the Rural Living Zone to facilitate this rural residential or low density development.

Previous discussions with the East Gippsland Shire Council relating to McTaggarts Road, were reported to me as positive and revealed that subject to appropriate investigations, it was considered likely that the land could appropriately accommodate additional low density development without detrimental impact to the environmental qualities of the area.

There does not appear to be an increase in the number of rural residential or low density residential opportunities in the EPSP proposed.

It is important to ensure that the EPSP considers this strategic opportunity to ensure that it remains inclusive and responsive to the rural residential and low density lifestyle choices consistently sought in this locality.

An opportunity to further discuss that the McTaggarts and Jones Road Rural Living Zone be included in the EPSP and an appropriate adjustment to the schedule is made to achieve a higher residential density, while still maintaining the rural character would be appreciated.



DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Submission 10

31st January, 2025

Kellinde Chester
Strategic Planning Coordinator
East Gippsland Shire Council
PO Box 1618
Bairnsdale Vic 3875
strategicplanning@egipps.vic.gov.au

Re: Implementation of the Eagle Point Structure Plan
Planning Scheme Amendment C171egip

Development Solutions Victoria act on behalf of [redacted] as significant landowners affected by the implementation of the Eagle Point Structure Plan as proposed by the Planning Scheme Amendment C171egip.

The combined area of the [redacted] land holding is approximately 190 hectares in area, being strategically located between Paynesville and Eagle Point as identified in the plans below.

The land encompasses many different features including significant views, waterways and vegetation and some areas identified as being suitable for residential development. The land is dissected by the Paynesville Road and wraps around the Bairnsdale Golf Course.

Figure 1 *– Eagle Point Structure Plan – (source - planning-schemes.app.planning.vic.gov.au)*

The land is currently zoned Farming Zone – Schedule 1 under the provisions of the East Gippsland Planning Scheme and is partially affected by the following overlays:

- Significant Landscapes Overlay
- Vegetation Protection Overlay
- Erosion Management Overlay
- Land Subject to Inundation Overlay
- Bushfire Management Overlay

The area is also partially identified as being of Aboriginal Cultural Heritage Sensitivity.

The land adjoins Residential Zoned land to the north along Bay Road, Tait Street and Cardinal Drive. Along Eagle Point Road to the northwest is Low Density Residential zoned land. Land to the southwest is zoned Rural Living Zone and is predominantly single dwellings on larger lifestyle allotments. The land to the east is currently zoned Farming Zone.

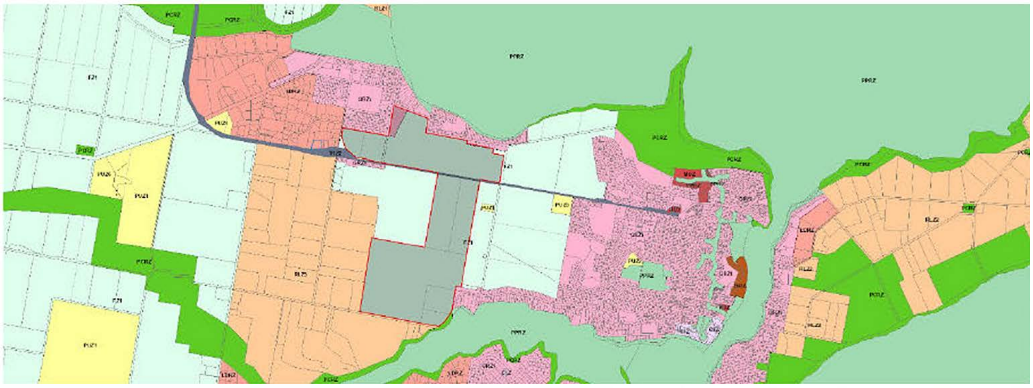


***Figure 2** – Zoning Map – (source - mapshare.vic.gov.au)*

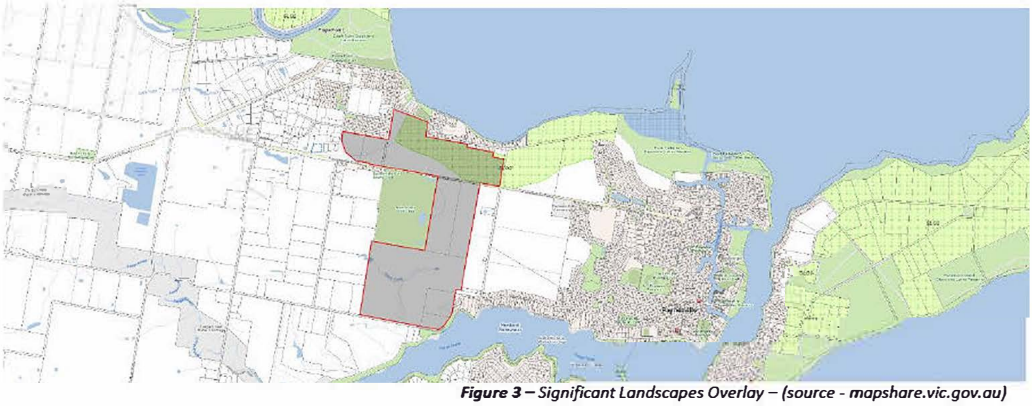


***Figure 3** – Significant Landscapes Overlay – (source - mapshare.vic.gov.au)*

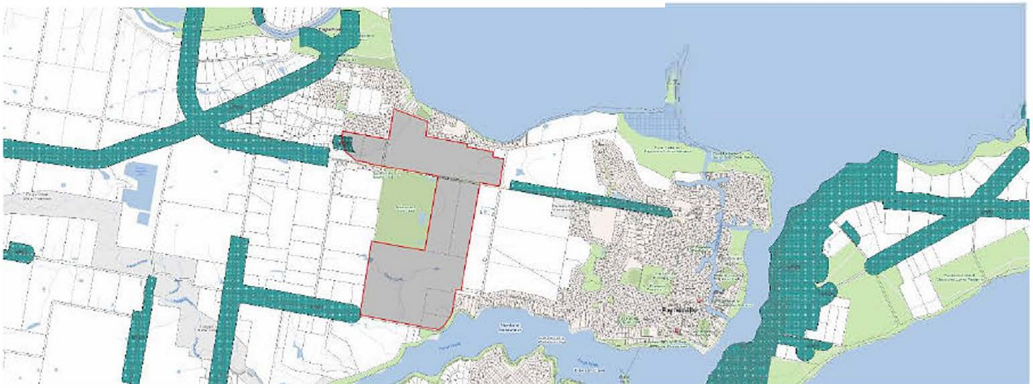


***Figure 4** – Vegetation Protection Overlay -- (source - mapshare.vic.gov.au)*

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Figure 5 – *Erosion Management Overlay – (source - mapshare.vic.gov.au)*

Figure 6 – *Land Subject to Inundation Overlay – (source - mapshare.vic.gov.au)*

Figure 7 – *Bushfire Management Overlay – (source - mapshare.vic.gov.au)*

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Figure 8 – Aboriginal Cultural Heritage Overlay – (source - mapshare.vic.gov.au)

The land to the east of the site is all identified for rezoning to either Residential or Mixed Use (tourism) under the Paynesville Growth Area Structure Plan. The Paynesville Growth Area Structure Plan is proposed to be implemented into the East Gippsland Planning Scheme under the Planning Scheme Amendment C172egip. A review of the Planning Scheme Amendment documentation reveals that the tourism component of the Paynesville Growth Area Structure Plan has been omitted at this time.

This land has always been of strategic importance particularly for the long term planning of Paynesville and Eagle Point. It is acknowledged that there is a desire to retain a separation between Paynesville and Eagle Point however retaining this land solely for farming is no longer a viable or sustainable option. Retaining a separation is something that we believe we can incorporate into future development.

The [redacted] would like to investigate alternative options for future development. Any future development would appropriately incorporate large areas of public open space that would facilitate connectivity and accessibility for existing and future development. Some ideas for future development include:

- Expansion of the Golf Course.
- Golf Course with residential development surrounding.
- Tourism resort.
- Public walkways and open space areas to provide for connectivity and accessibility.
- Alternative vehicle access into and out of Paynesville.
- Remediation and improvement work to existing waterways.
- Potential access to Newlands Backwater.
- Additional residential development.

All of the above are simply ideas that [redacted] would like to investigate further having determined that this land is no longer a viable farming operation and attempting to retain this as a farm is not the best outcome for the long term benefit of the community and the East Gippsland region as a whole. It should be noted that [redacted] are open to suggestions and to working through concepts with the East Gippsland Shire, however do not wish for the land to be identified as Agricultural Land in the Eagle Point Structure Plan.

This site is a great opportunity to link the existing residential development in Eagle Point to the Golf Course, in addition to creating lifestyle lots surrounding and supporting connectivity to the existing community facilities including the hub, the foreshore and nearby walking tracks. This style of development supports the retirement lifestyle encouraged for Eagle Point.

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE

Retaining the land for agriculture would require intensive agricultural activities to be financially viable. Given the surrounding residential development in addition to the significant surrounding features, intensive agricultural activities would not be a desirable outcome. Leaving small, disconnected parcels of agricultural land is not an ideal outcome that has the potential to lead to issues for surrounding residents in the future.

The parcel of land at 25 Waterview Road being the large portion included in the Eagle Point Structure Plan (outlined below) is identified as having many important characteristics relative to the Structure Plan and the overall strategic plan for Eagle Point. The significant views from Paynesville Road, the potential landscape corridor, significant ridgelines / highpoints and a proposed primary pedestrian link. The topography of the site contains a natural low point that is an appropriate starting point to create a separation between Eagle Point and Paynesville.

Figure 14 Open Space Network

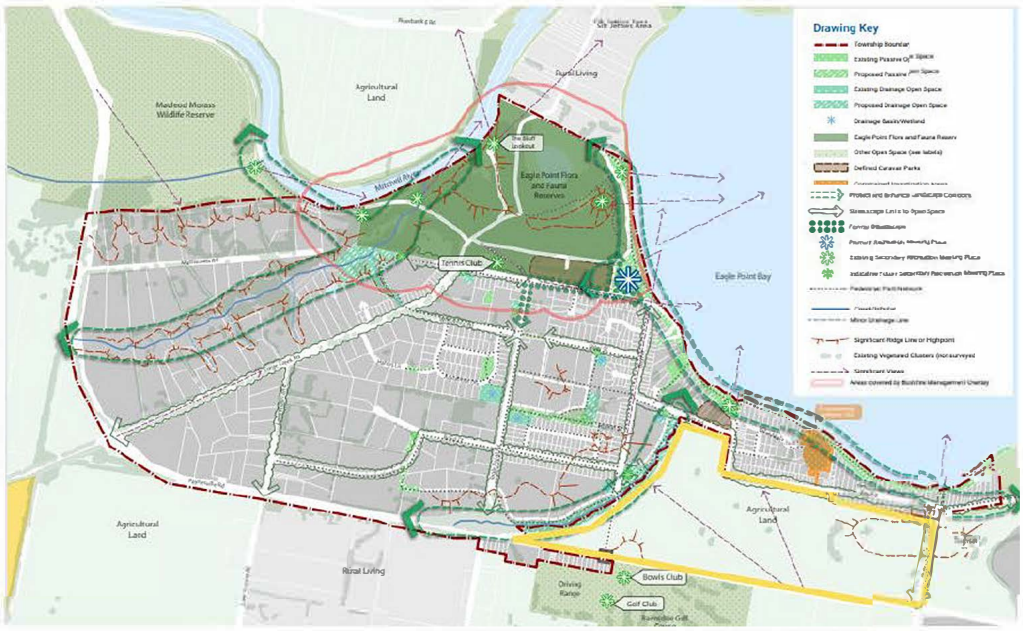
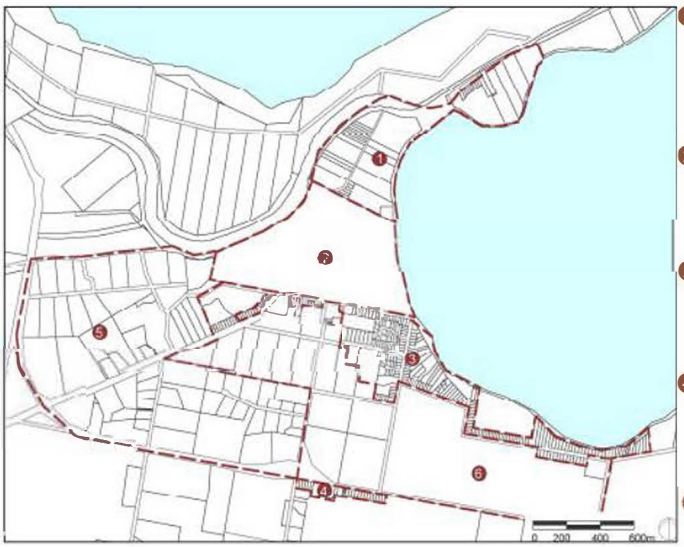


***Figure 9** – Open Space Network – (source - planning-schemes.app.planning.vic.gov.au)*

The Eagle Point Structure Plan in its current form dissects the agricultural land with a Primary Pedestrian Path providing additional challenges for ongoing management and viability.

The Eagle Point Structure Plan was adopted by the East Gippsland Shire Council in 2019 and it is understood that there have been some changes as a result of the passage of time and changing needs of the community, residential demands and contributing environmental factors.

DEVELOPMENT SOLUTIONS VICTORIA
PLAN | CONNECT | FACILITATE



1 **Silt Jetties Residential Precinct**
Characterised by low lying scrub land with few tall trees. Only a small number of lots have been built on, with developments being 'holiday cottage' style.

2 **Bushland Park Precinct**
Public reserve characterised by undulating bushland, well vegetated with excellent viewpoints on walking trails.

3 **Residential Precinct**
Characterised by established homes with gardens, rather than holiday cottages. Some lots have been developed to two storeys.

4 **Golf Course Residential Precinct**
Strip of recent development, many of which are two storeys and set in established gardens remote from balance of village.

5 **Rural Residential Precinct**
Former farmland with developing low density housing on rural style lots.

6 **Future Development Area**
Highly modified, open landscape, presently used for grazing. Extensive views to north.

***Figure 10** – Eagle Point Urban Design Framework – (source - planning-schemes.app.planning.vic.gov.au)*

The Eagle Point Urban Design Framework 2007 identified the land for future development.

[redacted] As portions of the land have been developed over the years, in addition to the changing environment, farming this land has become increasingly challenging and less viable. The family legacy is to plan for the long term strategic development of the land to be undertaken by the generations to follow. [redacted] have a history of working well with the East Gippsland Shire Council to achieve positive outcomes for the overall benefit of the region. This is the perfect opportunity to work together to create an overall plan that can provide for future development that will contribute to the long term success of our region whilst providing clear directions for the generations to come.

We look forward to working with the East Gippsland Shire Council to ensure that the future planning of this area can be a collaboration that results in a viable long term plan that will facilitate sustainable growth of Eagle Point.

Regards

[redacted]

Courtney Campbell
Development Solutions Victoria

Submission 11

From: [redacted]
To: Strategic Planning
Subject: Submission to proposed PSA C171egip
Date: Friday, 31 January 2025 11:03:31 AM

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Good morning EGSC,

Please accept this as my submission to the proposed Planning Scheme Amendment C171.

Regarding the amendment, I am broadly in favour, however wish to make a comment and request in regards this proposed change:
"Rezone land in the Mathiesons Road and Forge Creek Road precinct from Low Density Residential Zone (LDRZ) to Rural Living Zone (RLZ) to protect neighbourhood character and environmental values"

.... I would like there to be an ability for land holders in this area to have a subdivision considered, if it can be demonstrated that it will result in good planning outcomes, that is, a modest increase in number of residences and no appreciable impact to neighbourhood character or environmental values.
Currently many of the blocks along Mathiesons Road are not being used for specific purpose other that the keeping of a horse or two.

This is a well-situated area, being within short distance from Paynesville, Eagle Point and Bairnsdale, with the ability to site homes appropriately for passive solar advantage, with appropriate surrounding vegetation, without being 'over-developed'.

If the change to the zone from LDRZ to RLZ is accepted and implemented, this ability could perhaps be accommodated by adding an appropriate planning note under the zone.

[redacted]

Thank you for considering my submission

[redacted]

Crowther & Sadler Pty Ltd A.B.N. 81 660 442 982
LICENSED SURVEYORS & TOWN PLANNERS

Submission 12

Our ref: 19457

31 January 2025

Strategic Planning Team
East Gippsland Shire Council
Via email: strategicplanning@egipps.vic.gov.au

Attention: Martin Richardson

Dear Martin,

Re: Planning Scheme Amendment C171egip
Implementation of the Eagle Point Structure Plan

This submission is made on behalf of [redacted]

Our Client's property is currently within the Low Density Residential Zone ('LDRZ'), with C171egip proposing to apply Schedule 2 to the LDRZ, which would have the effect of raising the minimum subdivision area from 0.2ha to 0.4ha. Our Client is opposed to this change given their site is connected to reticulated sewer.

The proposed increase in minimum lot size would see the potential yield from the subject land reduced by more than half, from 11 lots (@ 0.2ha minimum) down to 5 lots (@ 0.4ha minimum).

We refer to the submission provided by our firm (dated 30 January 2025) which raises concerns about the proposed increase to the minimum lot size, which we submit is entirely lacking in justification, absent of any discussion or assessment of the environmental or character values sought to be protected by the imposition of a minimum lot area of 0.4ha.

Our Client agrees that there is no justifiable reason why the minimum subdivision area for their site should be increased to 0.4ha.

The financial consequences for our client as a result of the increased minimum lot size are significant. We have attempted to quantify the impacts by researching current listings for vacant land within Eagle Point with an area exceeding 0.2ha. According to www.realestate.com.au there are currently four listings, summarised in the following table.

152 Macleod Street
Bairnsdale VIC 3875
PO Box 722
Bairnsdale VIC 3875
Ph. 03 5152 5011
E: contact@crowthersadler.com.au

Address	Area	Asking price
47 Boyd Court[1]	0.3839ha	$329,000
49 Boyd Court[2]	0.4387ha	$329,000
1 Lake Victoria Road[3]	0.4013ha	$350,000
3 Montrose Court[4]	0.3567ha	$339,000
Average asking price		**$336,750**

If we conservatively assume an estimated value of $300,000 per entitlement, which is more than 10% less than the average asking price of the current listings, the financial impact to our clients resulting from the increased minimum lot size would be $1.8m.

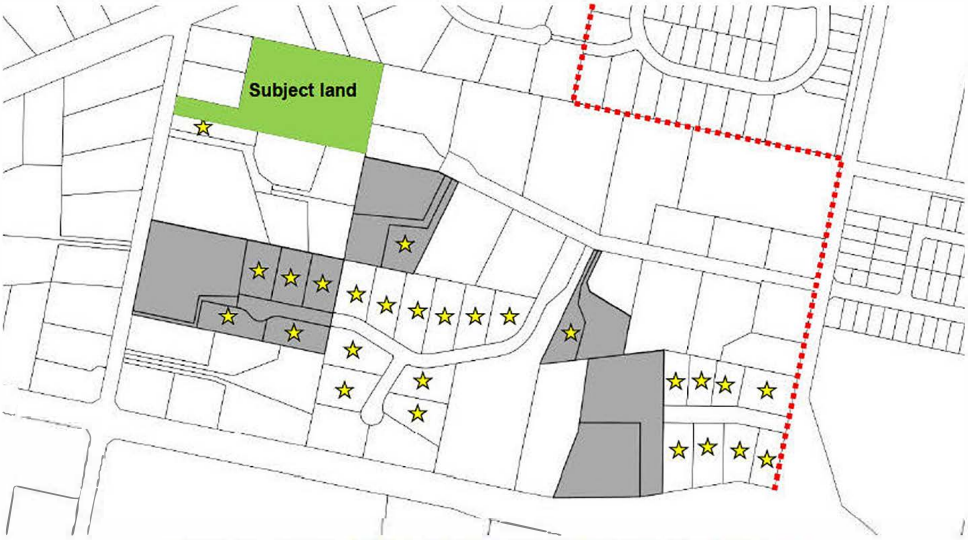
Whilst the proposed increased minimum lot size would result in reduced revenue for our Client, conversely the costs associated with the development would not be reduced. The same level of expenditure is likely to be required for construction of roads, installation of reticulated sewer and water, and infrastructure for the detention and treatment of stormwater, more than doubling the development costs per lot, rendering the project simply unfeasible.

The proposed increase in minimum subdivision area undermines a fundamental principle of Council's Housing and Settlement Strategy, which relies on infill subdivision, making best use of existing investment in infrastructure on appropriately zoned land to contribute to housing availability and affordability. By stifling any development, housing shortages will only be compounded.

The minimum lot size for sewered land within the LDRZ was reduced to 0.2ha on 15 July 2013 by direction of the Minister for Planning as part of a statewide reform of zones through Amendment VC100. The specific purpose of this change was to allow for better management of growth, generating positive economic effects.[5]

[1] https://www.realestate.com.au/property-residential+land-vic-eagle+point-204090332. Property advertised as Lot 1, 51 Boyd Court, with the issue of titles imminent at which time the address will be formally changed.
[2] https://www.realestate.com.au/property-residential+land-vic-eagle+point-204090344. Property advertised as Lot 2, 51 Boyd Court, with the issue of titles imminent at which time the address will be formally changed.
[3] https://www.realestate.com.au/property-residential+land-vic-eagle+point-203870884
[4] https://www.realestate.com.au/property-residential+land-vic-eagle+point-203867204
[5] file:///C:/Users/User/Downloads/adc0fd91-6c70-e811-a857-000d3ad11148_6abde8a0-07e2-4a28-8829-7865b6af193e_VC100%20Explanatory%20Report%20Approval%20Gazetted.pdf

Since then, multiple properties within Eagle Point have been subdivided to create allotments of less than 0.4ha. The following diagram demonstrates those lots (whether existing or approved) within the current LDRZ that are less than 0.4ha in area, which coincides with those areas of the settlement within the LDRZ which can be sewered.



Locality Plan with red dashed line indicating limit of LDRZ, and star denoting those lots less than 0.4ha in area (Base plan source: VicPlan)

The prevalence of lots below 0.4ha in the immediate vicinity of the subject land, as demonstrated above, equally contributes to defining the neighbourhood character and prevailing pattern of subdivision. It cannot be said that a lot of less than 0.4ha is inconsistent with the defined character of the settlement.

Our client acknowledges there are areas of Eagle Point which have a greater environmental sensitivity, or that feature within significant viewscapes that may warrant greater control on subdivision; none of these characteristics or constraints are considered to apply to their property.

There are no impediments to the development of their property that would prevent subdivision to a minimum of 0.2ha, having regard for the following:

- The subject land comprises a relatively even landform, with no evidence of erosion or degradation, which is reflected by its exclusion from the Erosion Management Overlay
- Bushfire risk on the site is low, given the property is surrounded by low threat or excludable vegetation. Construction to BAL-12.5 is achievable across the property.
- There is no native vegetation on the subject land, with all vegetation on site having been established via planting.

- There is no vegetation, or perhaps more importantly roadside vegetation, within that part of the property affected by the Vegetation Protection Overlay - Schedule 1 (Tambo-Bairnsdale Roadside Vegetation Protection Network) ('VPO1'). The site's inclusion in the VPO1 is by virtue of proximity to Forge Creek Road, to which the property has no abuttal.
- Existing access provisions can be easily upgraded to cater for additional vehicle movements without unreasonable impacts on the environment. The objectives of the Environmental Significance Overlay – Schedule 1-43 (Goonnure Wildlife Corridor) ('ESO1-43') will continue to be upheld, with vegetation located within that portion of the site affected by ESO1-43 able to be preserved irrespective of future development to 0.2ha or 0.4ha.
- There are no distinct views to or from the subject land
- There is no prevailing neighbourhood character established within proximity of the subject land; existing buildings are varied in form, scale and materials.
- The subject land does not contain any areas of Cultural Heritage Sensitivity as defined by the *Aboriginal Heritage Regulations 2018*.

High quality development outcomes can still be achieved within the LDRZ on allotments less than 0.4ha, as evident from existing development within Eagle Point.

For these reasons, our Client's opinion is that the proposed imposition of a minimum lot size of 0.4ha is unfair and unjustified. Our Client's request the amendment documentation be varied to achieve one of the following:

(a) Amend Clause 1.0 of Schedule 2 to the LDRZ to specify a minimum subdivision area of 0.2ha for 5 Lake Victoria Road; or

(b) Amend proposed Map 50 to the East Gippsland Planning Scheme to retain 5 Lake Victoria Road within the LDRZ.

We would welcome further discussion with Council to try and resolve this situation, and would be pleased to assist with any queries that may arise in relation to this submission.

Regards,

[redacted]

KATE YOUNG
Director & Town Planner
[redacted]

Submission 13

Department of Energy, Environment and Climate Action

02 January 2025

Ref 00007186

Nicole Reynolds
East Gippsland Shire Council
PO Box 1618
BAIRNSDALE 3875

Email: strategicplanning@egipps.vic.gov.au

Dear Nicole

REFERNCE NUMBER: **C171egip**
PROPOSAL: **AMENDMENT TO THE EAST GIPPSLAND PLANNING SCHEME**

Thank you for your notice received on 25 November 2024 in respect to the above-described proposed amendment to the East Gippsland Planning Scheme pursuant to Section 19 of the *Planning and Environment Act 1987*.

The amendment seeks to implement the recommendations of the Eagle Point Structure Plan (EPSP) into the East Gippsland Planning Scheme by updating the Municipal Planning Strategy and Planning Policy Framework, rezoning land, introducing new zone schedules, amending the extent of the Significant Landscape Overlay Schedule 2, applying the Environmental Audit Overlay to specific sites and inserting the EPSP as a Background Document.

The Department of Energy, Environment and Climate Action (the DEECA) has considered the proposed amendment in context of the *Flora and Fauna Guarantee Act 1988* and vegetation controls prescribed under the Vegetation Protection Overlay – Schedule 1 (VPO1) and Environmental Significance Overlay – Schedule 1 (ESO1-38 and ESO1-43). These controls specify for notice to be provided to the DEECA under Section 52(1)(c) of the *Planning and Environment Act 1987* for applications relating to vegetation removal or works and development.

Comments

The DEECA supports the implementation of the EPSP into the East Gippsland Planning Scheme, along with the amendment's acknowledgment of Eagle Point as a town situated within a landscape shaped by the natural environment and lake foreshore. Rezoning of areas from the Low Density Residential Zone – Schedule 2 to the Rural Living Zone – Schedule 1 will strengthen the protection of native vegetation and environmental values, including those identified for protection within areas covered by VPO1 and ESO1-43.

It is recommended that approval of future planning permit applications associated with the subdivision of land at 25 Waterview Road (rezoned from the Farming Zone – Schedule 1 to the General Residential Zone – Schedule 2) considers the siting of new lot boundaries to avoid or minimise crossovers through significant roadside vegetation areas in accordance with the objectives of VPO1.

Response

The DEECA has no objection to the proposed amendment.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Energy, Environment and Climate Action, PO Box 500, East Melbourne, Victoria 8002.

VICTORIA State Government

OFFICIAL

If you have any queries regarding this matter, please contact Erin Baldwin at [redacted] pe.assessment@deeca.vic.gov.au

Yours sincerely

[redacted]

Erin Baldwin
Senior Planning Officer, Planning Services – Central East Hub
Planning and Environment Assessment

Submission 14

East Gippsland Water

Our Reference: DOC/25/1314
Date: 31 January 2025

Martin Richardson
Manager Planning and Development
East Gippsland Shire Council
strategicplanning@egipps.vic.gov.au

Dear Martin,

RE: AMENDMENT C171EGIP TO THE EAST GIPPSLAND PLANNING SCHEME IMPLEMENTATION OF THE EAGLE POINT STRUCTURE PLAN (2019)

In response to your letter dated 24 November 2024 regarding the above planning scheme amendment, East Gippsland Water notes the following in relation to the proposal:

1. The rezoning will require minor modification of East Gippsland Water's sewer servicing district boundaries to encapsulate land rezoned from Farming Zone (FZ) to General Residential Zone (GRZ).
2. The rezoning of Farming Zone (FZ) to General Residential Zone (GRZ) include land parcels not previously considered in our 20 year water and sewer infrastructure master planning assessments. The rezoning will increase the potential lot yield from these land parcels, and subsequent potential demand and loading on existing our water and sewer infrastructure. We have not completed detailed assessments or revisions of these master planning assessments.
3. Details regarding the sequencing and coordination of growth are yet to be determined that may impact infrastructure timing, developer contributions and individual land holding servicing requirements.
4. That the extension of the sewer and water services will be undertaken by developers at their cost in accordance with the requirements of East Gippsland Water.
5. Infrastructure corridors and reserves may be required for trunk infrastructure and shared assets to service the growth area.
6. We support the action to work collaboratively with the Council to introduce planning controls around the Paynesville Water Recycling facility to recognise and protect existing sewer treatment facilities and infrastructure operated by East Gippsland Water.

East Gippsland Water has no objection to the proposed planning scheme amendment(s) for the implementation to the recommendations in the Eagle Point Precinct Structure Plan, and supports the integrated planning for growth in conjunction with developer investment in required water and sewerage infrastructure.

Further enquiries may be directed to Adrian Kelly, Manager District Growth on [redacted] or via email to planning@egwater.vic.gov.au.

Yours faithfully,

[redacted]
Neville Pearce
General Manager Sustainability and Infrastructure
EAST GIPPSLAND WATER

133 Macleod Street
PO Box 52
Bairnsdale

P: (03) 5150 4444
F: (03) 5150 4477
E: egw@egwater.vic.gov.au

www.egwater.vic.gov.au

Submission 15

OFFICIAL

EAST GIPPSLAND CATCHMENT MANAGEMENT AUTHORITY

574 Main Street
(PO Box 1012)
Bairnsdale Vic 3875

EGCMA Ref: EG-F-2013-0179
Document No: 5
Council Ref: C171
Date: 30 January 2025

Martin Richardson
Manager Planning and Development
East Gippsland

Dear Martin,

Regarding: Planning Scheme Amendment – C171

Property	**Street:**	Eagle Point Structure Plan Eagle Point Vic 3878
	Cadastral:	Parish of Bairnsdale

I refer to your correspondence received at the East Gippsland Catchment Management Authority ('the Authority') on 25 November 2024 in accordance with section 19 of the *Planning and Environment Act 1987.* The authority understands that Amendment C171 seeks to implement the recommendations of the *Eagle Point Structure Plan June 2019* ('Structure Plan').

The Authority has reviewed the documentation provided and provides the following comments on the proposed amendment.

Eagle Point Structure Plan 2019
The purpose of the Structure Plan is to guide future development within Eagle Point. The Structure Plan has a long-term focus and seeks to articulate where residential change will and will not be supported.

The Authority is supportive of the retention of the farming zoning land to the southeast of the town (south of Bay Road). This land is highly susceptible to inundation both under current and future conditions, and future residential development of this land would not be supported.

The Authority is supportive of the proposed conservation open space reserve over environmentally significant land adjacent to the Lake King foreshore as identified in the Structure Plan. Additionally, the Authority is supportive of the creation of a drainage reserve over the major waterway along the southeast township boundary.

There are multiple references in the Structure Plan to predicted future sea level rise. However, the mapping in the final Structure Plan document identifies only flooding under current climatic conditions.

The Authority previously recommended that the Structure Plan be updated to include future sea level rise of 0.8 metres for the year 2100, as identified in the mapping that was provided to Council. Refer to Figure 1. We note that the changes to show inundation to the year 2100 and further strengthening of watercourse protection were not integrated into the Structure Plan in response to the Authority's comments dated 11 June 2019, prior to the adoption of the Structure Plan by Council.

OFFICIAL

Figures 2 and 3 show the significant depths of flooding and hazard posed by a 1% Annual Exceedance Probability (AEP) event in 2100. It is imperative that the degree of flooding, including impacts of climate change, be clearly identified, so that future development can be adequately guided to minimise hazards associated with flooding.

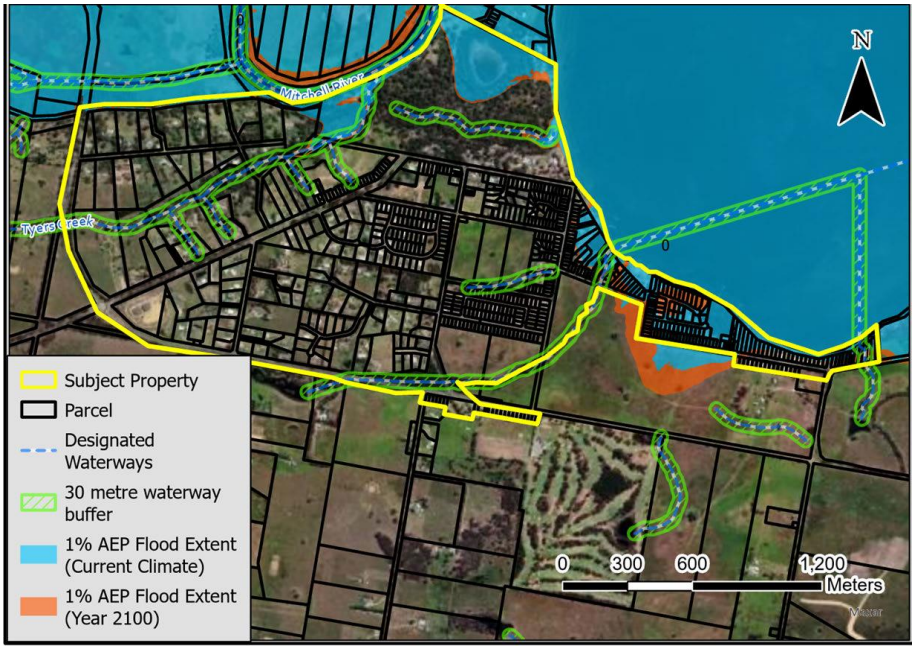


Figure 1 – Designated waterways and 1% AEP flood extent (current climate and year 2100)

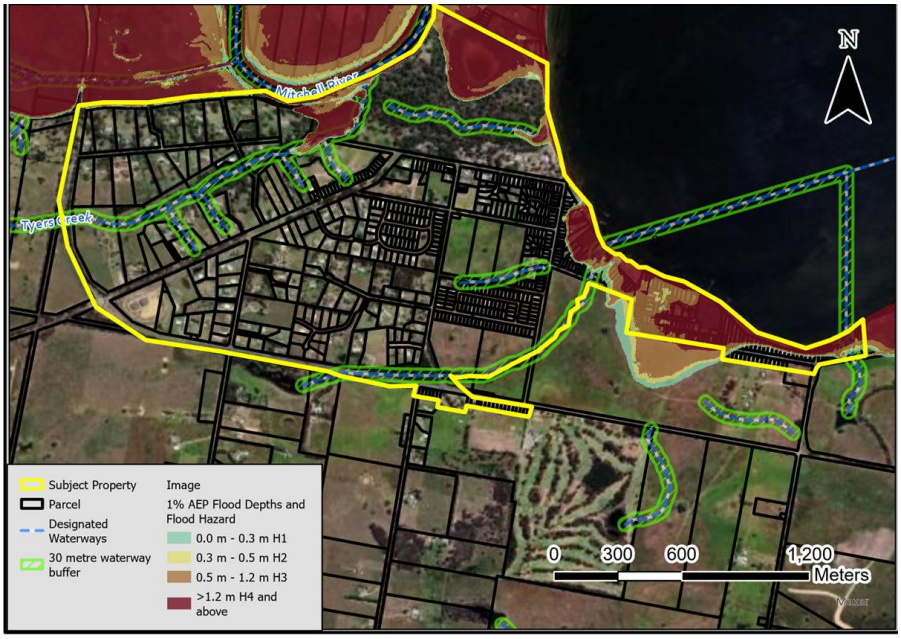


Figure 2 –Designated waterways, 1% AEP flood extent and flood hazard (year 2100)

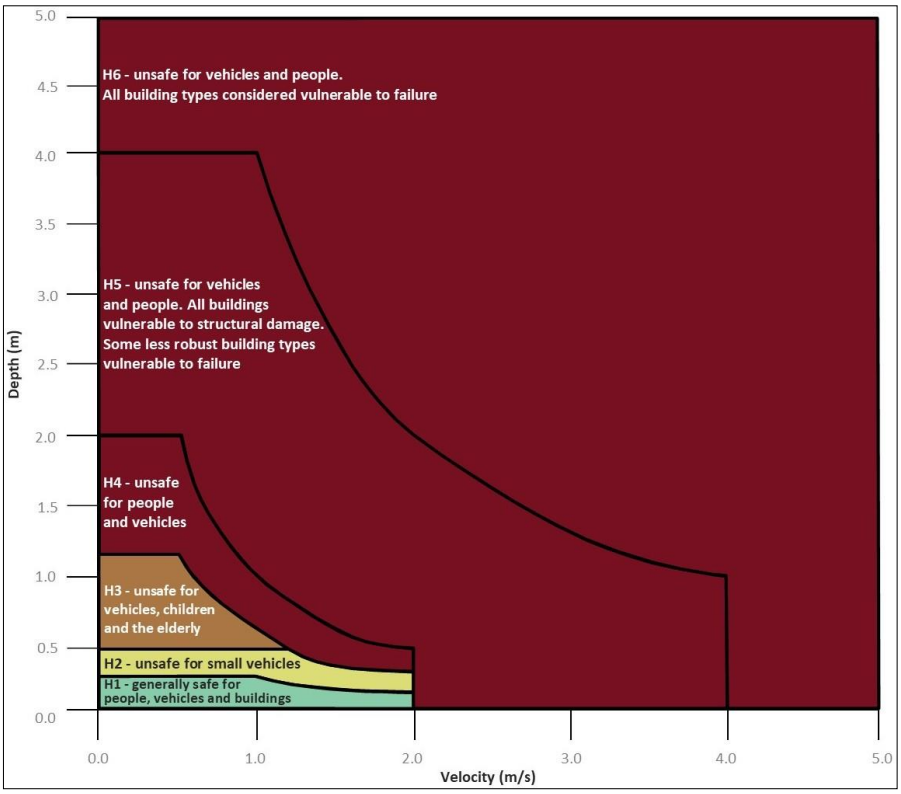


Figure 3 – General flood hazard vulnerability curve (AIDR, 2017)

Further Strategic Work

The Authority notes an action was included in the Structure Plan under the heading 'Natural Hazards' (A25) to "Work collaboratively with East Gippsland Catchment Management Authority to manage climate change risks such as flooding, sea level rise and erosion in Eagle Point." The Authority encourages a collaborative approach to these matters and notes that further strategic work will be required to manage climate change risks.

The existing Land Subject to Inundation Overlay (LSIO) mapping for East Gippsland is out of date and inaccurate. Flood studies have been completed for numerous locations across the Shire, including the Gippsland Lakes (Lakes Entrance, Metung, Paynesville, Newlands Arm, Raymond Island and Eagle Point). The mapping obtained from these studies needs to be incorporated in the relevant flood overlays.

Clause 74.02 'Further Strategic Work' currently includes "Review and update the flooding mapping, schedules and planning policy." Given that changes to the Structure Plan were not made to show inundation to the year 2100, the Authority requests that the recommendation to review and update the flood mapping, schedules and planning policy in clause 74.02 be amended to reference climate change impacts, including sea level rise and increased rainfall intensity. The need to adequately consider hazards, climate change, coastal inundation and erosion is supported by the Planning Policy Framework (PPF) and *Draft Ministerial Direction on Climate Change Consideration Guidelines* (DTP, 2024), as follows:

The objective of clause 13.01-1S 'Natural Hazards and Climate Change' includes:

- To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

The objective of clause 13.01-2S 'Coastal Inundation and Erosion' is:

- To plan for and manage coastal hazard risk and climate change impacts.

Strategies contained in clause 13.01-2S include:

- Plan for sea level rise of not less than 0.8 metres by 2100 and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.
- Ensure that land subject to hazards is identified and appropriately managed to ensure that future use and development is not at risk.
- Avoid use and development in areas vulnerable to coastal inundation and erosion.

The *Draft Ministerial Direction on Climate Change Consideration Guidelines* (DTP, 2024) and accompanying guidelines require planning authorities to consider the impact of climate change on natural hazards – including but not limited to bushfire and flood (riverine, drainage, coastal), erosion, landslip and landslide, heat and drought – when preparing planning scheme amendments. Obligations to address climate change will need to be integrated and designed into new land use and development from the outset.

Waterways and Buffers
State Planning Policy requires that a 30 metre vegetation buffer be planted either side of existing waterways. The vegetation planted within waterway buffer zones must be representative of the Ecological Vegetation Class (EVC) for the site. Any area required to be cleared of vegetation to create defendable space must not encroach into the required revegetation within the waterway buffer. This requirement for revegetation of land within a 30-metre buffer either side of the waterway may impact on bushfire setbacks to adjacent development.

The Authority notes that the Structure Plan was adopted in 2019 prior to the preparation of the *Design Guidelines – Settlement Planning at the Bushfire Interface* in 2020 by DELWP. As shown in Figure 5 in the Structure Plan, a fire threat edge has been shown along the southern perimeter of the Eagle Point Flora and Fauna Reserves and to the southeast of the township along the edge of the rural area. The fire threat edges as shown on the plans do not appear to reflect the future revegetation buffers proposed along the waterways as identified in Figure 17 in the Structure Plan and show proposed low density residential and general residential development within close proximity to the proposed revegetated buffers.

The development of residential land adjacent to existing waterways may be further restricted once bushfire setbacks are applied. Further consideration of these matters relating to waterways, buffers and bushfire risk are required. We note that some figures in the Structure Plan show a waterway buffer but do not show the full 30-metre buffer either side of the existing waterways as required. These matters will need to be considered early in the development process.

It is noted that Action A6 in the Structure Plan is to "Apply the Development Plan Overlay to Strategic Sites identified in Figure 19 and include preconditions and requirements specified in Chapter 11.5." Further requirements for design of waterway buffers and residential development at the interface of these buffers could have been further detailed in development plan overlay schedules. However, the introduction of development plan overlays to the sites proposed for rezoning have been omitted from

Amendment C171. The Authority has been advised by Council that these development plan overlays have been excluded from the amendment because development applications have already been received by Council for the two properties on which the development plan overlay would have been applied.

Stormwater Management
Action A31 in the Structure Plan is to "Prepare a stormwater management plan for Eagle Point". This stormwater management plan will need to consider climate change and likelihood of increased rainfall intensity and flood extents. This increase may have an impact on the areas available for residential development. The stormwater management plan will also need to ensure that sufficient space is set aside for stormwater management and treatment under a future climate scenario.

The Authority does not have any information in relation to climate change impacts as a result of increased rainfall intensity at Eagle Point. However, any development application will need to demonstrate that any new lots are not adversely impacted by changes to flood behaviour due to climate change.

Should you have any queries, please do not hesitate to contact the Authority on 1300 094 262 or email planning@wgcma.vic.gov.au. To assist the Authority in handling any enquiries please quote **EG-F-2013-0179** in your correspondence with us.

Yours sincerely,

[redacted]

Adam Dunn
Gippsland Floodplain Officer

The information contained in this correspondence is subject to the disclaimers and definitions attached.

OFFICIAL

Definitions

1. **AEP** as Annual Exceedance Probability is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

   Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

2. **AHD** as Australian Height Datum is the adopted national height datum that generally relates to height above mean sea level. The elevation is in metres.

3. **ARI** as Average Recurrence Interval is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as, or larger than, the design flood event. For example, floods with a discharge as large as, or larger than, the 100 year ARI flood will occur on average once every 100 years.

4. **Finished Floor Level** is the level of the top layer of the floor. This is the layer of floor that you will see and walk on.

5. **Flood Resistant Materials** are materials used in building construction that are capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. Some examples of this are concrete, metal, brick and some timber. Avoid using materials like carpet, plaster and some timber.

6. **Nominal Flood Protection Level** is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.

Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.

2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for, or makes no warranty regarding, the accuracy or naming of this proposed development location according to its official land title description.

3. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.

4. This letter has been prepared for the sole use by the party to whom it is addressed, and no responsibility is accepted by the Authority regarding any third-party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.

5. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.

OFFICIAL

6. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.

7. The flood information provided in this letter is generally more up to date than the Flood Overlay (FO) or Land Subject to Inundation Overlay (LSIO). This is because the Authority continually updates its flood information whenever new information becomes available. The overlays mentioned above are maintained by Council and are often out of date (by years in some areas).

Submission 16

From: [redacted]
To: Strategic Planning
Subject: Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan
Date: Friday, 31 January 2025 8:24:51 PM

You don't often get email from [redacted]. Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Dear Planning Team,

I am submitting my formal objection to Planning Scheme Amendment C171, specifically opposing the proposed rezoning of 25 Waterview Road from a Farming Zone to a General Residential Zone. I have no objections to the other aspects of this amendment. My concerns are based on the following points:

Impact on Streetscape and Neighbourhood Character

The East Gippsland Planning Scheme describes Eagle Point as a low-density area with a landscape shaped by its natural surroundings. Rezoning farmland on Bay Road would alter the area's visual appeal, obstructing scenic views of the natural environment for both residents and passersby. Eagle Point's character is defined by its visibility of open green spaces and water, which would be compromised by this change.

Additionally, the removal of well-established eucalyptus trees along Bay Road would reduce local biodiversity, affecting native wildlife such as birds and possums. Since this area is not in close proximity to the Eagle Point Flora and Fauna Reserve, these trees play a crucial role in maintaining ecological balance. Rezoning would also disrupt the existing streetscape, replacing the current rural aesthetic with a more urbanized appearance, which would negatively impact the area's character.

The Eagle Point Planning Strategy aims to protect key views, yet the proposed changes would limit scenic outlooks to only those within new developments along Bay Road, restricting this visual feature from the broader community. Furthermore, the Eagle Point Structure Plan (Reference TB1.2) discourages development beyond the township boundary. As indicated in Figure 6 of the plan, 25 Waterview Road falls outside this boundary. Expanding the residential zone here contradicts the strategy's intent, whereas directing growth to already established residential areas would be a more appropriate approach, preserving farmland and green space.

Increased Traffic Congestion

Rezoning this land would increase vehicle traffic, particularly at the intersection of Paynesville Road, where delays are already common during peak hours. Additional traffic will worsen congestion, making it more difficult for residents to enter and exit the area safely. This change also raises concerns about pedestrian and cyclist safety due to the

limited availability of footpaths and bike lanes.

Loss of Private Farming Land and Vegetation

The amendment states that native vegetation should be protected and enhanced as part of Eagle Point's environmental values. However, rezoning would lead to the loss of productive farmland, which has long been a defining feature of the area. This farmland contributes to the local economy, supports biodiversity, and serves as a natural buffer between urban development and the environment. Additionally, removing eucalyptus trees will decrease biodiversity, raise local temperatures due to reduced shade, and diminish the area's natural beauty. The loss of open green spaces will negatively impact the community's overall environmental quality and sense of space.

Increased Residential Noise

Higher residential density resulting from this rezoning may lead to increased noise pollution due to greater vehicular movement and changes in land use. This is a particular concern for residents who currently enjoy a quieter, more open living environment. The removal of farmland and vegetation would also eliminate natural sound barriers, further amplifying noise levels and reducing the overall residential amenity.

For the reasons outlined above, I strongly oppose the proposed rezoning of 25 Waterview Road and urge the Council to reconsider this amendment. Maintaining the area's streetscape, managing traffic impacts, preserving vegetation and farmland, and protecting residential amenity should be priorities.

I request that the Council reject this rezoning proposal or, at the very least, make modifications to address these concerns. Thank you for your time and consideration of this submission.

Yours sincerely,

[redacted]

Submission 17

From: [redacted]
To: Strategic Planning
Subject: Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan
Date: Friday, 31 January 2025 8:16:30 PM

You don't often get email from [redacted] Learn why this is important

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Dear Planning Team

Please see below submission regarding planning scheme amendment C171. I am writing to formally oppose the proposed rezoning of the land at 25 Waterview Road from Farming Zone to General Residential Zone. I have no objection to the other aspects of the proposed amendment. My opposition is based on the following grounds:

Please see my contact details below, as per the requirements of making a submission.

Impact on Streetscape and Neighbourhood Character
The East Gippsland Planning Scheme shows that Eagle Point is 'characterised by low scale development, and a landscape setting influenced by the natural environment…'. The rezoning of farming land on Bay Road will change the view of the natural environment for all passing through and living in that area. The visibility of water and green space in many locations in Eagle Point is a key aspect of the character of the area. Additionally, the loss of the large established eucalyptus trees along the undeveloped side of Bay Road significantly reduces the local biodiversity including birds and possums in this area of Eagle Point which is not close to the Eagle Point Flora and Fauna reserve. Additionally, the proposed rezoning would significantly alter the established character of the area. The current streetscape consists of well-spaced dwellings with a rural aspect due to the presence of private farming land at 25 Waterview road. Rezoning this land would drastically change the area's visual and environmental character, removing the open green landscapes that contribute to the identity of the neighbourhood. This shift would diminish the semi-rural charm and negatively impact the visual harmony of the community.

Further, the EGPS states a strategy to protect views to and from Eagle Point. However, building along the border of Bay Road reduces the views from Eagle Point and makes those views only accessible to new houses being built on the undeveloped side of Bay Road and multi-story property, limiting the accessibility of this feature to others living in and driving through Eagle Point.

One of the objectives in the Eagle Point Structure Plan reference TB1.2 is to discourage development, including further rural subdivision and single dwelling construction outside of the township boundary. As per figure 6 the township boundary does not include the land shown in VicPlan as 25 Waterview Road which is proposed to be rezoned to general residential land. As I understand that this means the Eagle Point settlement boundary line is proposed to change to enable the further residential development in this area. An expansion of the existing newer housing development area I believe is a more reasonable space for housing growth and would retain most of the existing farming land as a green space and for agricultural use.

Increased Traffic Congestion
The proposed rezoning will result in an increase in traffic volumes, particularly affecting the flow of vehicles turning onto Paynesville Road. This intersection is already prone to delays at peak times of day, and additional traffic will exacerbate existing congestion, making it more difficult for residents to safely and efficiently enter and exit the area. The increased traffic also raises concerns about road safety for pedestrians and cyclists, particularly with the limited availability of footpaths and dedicated cycle paths.
Loss of Private Farming Land and Vegetation
The EGPS proposed amendment further states that the strategies for Eagle Point include protecting

and enhancing native vegetation that contributes to the character and environmental values of Eagle Point. The rezoning will result in the loss of productive private farming land that has been a defining feature of the area. This land not only contributes to the local economy but also supports biodiversity and acts as a natural buffer between urban development and the environment. Further, as mentioned earlier the removal of eucalyptus trees will reduce local biodiversity, increase heat retention, and negatively impact the natural beauty of the area. The loss of green landscapes will diminish the community's sense of space and environmental quality.

Increased Residential Noise
Rezoning may lead to increased noise levels due to greater vehicular movements and changes in land use. This is particularly concerning for existing residents who have enjoyed a quieter, more spacious living environment. The loss of private farming land will further amplify noise pollution, as natural barriers such as open land and vegetation will no longer buffer sound. This will disrupt the current residential amenity and quality of life for local residents.

For the reasons outlined above, I strongly object to the proposed rezoning of land at 25 Waterview Road and request that the Council reconsider this amendment to protect the integrity of the local streetscape, maintain reasonable traffic conditions, preserve significant vegetation and farmland, and uphold residential amenity.
I urge the Council to reject this rezoning proposal or, at the very least, require modifications that address these concerns. I appreciate your time and consideration of this objection.
Yours sincerely,

Submission 18

Crowther & Sadler Pty Ltd A.B.N. 81 660 442 982
LICENSED SURVEYORS & TOWN PLANNERS

Our ref: 20862

24 January 2025

Strategic Planning Team
East Gippsland Shire Council
Via email: strategicplanning@egipps.vic.gov.au

Attention: Martin Richardson

Dear Martin,

Re: Planning Scheme Amendment C171egip
Implementation of the Eagle Point Structure Plan

This submission is made on behalf of [redacted], the owner of a strategically significant holding of three separately transferable parcels located centrally within the Eagle Point settlement. The property is formally described as Lot 2 on Plan of Subdivision 743267, and Lots 1 and 3 on Title Plan 888557, and more commonly known as 27 Eagle Point Road, Eagle Point.

Aerial image of 27 Eagle Point Road, Eagle Point (Source: Google Earth)

Our Client is an experienced developer specialising in Residential Villages, utilising a land lease model to develop high quality homes exclusively for the over 50s. Negotiations to purchase of their Eagle Point property were informed by the strategic work undertaken by Council planning for the site, in accordance with the *Eagle Point Structure Plan* (July 2016) ('PGASP'), as adopted by Council on 2 August 2016.

FS 520900
Surveyors MEMBER FIRM

152 Macleod Street
Bairnsdale VIC 3875
PO Box 722
Bairnsdale VIC 3875
Ph. 03 5152 5011
E: contact@crowthersadler.com.au

Our client is therefore supportive of C171egip, with Planning Application 5.2024.362.1 (currently under consideration by Council) considered to be generally in alignment with the strategic vision for this precinct.

C171egip specifically references increasing demand for residential development in Eagle Point, which reflects our Client's market research, guiding their investment in the precinct which they see as ideally located for a lifestyle community.

Our Client's proposed development is aligned with statements within the EPSP which support and encourage innovative housing opportunities to cater to an ageing population, and will result in a well-designed, residential community that protects and enhances the natural environment through waterway revegetation, best practice stormwater management and the retention of significant vegetation.

The proposed application of Schedule 2 to the General Residential Zone is supported, with the current Planning Application considered to have pre-emptively addressed all of the proposed application requirements, consistent with proposed neighbourhood character objectives. The proposed built form adopts the low scale coastal themes encouraged by the proposed policy statements to be included at Clause 11.03-4L-12. The Planning Application currently under consideration represents a carefully considered opportunity for infill residential development.

In summary, our Client is generally supportive of Amendment C171egip, and believes there is sound alignment between the strategic directions proposed and the planned development of their holding.

As always, we would be pleased to elaborate on any of the comments provided herein, and look forward to further consultation on this matter.

Regards,

[redacted]

Submission 18

Submission in relation to the Eagle Point Draft Strategy Plan.

Planning Scheme Amendment C171egip

It is not clear from the documents whether the Plan is prepared by Melt for consideration by the Council Planners or whether it is the result of a joint preparation and directions from Council planners.

It is not clear whether the Draft is the recommended plan subject to changes as a result of further examination and community comment.

My submission relates to the proposed rezoning of Mathiesons Road and the adjoining properties in Forge Creek Road from LDRZ to RL1.

Nowhere in the draft does it state why the rezoning is proposed and what benefit would arise as a result of a rezoning.

What is the benefit to the community, the vast majority of whom have no idea of the existence of Mathiesons Road and more importantly, what is the benefit to the owners of property in Mathiesons Road and Forge Creek Road?

It is therefore not possible to make a positive contribution based on whatever benefit Planners see would result from the rezoning. It is left to anyone who wants to comment to make a number of assumptions as to what the reasons might be to change the zone.

I believe that this proposed rezoning was first raised to provide planners with the basis to seek a planning scheme amendment and extricate itself from the parlous situation after [redacted] conspired with [redacted] to circumvent the requirements of the planning scheme and the Aboriginal Heritage Act 2006 and to subdivide in contravention of the Acts in 2012, 2013 & 2014 in Mathiesons Road and earlier in Forge Creek Road

I do not second guess what is in the minds of the consultants or the Planners.

I therefore will comment and reserve the right to make changes or present an entirely new submission based on whatever the Planners finally propose to Council, the Minister and/or submit to a Panel if that is the procedure which will be followed.

RLZ1 zone

The proposal is to rezone Mathiesons Road and Forge Creek Road properties from the current LDRZ to RLZ1.

The Purpose of a Rural Living Zone includes the implementation of the Municipal Planning Strategy, the Planning Policy Framework and protection of the natural resources, biodiversity

and landscape and heritage values. These are broad general objectives which could and should apply to any zone anywhere.

More specifically applicable to a Rural Living Zone are:

- *To provide for residential use in a rural environment*
- *To provide for agricultural land uses which do not adversely affect the amenity of the surrounding land uses*
- *To encourage use and development of land based on comprehensive and sustainable management practices and infrastructure provision*

The Meaning of Terms in the Planning Schemes gives *rural* and *agricultural* their ordinary meanings.

The properties in Mathiesons Road and Forge Creek Road are not rural or agricultural based on the ordinary meaning of the words.

East Gippsland Shire Council Planners have subdivided many properties in Mathiesons Road and Forge Creek Road, most illegally, into smaller lots and none could be regarded as being rural, providing agricultural land uses or allowing for sustainable management practices.

Current situation and historical

At the time of the construction of the cut from the morass to Forge Creek Road the land through which it passes and extending to what is now Mathiesons Road was open cleared farm land. Part of the land was grazing property and part was a dairy. There were a few Red Gums scattered over the properties and the remainder was open treeless farmland.

The initial subdivision was of land owned by [redacted] who as part of the subdivision constructed the road from the intersection with Paynesville Road to the eastern boundary of the current [redacted] which was purchased by [redacted].

The owners of the properties were the persons who planted the eucalypts and the oriental trees and shrubs.

As other persons bought individual lots of land to the east, they also planted trees and shrubs and landscaped their properties.

<u>The East Gippsland Shire Council and its predecessor had no involvement or input.</u>

Over the years the trees and shrubs have grown to what they are today.

Other than contracting the sealing of the eastern end of the road over a small depth subbase which was funded by the residents, council has made no contribution to any aspect of Mathiesons Road. The neighbourhood character, amenity, vegetation, birdlife and landscape are solely due to the vision, hard work of and at the cost to the property owners.

There has never been a positive contribution by the East Gippsland Shire Council.

In fact, on the occasions Council has been involved the results have been to the detriment of those property owners who determined the landscape, vegetation and the amenity of Mathiesons Road as it is today despite the best efforts of Council to make it otherwise.

While the owners of the properties have their own individual views on what is best for their property all, with one exception, are also conscious of the beauty and charm of Mathiesons Road and have a desire to protect it and enhance it.

There is no valid reason why Council Planners, who have no link, either emotional or financial, to Mathiesons Road and who have rarely travelled into or on Mathiesons Road should presume that from their office cocoons they have the knowledge and are the rightful arbiters of what Mathiesons Road should be.

The property owners have been the creators, the maintainers, the protectors of Mathiesons Road since the original subdivision in 1981 and are the cause of what Mathiesons Road is today.

Since buying our virtually treeless property in 1993 we have seen Council's involvement on a number of occasions

Every involvement has been to the detriment of Mathiesons Road through incompetence, ineptitude and corruption by Council planners with one involvement of the asset department which resulted in a substandard road extension requiring many remedial attempts and culminating in creating dams in the gateway of some properties which create water depths over shoe height.

Without going into detail of each and every disastrous intervention by Council Planners, [redacted] initially created subdivisions in Forge Creek Road which were in breach of the Acts.

[redacted] was warned by [redacted] that while approving the initial subdivision(s) on Forge Creek Road was legally available, it would be illegal to construct housing on the subdivided properties.

That did not deter [redacted] from going ahead. The land was subdivided and dwellings were constructed.

In Mathiesons Road, starting with an application for subdivision on 6/5/2011, [redacted] conspired to circumvent the requirements of the Acts and to progressively subdivide [redacted] in a series of successive "2 lot" subdivision which breached the Aboriginal Heritage Act and caused breaches of S61 (4) of the Planning and Environment Act 1987.

This they continued to do with permits granted on 20/9/2011, 18/5/2011 and 15/3/2013.

Lot 70 was part owned by [redacted], [redacted] Paynesville, the largest, longest established and best connected agent in East Gippsland.

[redacted] sold the subdivided properties and it appears that despite solicitors or conveyancers acting for them, the three purchasers were persuaded that the covenant which clearly did not expire until 2029 no longer prevented them from constructing a dwelling.

One might suspect that there was additional conspiracy and collusion in this sordid affair.

The fourth subdivision was stopped when I realised what [redacted] were doing and raised the issue at an open community consultation meeting which included [redacted].

[redacted] advised that the proposed subdivision was legal but that only one house could be built on each lot.

I pointed out that the proposed subdivision breached S61 (4) of the Planning and Environment Act 1987 and the Aboriginal Heritage Act 2006 which cause an immediate flurry of activity by [redacted]. [redacted] A comment was subsequently made to me that the shaking was due to him realising that he had been caught.

I was later advised that [redacted] had some time earlier formally addressed a gathering of planners, surveyors etc including [redacted] and gave advice of the means to circumvent the law in relation to the Aboriginal Heritage Act.

That fourth application did not proceed. The earlier subdivisions left the property owners in a legally parlous and vulnerable position from which Council had to extricate them with the only viable choice being a Planning Scheme Amendment. I was advised by affected beneficiaries of the covenant that Council proposed that by implementing a change in the zoning from LDRZ to a Rural Living Zone, it would allow the modification of the covenant.

Obviously there had to be an equitable solution for those property owners who were placed in a stressful and possible difficult financial position due to the corrupt and deceptive actions of [redacted].

As current Planners are aware the submission to the Minister was skilfully written to avoid implicating Council Planners as being the sole cause of the disaster. It was presented as being the result of changing conditions in the area.

Council's deleterious involvement did not stop there as [redacted] conceived the idea in relation to [redacted] Mathiesons Road for a permit to subdivide it into 2 lots but the survey tapes clearly showed a planned 4 lot subdivision in contravention of the Aboriginal Heritage Act 2006.

Although the application was for a 2-lot subdivision [redacted] advertised four (4) lots for sale with the instruction to sell whatever two lots people were interested in and there would be additional subdivisions as required to sell each of the four (4) lots.

I took that to VCAT and the Member advised that should further subdivision be proposed the matter could be returned to VCAT.

If the proposed rezoning is to somehow protect the amenity, neighbourhood character, bird life and visual aspects of Mathiesons Road, it is at best hypocritical that at the same time Planners led by [redacted] encouraged and advocated to grant a permit for a convention and arts centre at [redacted] Mathiesons Road, recommended that a planning permit be issued, provided totally flawed misinformation to Council, had Council vote to grant a permit only to be rejected by VCAT for incompetence, negligence and maybe worse in not requiring a Cultural Heritage Management Plan.

This long failed and flawed process came at a cost to the residents and ratepayers of East Gippsland and particularly to some of the property owners in Mathiesons Road .

As a reminder, although the application would have been refused by VCAT based on the other flawed information provided by the Planners, the permit application allowed for 100 guests, vehicular traffic, liquor licence and live music into the late night in Mathiesons Road.

East Gippsland has many rivers, creek and waterways which cause a 200-metre Aboriginal Heritage overlay on each side. East Gippsland Shire is possibly one of the Victorian Councils with the most diverse Aboriginal Heritage affected land.

That Council Planners [redacted] were unaware of the most basic requirements of the Act is beyond belief and can be best be described as gross incompetence.

There is no stated or obvious reason why Council Planners, with their record of gross ineptitude should be further involved in Mathiesons Road.

Any irrational suggestion that Mathiesons Road and Forge Creek Road could be considered as rural and agricultural has been completely destroyed by Council with its many illegal subdivisions and by the planner's active support for and promotion of a licenced conference and events centre complete with live music at 105 Mathiesons Road.

Mathiesons Road should remain the zoning which now applies.

Although currently likely beyond the control of Council or other authorities, Planners might consider advocating for controls against the second-hand junkyard appearance as in [redacted] Mathiesons Road which undeniably affects the visual amenity of the area.

When I have received documents requested under FOI, and if the draft plan moves to consideration of Council recommending rezoning of Mathiesons Road, I reserve the right to

make a further submission in greater detail and to attend a Ministerial Panel hearing if that is part of the procedure.

It is testament to the high regard that successive property owners have for their properties that despite the capacity to subdivide, other than through the corrupt involvement of [redacted] there has not been one property which has been subdivided and the lot sold in the 44 year history of Mathiesons Road. The property owners have been and should continue to be the true creators, maintainers and guardians of Mathiesons Road and not transfer that authority to the remote and insular planners of the East Gippsland Shire Council.

Kind regards

[redacted]

PLANNING ASSESSMENT

What does the Amendment do?

This assessment provides a detailed background of the recently exhibited Planning Scheme Amendment C171egip. Specifically, the Amendment seeks to implement the *Eagle Point Structure Plan* (EPSP) (2019) into the East Gippsland Planning Scheme by:

- Updating the relevant policy sections of the Municipal Strategic Statement and Planning Policy Framework.
- Rezoning land in Eagle Point in accordance with the recommendations of the EPSP, as follows:
  - Rezone land at Mathiesons Road and Forge Creek Road from Low Density Residential Zone to Rural Living Zone Schedule 1.
  - Rezone land at 30 Forge Creek Road from General Residential Zone to Low Density Residential Zone Schedule 2.
  - Rezone land at 25 Waterview Road (part) from Farming Zone to General Residential Zone Schedule 2.
- Appling Low Density Residential Zone Schedule 2 to all land in the Low Density Residential Zone with a minimum subdivision area of 4,000 square metres. A minimum subdivision area of 2,000 square metres is identified for land at 1, 3, 4, 5, 6, 7, 8 Morecroft Rise; 1007A and 1007B Paynesville Road; 1005 Paynesville Road and 76 Eagle Point Road because there are approved subdivisions associated with these sites.
- Appling General Residential Zone Schedule 2 to all land currently zoned General Residential Zone to provide neighbourhood character objectives (except 30 Forge Creek Road).
- Extending the Significant Landscape Overlay Schedule 2 to part of land in the Farming Zone at 25 Waterview Road.
- Making other operational changes to the planning scheme.

Strategic justification

Eagle Point Structure Plan (2019)

The *Eagle Point Structure Plan* (EPSP) (2019) is the key document that provides the strategic basis for Planning Scheme Amendment C172egip. Broadly, the EPSP establishes the settlement boundary for Eagle Point and seeks to protect the coastal setting and environmental values through policy and planning controls. Overall, the EPSP confirms that Eagle Point is not a growth area and that while some pockets exist for new housing, the emphasis is on preservation of the existing character.

Preparation of the EPSP included a strategic planning process with extensive engagement with the community, relevant stakeholders, landowners, and agencies. The EPSP also draws on detailed analysis of background information including the assessment of infrastructure and servicing; land supply and demand; ecology and biodiversity; natural hazards; socio-economic data; cultural heritage; and community infrastructure etc. By embedding the EPSP into the planning scheme, the amendment ensures that future developments are consistent with the community's vision and strategic objectives as defined within the EPSP.

Council adopted plans and strategies

One of East Gippsland Shire Council's key goals (Strategic Objective 2 of the *Council Plan 2021-2025*) is to support planning and infrastructure that enhance the environment, lifestyle, and community character. To achieve this, the Council must ensure there is enough appropriately zoned land for future development and provide clear guidelines for high quality outcomes. Amendment C171egip is consistent with this goal.

The *Housing and Settlement Strategy* (2023) is a municipal wide strategy that encourages housing diversity and infill in the well serviced areas of Bairnsdale, Paynesville and Lakes Entrance. While this strategy does not identify Eagle Point for growth or extensive change, it does support additional housing opportunities where appropriate.

Plan for Victoria

Plan for Victoria was released by the State Government in March 2025 and the plan sets a housing target of 11,000 new homes in East Gippsland by 2051. While Amendment C171egip largely proposes minimal change, it will allow for housing to be developed on zoned land within the settlement boundary and make a small contribution to East Gippsland's housing targets.

Planning controls

As discussed earlier within this assessment, the amendment proposes specific changes to the planning controls in Eagle Point as per the recommendations of the EPSP.

Rural Living Zone

The amendment proposes to rezone land within the 'Mathiesons Road' precinct from Low Density Residential Zone (LDRZ) to Rural Living Zone Schedule 1 (RLZ1). As outlined in the EPSP, the change in zone will hold the minimum subdivision area to 2 hectares which is consistent with the overarching allotment pattern and the original intent of the restrictive covenant that applies to land within this precinct. Furthermore, due to the undulating landform, natural attributes and the overall character if the precinct, it is a good planning outcome to zone the land to RLZ1 and hold the current development pattern and rural lifestyle land uses.

Low Density Residential Zone

The amendment proposes to introduce Schedule 2 to the Low-Density Residential Zone (LDRZ) and apply this to all land that is currently zoned LDRZ in Eagle Point. Schedule 2 will introduce a minimum lot size of 4,000 square metres to ensure that future development respects neighbourhood character and appropriately responds to site constraints. It is noted that 1-8 Morecroft Rise, 1007A, 1007B and 1005 Paynesville Road and 76 Eagle Point Road are identified in the schedule as having a minimum lot size of 2,000 square metres and this is because of existing approvals for subdivision that occurred before the amendment commenced.

The decision to establish a minimum lot size of 4,000 square metres was derived from the EPSP which recommends that only incremental change be supported in this area. Furthermore, the EPSP states that a minimum lot size of 4,000 square metres will help to preserve the character and important environmental qualities within the LDRZ area.

30 Forge Creek Road

The amendment proposes to rezone 30 Forge Creek Road from General Residential Zone to Low Density Residential Zone Schedule 2. The site is constrained by a natural drainage line, significant native vegetation and bushfire risk to the north and north west and so the site is not appropriate for a housing density that is usually found within the General Residential Zone. Therefore, the application of the LDRZ2 was considered to be a better outcome for the site and will enable site responsive development on larger lots in the future.

General Residential Zone

The Amendment proposes to introduce Schedule 2 to the General Residential Zone (GRZ) and apply it to all land currently zoned GRZ within the settlement boundary. Schedule 2 introduces specific objectives which aim to protect the small scale coastal neighbourhood character and landscape values of Eagle Point. It is noted that the proposed schedule does not make any changes to the standards of Clause 54 and 55 because a neighbourhood character assessment has not been undertaken to provide justification for such changes. Furthermore, recent changes made by the State Government indicate that schedules in the GRZ (and other residential zones) will no longer be able to depart from the state standards of Clause 54 and 55.

25 Waterview Road (part)

The EPSP recommends that the small section of 25 Waterview Road that is within the settlement boundary should be rezoned for residential purposes. Therefore, it is proposed to rezone the land to GRZ2 to allow for future residential development on the site. Including this land within the GRZ2 provides for a small increase in housing lots (approximately 30-40 lots) to provide for future land supply.

It was also proposed to apply the Environmental Audit Overlay (EAO) to the site in accordance with Ministerial Direction No. 1 (Potentially Contaminated Land), however the owners provided adequate documentation from a suitably qualified person to demonstrate that the risk of contamination was low and so the EAO is no longer required.

The EPSP and associated background documents provide adequate justification for the land to be rezoned. Additional reports and plans will be required when a planning permit is applied for in the future.

History

Time Period	Process undertaken by Council
2013 - 2018	Council commenced the preparation of the Eagle Point Structure Plan (EPSP) which included extensive community consultation with landowners and the community, ensuring the EPSP reflected local aspirations and concerns.
2019	The EPSP was adopted by the East Gippsland Shire Council.
2023	Council officers prepared Planning Scheme Amendment C171egip to implement the EPSP. Council resolved to seek authorisation of the Amendment from the Minister

	for Planning.
2024	The Minister for Planning authorised the Amendment.
2024-2025	Planning Scheme Amendment C171egip was placed on public exhibition.

Public Exhibition

The amendment was placed on public exhibition from 25 November 2024 to 31 January 2025. 537 letters were sent to landowners in Eagle Point, resulting in 19 submissions submitted over the ten week exhibition period.

The submissions received generally raised the following concerns:

- Engagement (concern regarding quality, timing and duration)
- Traffic (existing and future impacts)
- Educational and medical services (existing and future lack of services)
- Background reports (outdated or lacking detail)
- Stormwater drainage (existing and future issues)
- Justification of rezoning (lacking)
- Environmental considerations (coastal risk, impact on wildlife)
- Bushfire (risk and one-road in/one road out)
- Disagreement with the 4,000 square metre minimum lot size.

A detailed assessment of the submissions against planning considerations is provided below:

Theme/s	Nature of submissions received	Consideration given
Public Engagement	Submissions expressed disappointment regarding the timing and the perceived inadequacy of consultation during the public exhibition period for Amendment C171egip.	In response to these concerns, the public exhibition period was extended to provide additional opportunities for community input. The public exhibition was conducted in accordance with the requirements of the *Planning and Environment Act 1987* and Council's established consultation practices.
Zoning and Development issues	Submissions raised concerns about the justification for rezoning existing farmland to the General Residential Zone (GRZ) and suggested there is no immediate need to rezone land given the modest residential growth in Eagle Point. Further, some submitters advocated for allowing landowners to apply for subdivision if it results in good planning outcomes while preserving neighbourhood character and the environment. The proposed amendment expresses concerns pertaining to proposed minimum lot size of 0.4ha in LDRZ which is not as per Planning Practice Note 91 (July 2023) which allows for a minimum lot size of 0.2ha where	Council acknowledges these concerns and notes that the adopted Eagle Point Structure Plan provides detailed strategic justification for the partial rezoning of 25 Waterview Road. The remainder of the lot will remain in the Farming Zone (FZ), allowing for continued agricultural use. The land is not classified as high-quality agricultural land, and the rezoning is projected to deliver modest growth of approximately 40-60 residential lots over time, which aligns with State Policy requiring a 15-year land supply. The amendment also proposes schedule changes within the GRZ and Low-Density Residential Zone (LDRZ) and rezoning of land from LDRZ to Rural Living Zone (RLZ) or GRZ to LDRZ. These changes are intended to protect the character of Eagle Point while accommodating limited residential growth. The

	land is serviced by reticulated sewer. Submissions also raised concerns pertaining to rezoning of land parcels along Mathiesons Road from LDRZ to RLZ.	only parcel proposed for rezoning that will slightly increase land supply is 25 Waterview Road (part). The proposed amendment identifies existing LDRZ zoned land for incremental change. Therefore, a minimum lot size 4000m² is appropriate and is based on neighbourhood character and natural site constraints. Therefore, no change to the proposed application of LDRZ, Schedule 2 is recommended. Officers note the intent to rezone the Mathiesons Road/Forge Creek precinct from LDRZ to RLZ is strategically justified as a part of amendment egip and seeks to protect the environmental features of the land and hold the subdivision pattern to a minimum lot size.
Agricultural impact	Concerns were raised regarding the loss of agricultural land, which contributes to the local economy, biodiversity, and acts as a buffer between urban areas and the environment.	Council emphasizes that the rezoning applies only to a portion of 25 Waterview Road. The higher elevation and remaining agricultural land will continue to be zoned as Farming Zone, ensuring the preservation of agricultural activities on the balance of the land.
Stormwater and drainage issues	Eagle Point Structure Plan has no stormwater management plan proposed for Eagle Point. Untreated and unregulated water runoff because of proposed future residential development along the creek will further exacerbate the stormwater issues and adversely impact the ecologically sensitive Gippsland Lakes system.	Site specific solutions pertaining to drainage and stormwater can be appropriately managed through a future Planning Permit process, which is outside the scope of the current amendment under review.
Background Documents (Outdated or lacking detail)	Submissions identified the need to update background documents supporting Amendment C171egip, given the five-year gap since the adoption of the Eagle Point Structure Plan. Concerns were also raised about the amendment's reliance on outdated flood mapping and the need to consider recent data on coastal hazards in line with Planning Practice Note 53 and Ministerial Direction 13. Prior to rezoning of 25 Waterview Road, specific site studies pertaining to cultural heritage, flora and fauna, stormwater management, bushfire mitigation, treatment of waterway buffers, traffic, servicing and infrastructure should be undertaken.	Submissions identified the need to update background documents supporting Amendment C171egip, given the five-year gap since the adoption of the Eagle Point Structure Plan. Council acknowledges that the LSIO mapping is out of date across the municipality, including for Eagle Point. The nine flood studies, which would inform a future planning scheme amendment, are currently being peer reviewed. It is also noted that though Council is unable to address all of the concerns raised however does propose to update Clause 74.02 (Further Strategic Work) to better address the need for Council to review its flood mapping in relation to climate change, sea level rise and rainfall intensity. Planning permits can be applied for properties affected by LSIO. It does not prohibit use or development but provides a trigger for a permit and further consideration by Council and the floodplain manager. The amendment is not proposing change or rezoning in areas that are within the LSIO or that are located immediately on the coast.

		The Structure Plan and associated background documentation provides adequate justification for the rezoning of 25 Waterview Road. Additional site-specific reports will be required at planning permit stage which will address site specific planning considerations.
Infrastructure issues	Proposed growth will put a strain on existing infrastructure such as roads, water, sewerage etc.	The amendment seeks to achieve only modest growth for Eagle Point and proposes to rezone only a small section of 25 Waterview Road. Any future development in Eagle Point will be required to provide infrastructure such as roads, water, reticulated sewerage as part of the Planning Permit process.
Settlement Boundary	Request that McTaggarts Road to be included in C171egip to provide for an increase in residential density whilst retaining the character of the area via a variation to the schedule to the Rural Living Zone to facilitate rural residential or low-density development.	McTaggarts Road precinct is outside the scope of the amendment. A municipal wide review of Rural Living Zone schedules is a separate project which Council has commenced.
Increased Traffic & concerns pertaining to pedestrian safety.	Submissions indicate rezoning will result in increase in vehicular traffic worsening delays. Pedestrian and cyclist safety concerns due to absence of limited footpaths and bike lanes.	The Structure Plan and amendment proposes a very modest increase in growth via the rezoning. Any future development of this site would need to consider biodiversity, traffic, pedestrian connectivity and residential amenity as part of the planning permit process.
Environmental considerations	Submission recommends future planning permits for the site at 25 Waterview Road (proposed to be rezoned from FZ1 to GRZ2) should ensure lot boundaries avoid or minimize crossovers through significant roadside vegetation, aligning with VPO1 objectives. Concerns pertaining to status of Tyler's creek and its adverse impact on biodiversity Perceived risk to wildlife as a result of proposed growth.	Any future development at 25 Waterview Road will be required to address the objectives and requirements of VPO1 including retaining of significant roadside vegetation. Future development will trigger the need of appropriate waterway management that would appropriately any environmental considerations including impact on biodiversity. The amendment is about proposing modest growth in Eagle Point, recognises the importance of the environmental values of Eagle Point including protection of biodiversity. Any future development or subdivision will require to consider protection of biodiversity as a part of future planning permit process.

Proposed Changes to the Amendment

Very few changes to the amendment can be made to directly address some of the concerns raised by the submission. However, based on feedback from the East Gippsland Catchment Management Authority and the Friends of the Gippsland Lakes, the Council proposes to amend Clause 74.02 (Further Strategic Work) to better address future work relating to flood mapping and climate change. Also as previously discussed, it is also proposed to remove the Environmental Audit Overlay from 25 Waterview Road, as an environmental assessment by Ewers Consulting confirms a low contamination risk on the subject site and so the EAO is no longer required.

Conclusion

In conclusion, the amendment seeks to balance carefully considered growth opportunities with the unique character and environmental qualities of Eagle Point while appropriately addressing any environmental, social and economic effects that may result from future use and development. By establishing a clear land use framework, it enhances the efficiency of decision-making processes, promotes housing diversity through appropriate residential and rural residential zones.

The amendment will provide strategic direction regarding the environmental qualities of Eagle Point and how these can be protected and enhanced. Importantly, the amendment proposes changes to the zoning by introducing minimum lot sizes for residential land in sensitive environmental areas, aligning with the land's environmental quality and capacity. It also aims to improve connectivity between environmentally significant sites to boost biodiversity and support passive recreation.

Overall, the amendment reflects the findings of the Eagle Point Structure Plan (EPSP) while appropriately addressing local values and community needs. It provides a clear and strategic direction to guide future land use and development while maintaining the distinctive character of Eagle Point. Given these comprehensive measures to balance growth with environmental constraints, the amendment to the Eagle Point Planning Scheme should be supported.

Post Exhibition Changes for C171egip			
Item	**What is changing**	**What is the reason for the change**	**Related submission/s**
1	**Clause 74.02 Further Strategic Work, delete the following:** *Review and update the flooding mapping, schedules and planning policy* **AND** *Consider planning policy implications of climate change, sea level rise and coastal inundation as part of the update of the planning scheme flooding controls* . **Replace with:** *In association with the relevant catchment management authority, review and update flood mapping, schedules and policy using best available data and with consideration of climate change, sea level rise and increased rainfall intensity.*	The West Gippsland Catchment Management Authority (WGCMA) suggested this change within their submission.	Submission 15
2	**Remove proposed Environmental Audit Overlay from 25 Waterview Road.**	The environmental assessment report has been prepared by Ewers Consulting which confirms that the land has been assessed post clearance of debris and that the contamination risk is now low. Council is satisfied that the obligations under Ministerial Direction No. 1 have been met and that the EAO is no longer required.	Nil
3	**Following on from item 2, do not amend Clause 72.03 What does this planning scheme consist of?**	As the EAO is not being applied, the map reference does not need to be added to Clause 72.03	Nil
4	**Following on from item 2, amend the Instruction Sheet and Explanatory Report to delete references to the EAO.**	As the EAO is not being applied, the planning scheme documents should not refer to it.	Nil

Planning and Environment Act 1987

EAST GIPPSLAND PLANNING SCHEME

AMENDMENT C171egip

EXPLANATORY REPORT

Overview

This amendment proposes to implement the *Eagle Point Structure Plan* (EPSP) (2019) into the East Gippsland Planning Scheme by updating the Municipal Planning Strategy and Planning Policy Framework, rezoning land, introducing new zone schedules, amending the extent of the Significant Landscape Overlay Schedule 2 and inserting the EPSP as a Background Document.

Where you may inspect this amendment

The amendment can be inspected free of charge at the East Gippsland Shire Council website at www.eastgippsland.vic.gov.au.

The amendment is available for public inspection, free of charge, during office hours (9am to 5pm unless specified below) at the following places:

- Corporate Centre, 273 Main Street, Bairnsdale VIC 3875
- Service Centre, 18 Mechanics Lane, Lakes Entrance VIC 3909
- Service Centre, 70 Maurice Avenue, Mallacoota VIC 3892 (Monday-Tuesday 10am-2pm and Wednesday-Friday 2pm-5pm)
- Service Centre, 179 Day Avenue, Omeo VIC 3898 (closed 12.30-1.30pm)
- Service Centre, 1 Ruskin Street, Orbost VIC 3888
- Service Centre, 55 The Esplanade, Paynesville VIC 3880
- Bendoc Outreach Centre, 18 Dowling Street, Bendoc, VIC 3888 (Monday-Tuesday 8.30am - 3.00pm and every second Wednesday 8.30am-3.00pm).
- Buchan Neighbourhood House, 6 Centre Road, Buchan, VIC 3885 (9.00am - 4.30pm).
- Cann River Community Centre, Princes Highway, Cann River, VIC 3890 (Monday-Friday 10.00am - 4.30pm and Saturday-Sunday 10.00am-2.00pm).

The amendment can also be inspected free of charge at the Department of Transport and Planning website at http://www.planning.vic.gov.au/public-inspection or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by 31 January 2025.

A submission must be sent:

- Strategic Planning Team, East Gippsland Shire Council:

  In person: 273 Main Street, Bairnsdale VIC

  55 The Esplanade, Paynesville VIC

  By post: PO Box 1618, Bairnsdale VIC 3875

  By Email: strategicplanning@egipps.vic.gov.au

Panel hearing dates

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

Directions hearing: week commencing 5 May 2025

Panel hearing: week commencing 23 June 2025

Details of the amendment

Who is the planning authority?

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

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

Land affected by the amendment

The amendment applies to land within Eagle Point as shown in Figure 1 and as listed in the Mapping Reference Table at **Attachment 1**. The amendment also applies to specific properties between the southeast settlement boundary, Paynesville Road and Waterview Road relating to the extension of the Significant Landscape Overlay Schedule 2 (as shown outlined in green in Figure 1).

Figure 1. Land generally affected by the amendment

What the amendment does

The amendment implements the findings of the *Eagle Point Structure Plan* (2019) into the East Gippsland Planning Scheme.

Specifically, the amendment:

- Amends clause 02.03-1 of the Municipal Planning Strategy to update the strategic direction for Eagle Point.
- Introduces a new clause 11.03-4L-12 (Eagle Point) to the Planning Policy Framework and a new Eagle Point Framework Plan to include the relevant strategies of the EPSP.
- Rezones land in Eagle Point in accordance with the recommendations of the EPSP, as follows:
    - Rezone land at Mathiesons Road and Forge Creek Road from Low Density Residential Zone to Rural Living Zone Schedule 1.
    - Rezone land at 30 Forge Creek Road from General Residential Zone to Low Density Residential Zone Schedule 2.
    - Rezone land at 25 Waterview Road from Farming Zone to General Residential Zone Schedule 2.
- Applies Schedule 2 to Clause 32.03 of the Low Density Residential Zone to all land in the Low Density Residential Zone with a minimum subdivision area of 4,000 square metres. A minimum subdivision area of 2,000 square metres is identified for land at 1, 3, 4, 5, 6, 7, 8 Morecroft Rise; 1007A and 1007B Paynesville Road; 1005 Paynesville Road and 76 Eagle Point Road.
- Applies Schedule 2 to clause 32.08 of the General Residential Zone to provide neighbourhood character objectives for all land in the existing GRZ (except 30 Forge Creek Road).
- Extends Schedule 2 to clause 42.03 of the Significant Landscape Overlay to part of land in the Farming Zone at 25 Waterview Road.
- Amends the Schedule to Clause 72.08 (Background Documents) to insert the *Eagle Point Structure Plan* (2019) as a Background Document.

- Amends the Schedule to Clause 74.02 (Further strategic work) to remove reference to the preparation of a planning scheme amendment to implement the *Eagle Point Structure Plan* (2019).

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to facilitate the implementation of the *Eagle Point Structure Plan* (2019).

Strategic Objective 2 of the *East Gippsland Shire Council – Council Plan 2021-2025* is for 'Planning and infrastructure that enriches the environment, lifestyle, and character of our communities'. To meet this strategic objective Council is responsible for the identification of an adequate supply of suitably zoned land across the municipality and to provide clear direction to achieve high quality development outcomes.

The EPSP provides a vision that identifies the role and character of the town and a clear framework and associated strategies to encourage development in locations that protect and enhance its character and natural features. Implementation of the EPSP via this planning scheme amendment will enable informed decision making in relation to diverse housing opportunities which protect and enhance character and lifestyle attributes and augment Eagle Point's strong sense of community connectedness.

Preparation of the EPSP included a strategic planning process with extensive engagement with the community, relevant stakeholders, landowners, and agencies. The EPSP also draws on detailed analysis of background information including the assessment of infrastructure and servicing; land supply and demand; ecology and biodiversity; natural hazards; socio-economic data; cultural heritage; and community infrastructure.

The EPSP builds on the previous strategic land use policy direction provided by the *Eagle Point Urban Design Framework* (2007). The timing for implementation of the EPSP via this planning scheme amendment is critical to enable Council to appropriately respond to increased demand for residential development in Eagle Point. Updated policy direction will provide a robust decision making basis for Council to balance the increased demand for residential development with the character, community and environmental assets of Eagle Point.

The amendment will achieve net community benefit.

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

The objectives of planning in Victoria, contained in Section 4(1) of the *Planning and Environment Act 1987*, include:

a) *To provide for the fair, orderly, economic and sustainable use and development of land.*

b) *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
c) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
d) *To facilitate development in accordance with the objectives set out in Section 4(1).*
e) *To balance the present and future interests of all Victorians.*

The amendment implements the objectives of planning in Victoria by guiding the sustainable growth of Eagle Point in considered locations. The amendment seeks to provide a secure, pleasant, efficient, and safe working, living and recreational environment for the Eagle Point community, all Victorians and visitors to Victoria. The EPSP provides a robust basis for strategic direction within the Municipal Planning Strategy and Planning Policy Framework of the East Gippsland Planning Scheme, ensuring that there is a fair, orderly, economic and sustainable use and development of land.

The amendment is respectful of the character and values of Eagle Point and ensures the qualities that make it a special place to live, and visit are protected, whilst harnessing opportunities that are beneficial for the township, Gippsland region and Victoria. The amendment also seeks to protect the integrity of the Gippsland Lakes Coastal Park by protecting significant landscape and environmental qualities.

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

The amendment seeks to balance carefully considered growth opportunities with the unique character and environmental qualities of Eagle Point and has appropriately addressed any environmental, social and economic effects that may result from future use and development.

Environmental Effects

The amendment addresses any potential environmental effects by considering relevant topographical, ecological and hydrological systems to determine the appropriate locations for residential, rural residential, recreational and community focused land uses. The amendment has considered relevant environmental risks associated with flooding (including sea level rise) and bushfire.

The amendment provides strategic direction regarding the environmental qualities of Eagle Point and how these can be protected and enhanced. This includes the identification of sites of environmental significance including the Macleod Morass Reserve, Eagle Point Foreshore Reserve and Eagle Point Flora and Fauna Reserve; sites of landscape significance; open space and native vegetation assets; and major watercourses.

Importantly the amendment seeks to introduce minimum lot sizes for residential land in sensitive environmental locations that is commensurate the environmental quality and capacity of the land. The amendment also seeks to enhance connectivity between sites of environmental significance to enhance biodiversity outcomes as well as provide passive recreation and tourism opportunities.

Where residential development opportunities are identified, the EPSP provides clear direction regarding the form of future development, taking into account environmental constraints and native vegetation retention.

The amendment seeks to introduce an updated settlement boundary that offers long term protection for environmental assets and manages potential impact on surrounding agricultural land.

Social Effects

The amendment is considered to have a positive social effect by implementing the findings of the EPSP which responds to the community's values and social needs.

The amendment provides a clear land use planning and development framework for the township. It will facilitate greater housing choice and diversity through the application of appropriate residential and rural residential zones, such as General Residential Zone Schedule 2, Low Density Residential Zone Schedule 2 and Rural Living Zone Schedule 1. The EPSP also acknowledges the demographic profile of the town by supporting innovative aged care housing opportunities.

The EPSP has a focus on providing well designed, liveable residential communities that protect and enhance the natural environment and facilitate a diverse open space network with a range of passive recreation opportunities.

The EPSP addresses the lack of a defined town centre by recommending a formalised Community Precinct to provide a high quality community focal point for the town. The aim of the Community Precinct is to ensure accessible, well connected community infrastructure to enhance community connectedness, amenity and wellbeing. The Community Precinct will also offer enhanced facilities for visitors to Eagle Point.

The EPSP has also had regard to, and complements, the Eagle Point Foreshore Management Plan. The proposed Foreshore Precinct supports a hub of outdoor recreational opportunities and activities which Eagle Point residents and visitors can utilise. The Foreshore Precinct will contribute to the health and wellbeing of residents, providing for a community meeting point in conjunction with the Community Precinct.

The EPSP has also considered built and cultural heritage, including Aboriginal Cultural Heritage, when developing its recommendations.

Economic Effects

The amendment is considered to have a beneficial economic effect by providing a clear land use planning and development framework for Eagle Point. The EPSP acknowledges the proximity of Eagle Point to the larger townships of Bairnsdale and Paynesville and clearly articulates the role of Eagle Point as a small village where residents and tourists will access these larger towns for services, facilities and employment opportunities. This role is reinforced through the application of a refined settlement boundary.

The EPSP acknowledges the role of tourism for the township and the wider Gippsland Lakes Coastal Park. The amendment seeks to protect and enhance the quiet, natural and coastal character of Eagle Point as well as enhance community and tourism infrastructure to leverage economic opportunities for the town. These

opportunities are focused on the Community and Foreshore Precincts identified in the EPSP.

The amendment will facilitate residential development in appropriate locations where opportunities have been identified and promote efficient use of existing urban infrastructure.

Does the amendment address relevant bushfire risk?

A Bushfire Hazard Site Assessment has been undertaken to inform the recommendations of the EPSP. An assessment against Clause 13.02-1S (Bushfire Planning) has been undertaken as a part of a Bushfire Risk Peer Review.

The CFA have been consulted throughout the development of the EPSP and their feedback incorporated into the recommendations. Further consultation will be undertaken as part of the amendment process. The amendment is also consistent with the *Design Guidelines –Settlement Planning at the Bushfire Interface* (DELWP 2020).

The EPSP does not locate new sensitive uses and development in areas known to present higher bushfire risk and rezoning has been directed to land where bushfire risk can be managed appropriately.

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

The amendment is consistent with:

- *Ministerial Direction - The Form and Content of Planning Schemes*.
- *Ministerial Direction 1 – Potentially Contaminated Land*. The amendment includes the rezoning of land from Farming Zone to General Residential Zone which allows for sensitive uses. Appropriate investigations have been undertaken to satisfy Council that the land at 25 Waterview Road that is proposed to be rezoned is not potentially contaminated.
- *Ministerial Direction No. 11 – Strategic Assessment of Amendments*. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.
- *Ministerial Direction No.13 – Managing Coastal Hazards and the Coastal Impacts of Climate Change*. The amendment has considered the current and future risks associated with coastal hazards and the impacts of climate change and is consistent with State planning policy set out in the Planning Policy Framework.
- *Ministerial Direction No. 15 - The Planning Scheme Amendment Process*. The amendment process will be undertaken within the set timeframes, unless an exemption to comply is granted by the Minister for Planning.

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

The amendment directly supports the following Clauses of the Planning Policy Framework:

Clause 11 – Settlement

Clause 11.01-1S (Settlement), Clause 11.01-1R (Settlement – Gippsland) and Clause 11.01-1L-01 (East Gippsland settlements). Promote sustainable growth and development and deliver choice and opportunity through a network of settlements.

Clause 11.02-1S (Supply of urban land) and 11.02-2S (Structure Planning). Ensure a sufficient supply of land for uses, including residential, recreational and community land uses; and facilitate the orderly development of urban areas.

Clause 11.03-4S (Coastal settlement) and 11.03-6S (Regional and local places). To plan for sustainable coastal development and facilitate integrated place-based planning.

The amendment supports the relevant policies at Clause 11 by supporting Eagle Point's sustainable growth. The amendment implements local policies that consider the town's distinctive coastal characteristics and responds to the needs of the community through the provision of housing, recreation, open spaces, and community infrastructure.

Clause 12 – Environmental and Landscape Values

Clause 12.01-1S (Protection of biodiversity) and Clause 12.01-2S (Native vegetation management). Protect and conserve Victoria's biodiversity and native vegetation. Ensure no net loss to biodiversity from the removal of native vegetation.

Clause 12.02-1S (Protection of the marine and coastal environment) and Clause 12.02-1L (protection of coastal areas). Protect and enhance the marine and coastal environment.

Clause 12.03-1S (River corridors, waterways, lakes and wetlands), Clause 12.03.1R (High value water body assets – Gippsland) and 12.03-1L (Waterways). Protect and enhance river corridors waterways, lakes and wetlands. Minimise the impact of urban growth on the Gippsland Lakes.

Clause 12.05-1S (Environmentally sensitive areas) and Clause 12.05-1L (Landscapes). Protect, conserve and enhance environmentally sensitive areas, landscapes and open spaces.

The amendment supports the relevant policies at Clause 12 by implementing policy direction to protect biodiversity and native vegetation; protect waterways via drainage and stormwater management having regard to its close physical relationship to the Gippsland Lakes system; enhance open space linkages; and ensure development responds to Eagle Point's coastal character. Application of the Significant Landscape Overlay Schedule 2 will protect views to and from Eagle Point Bay.

Clause 13 - Environmental Risks and Amenity

Clause 13.01-S (Natural hazards and climate change) and 13.01-2S (Coastal inundation and erosion). Minimise the impact of natural hazards and adapt to climate change risks, including coastal hazard risk, via risk-based planning.

Clause 13.02-1S (Bushfire planning). Strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 13.04-1S (Contaminated and potentially contaminated land). Ensure contaminated or potentially contaminated land is or will be suitable for the proposed use, prior to the commencement of any use or development.

The amendment supports the relevant strategies at Clause 13 by implementing policy direction that locates new sensitive uses and development away from areas known to be affected by inundation or areas which present higher bushfire risk. Proposed zoning has been directed to elevated land, away from likely flood areas and where bushfire risk can be managed appropriately. A Bushfire Hazard Assessment and associated peer review has been undertaken to inform the recommendations of the EPSP.

Clause 14 - Natural Resource Management

Clause 14.01-1S and Clause 14.1-1L (Protection of agricultural land). Protect the state's agricultural base by preserving productive farmland.

Clause 14.02-1S (Catchment planning and management). Protect and restore catchments, water bodies, groundwater, and the marine environment.

The amendment supports the relevant policies at Clause 14 by implementing a township boundary around Eagle Point to protect surrounding farmland and areas of environmental significance. Policy direction also ensures that localised drainage will be addressed, and storm water will be appropriately treated to protect the sensitive lakes system environment for future generations.

Clause 15 – Built Environment and Heritage

Clause 15.01-1S (Urban design). Create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-2S (Building design). Achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Clause 15.01-3S (Subdivision design). Ensure the design of subdivisions achieve attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 15.01-5S (Healthy neighbourhoods). Achieve neighbourhoods that foster healthy and active living and community wellbeing.

Clause 15.01-5L (Neighbourhood character). Recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.01-6S (Design of rural areas). Ensure development respects valued areas of rural character.

Clause 15.02-1S (Energy and resource efficiency). Encourage land use and development that is energy and resource-efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 15.03-1S (Heritage conservation) seeks to ensure the conservation of places of heritage significance.

Clause 15.03-2S (Aboriginal culture heritage). Ensure the protection and conservation of places of Aboriginal cultural heritage significance.

The amendment supports the relevant policies at Clause 15 by implementing policy direction aimed at managing residential change and town character. The EPSP contains a suite of updated planning controls to positively influence the relationship between the natural environment, water, landscape setting, housing style and development patterns which give Eagle Point its informal village character.

The planning controls include changes to the Rural Living Zone, Low Density Residential Zone and General Residential Zone as well as the implementation of updated zone schedules that define subdivision and development design objectives to achieve preferred neighbourhood character outcomes.

The amendment is also informed by a Cultural Heritage Assessment and encourages the protection of cultural heritage sites and places.

Clause 16 – Housing

Clause 16.01-1S (Housing supply). Facilitate well-located, integrated and diverse housing that meets community needs.

Clause 16.01-2S (Housing affordability). Deliver more affordable housing closer to jobs, transport and services.

Clause 16.01-3S (Rural residential development) and Clause 16.01-3L-01 (Rural living). Identify land suitable for rural residential development.

Clause 16.01-5S (Residential aged care facilities) and Clause 16.01-5L (Residential aged care). Facilitate the development of well-designed and appropriately located residential aged care facilities.

The amendment supports the policy at Clause 16 facilitating diverse housing types, including areas of future growth, and rural residential development and encourages innovative aged care accommodation in a manner which responds to the community needs and the character of Eagle Point. This is achieved through the application of Rural Living Zone, Low Density Residential Zone and General Residential Zone and updated zone schedules. The amendment improves housing affordability by ensuring that residential supply continues to be sufficient to meet demand.

Clause 17 - Economic Development

Clause 17.04-1S (Tourism). Encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

17.04-1L (Tourism – Shire). Develop and promote East Gippsland as a major tourist destination.

The EPSP acknowledges the location of the town between the larger townships of Bairnsdale and Paynesville, which are both nominated for growth and change. Eagle Point residents and visitors generally access these towns for their services, facilities, and employment opportunities. The amendment supports the policy at Clause 17 by reinforcing the importance of the Community and Foreshore Precincts as focal points

for the town. These precincts support and enhance nature-based tourism and recreational opportunities.

The amendment also seeks to maximise the economic, social and cultural benefits of the Gippsland Lakes Coastal Park by protecting significant environmental and landscape qualities.

Clause 18 - Transport

Clause 18.01-1S (Land use and transport integration). Facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

Clause 18.01-3S (Sustainable and safe transport) and Clause 18.01-3L (Sustainable transport). Facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

Clause 18.02-1S (Walking). Facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

Clause 18.02-2S (Cycling). Facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling.

Clause 18.02-3S (Public transport). Facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.

Clause 18.02-4S (Roads) and Clause 18.02.4L-01 (Road). Facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

The amendment supports Clause 18 by enhancing road and pedestrian/cycle path connections to better integrate residential neighbourhoods, providing access to the network of open spaces, community precinct, foreshore precinct and other destinations within Eagle Point. The EPSP provides detailed road cross sections to guide the design of safe and sustainable road and path networks.

The EPSP also promotes collaboration with VicRoads and Public Transport Victoria to improve public transport accessibility and enhance road safety via construction of a pedestrian refuge at Paynesville Road.

Clause 19 – Infrastructure

Clause 19.02-2S and Clause 19.02-2L (Education facilities). Assist in integrating education and early childhood facilities with local and regional communities.

Clause 19.02-3S (Cultural facilities). Develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Clause 19.02-4S (Social and cultural infrastructure). Provide fairer distribution of and access to, social and cultural infrastructure.

Clause 19.02-6S (Open space). Establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Clause 19.03-2S (Infrastructure design and provision) and Clause 19.03-2L (Infrastructure, planning, design and construction). Provide timely, efficient and cost-effective development infrastructure that meets the community's need.

Clause 19.03-3S and Clause 19.03-3L (Integrated water management) seeks to sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

The EPSP has considered infrastructure and capacity of services, including reticulated services, drainage, electricity, gas and telecommunications and seeks to ensure holistic infrastructure planning. The amendment supports improvements to drainage and stormwater management as part of an integrated water management system to mitigate flood risk and protect sensitive environments.

The amendment proposes the implementation of appropriate minimum lot sizes via schedules to the Rural Living Zone and Low-Density Residential Zone land based on the environmental capacity of the area.

The amendment supports Clause 19 through identification of a Community Precinct and Foreshore Precinct that contain community infrastructure including sporting, recreational and education facilities (Eagle Point Primary School) to meet the needs of residents and visitors. Access to the Precincts are supported via an enhanced open space network which includes the use of drainage reserves for passive recreation and access.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment seeks to update the Municipal Planning Strategy (MPS) by implementing the recommendations of the *Eagle Point Structure Plan* (2019). The vision statement for Eagle Point states that Eagle Point is not identified for substantial change. Where some change is identified as appropriate, it will be sustainable and properly managed to the benefit of the community and will protect and enhance the town's informal character and natural environment.

Consistent with the Eagle Point vision, Council's strategic directions for Coastal settlements at Clause 02.03-1 will be updated to identify Eagle Point as a Coastal settlement providing minor expansion of existing areas.

The EPSP is based on detailed analysis and extensive community engagement. The proposed changes are consistent with strategic directions of the MPS, in particular Clause 02.03-2 (Environmental and landscape values), Clause 02.03-3 (Environmental risk and amenity) and Clause 02.03-5 (Built environment and heritage).

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

The amendment makes proper use of the Victorian Planning Provisions (VPP) by providing local content to support State Policy in the Planning Policy Framework (PPF). The amendment is based on direction from the EPSP and includes an updated Eagle Point Framework Plan. The PPF is the most appropriate part of the Planning Scheme to include this policy direction.

The amendment also uses appropriate zones, overlays and schedules as per the EPSP, as follows:

- The amendment applies and refines the Rural Living Zone Schedule 1 (RLZ1), Low Density Residential Zone Schedule 2 (LDRZ2) and General Residential Zone Schedule 2 (GRZ2) to preserve and enhance the coastal character of Eagle Point, address environmental values and hazards and reflect the capacity of the land to accommodate residential development.
- The amendment extends the Significant Landscape Overlay Schedule 2 (SLO2) to protect views of the Gippsland Lakes Coastal Park.

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

The following agencies have been consulted in the preparation of the Eagle Point Structure Plan:

- Department of Energy, Environment and Climate Action
- Department of Transport and Planning.
- Country Fire Authority.
- Department of Transport (Regional Roads Victoria).
- East Gippsland Catchment Management Authority.
- East Gippsland Water.
- Environment Protection Agency.
- Gunaikurnai Land and Waters Council Aboriginal Corporation (GLaWAC)
- SP Ausnet.
- APA Gas.
- Telstra.

Views of relevant agencies will again be sought as part of the formal exhibition process for this amendment.

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

The amendment addresses the requirements of the *Transport Integration Act* 2010.

The amendment is consistent with the transport system objectives of the Act, in particular those contained in Section 11 – Integration of transport and land use. This Section requires a focus on maximising access to residences, employment, services and recreation, and reducing the need for private motor vehicle transport and the extent of travel.

The EPSP recommends enhanced pedestrian safety measures to access public transport services on the Paynesville Road as well as improved bus routes within the town.

Resource and administrative costs

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

The amendment will have a negligible impact on East Gippsland Shire Council's resource and administrative costs. Changes to zone and overlay provisions will enhance the efficiency of decision making processes.

ATTACHMENT 1 - Mapping reference table

Location	Land/ Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Eagle Point	All residential land in Eagle Point except 30 Forge Creek Road	C171egipp Map No. 50ZN & 51ZN	Numerous	Rezone from GRZ to GRZ2	Nil	Nil
Eagle Point	All land in the GRZ bounded by Forge Creek Road, Tyers Creek and Eagle Point Flora and Fauna Reserve	C171egipp Map No. 50ZN & 51ZN	30 Forge Creek Road	Rezone from GRZ to LDRZ2	Nil	Nil
Eagle Point	All LDRZ land.	C171egipp Map No. 50ZN & 51ZN	Numerous	Rezone from LDRZ to LDRZ2	Nil	Nil
Eagle Point	All land in the LDRZ between Forge Creek Road, Macleod Morass Wildlife Reserve, and Paynesville Road	C171egipp Map No. 50ZN & 51ZN	Numerous	Rezone from LDRZ to RLZ schedule 1	Nil	Nil
Eagle Point	Land in the FZ between Paynesville Road and Bay Road	C171egipp Map No. 50SLO	25 Waterview Road	Part - Rezone from FZ to GRZ2	Part - Significant Landscape Overlay schedule 2.	Nil

Planning and Environment Act 1987

EAST GIPPSLAND PLANNING SCHEME

AMENDMENT C171egipp

INSTRUCTION SHEET

The planning authority for this amendment is the East Gippsland Shire Council.

The East Gippsland Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 2 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map Nos 50ZN and 51ZN in the manner shown on the attached map marked “East Gippsland Planning Scheme, Amendment C171egipp”.

Overlay Maps

2. Amend Planning Scheme Map Nos. 50SLO and 51SLO in the manner shown on the 1 attached map marked “East Gippsland Planning Scheme, Amendment C171egipp”.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In **Purpose and Vision** – amend Clause 02.03-1 in the form of the attached document.

4. In **Planning Policy Framework**- insert new Clause 11.03-4L-12 in the form of the attached document.

5. In **Zones** –Clause 32.03, insert a new Schedule 2 in the form of the attached document.

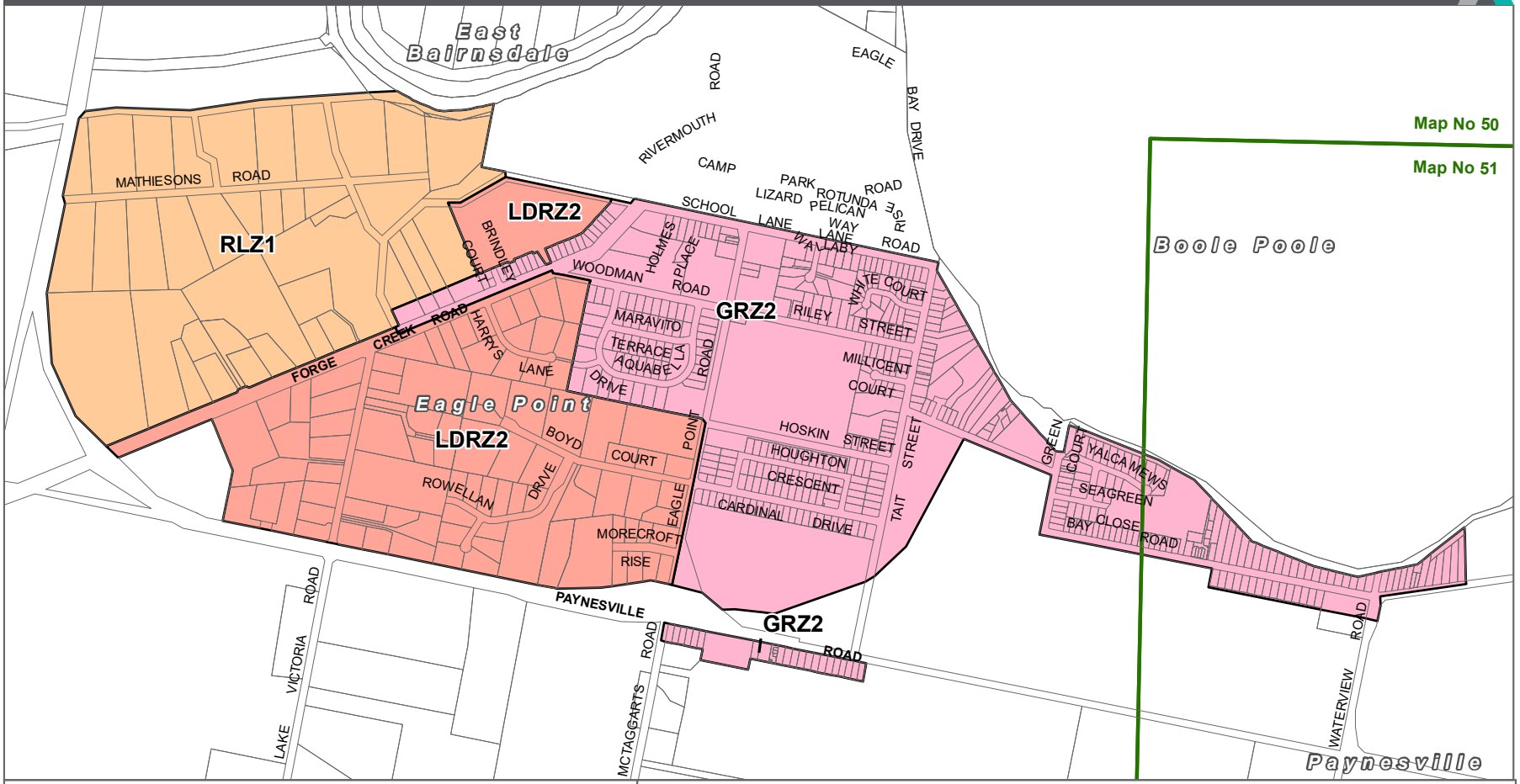
6. In **Zones** –Clause 32.08, insert a new Schedule 2 in the form of the attached document.

7. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

8. In **Operational Provisions** – Clause 74.02, replace the Schedule with a new Schedule in the form of the attached document.

End of document

EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C171egip



LEGEND

- GRZ - General Residential Zone
- LDRZ - Low Density Residential Zone
- RLZ - Rural Living Zone
- Local Government Area

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Transport and Planning 2024

Planning Group
Print Date: 09/07/2024
Amendment Version: 2

0 350 700
Metres

VICTORIA State Government | Department of Transport and Planning

Part of Planning Scheme Maps 50 & 51

001

EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C171egip

LEGEND

SLO2 - Significant Landscape Overlay - Schedule 2

Local Government Area

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Transport and Planning 2024

Planning Group
Print Date: 27/06/2024
Amendment Version: 1

0 240 480
Metres

Part of Planning Scheme Maps 50SLO & 51SLO

VICTORIA State Government | Department of Transport and Planning

002

02.03 STRATEGIC DIRECTIONS

--/--/----
Proposed C171egip

02.03-1 Settlement and housing

--/--/----
Proposed C171egip

Growth area towns

Bairnsdale is the gateway to East Gippsland and is the largest town in the Shire providing major commercial, retail, educational and public-sector services. **Paynesville**, located approximately 16 kilometres south of Bairnsdale, has grown rapidly in recent times, as a 'dormitory' town and a retirement area. It is a service centre supporting the local community as well as the neighbouring settlements of Eagle Point and Raymond Island. **Lakes Entrance** is a major tourist and retirement destination, which has a strong commercial fishing industry and significant land for future development.

Council's strategic directions for the growth area towns are:

- Encouraging population growth and development on fully serviced residential land in the growth area towns.
- Encouraging a range of housing types and styles including higher density dwellings in town centres.
- Encouraging development of East Gippsland as a retirement destination.
- Reinforcing **Bairnsdale** as the main commercial, retail and service centre for East Gippsland.
- Expanding **Paynesville** as a residential and business centre focused around boating, tourism and healthy living, with access to walking and riding trails, passive and active recreation.
- Enhancing **Lakes Entrance's** role as the largest coastal town in the Gippsland area, with a focus on tourism, commercial fishing and recreational boating activities.

Coastal settlements

Council's strategic approach to managing development in 13 coastal settlements based is on the protection of high value environmental resources within or adjoining settlements, the nature and protection of local character and the capacity of infrastructure.

Lake Tyers Beach is an attractive coastal community with high environmental values providing for permanent residents and holiday makers.

Eagle Point is a small consolidated town distinct from Paynesville, characterised by low scale development, and a landscape setting influenced by the natural environment and the lake foreshore.

Mallacoota, in the far east of the Shire, is a very popular holiday location and a retirement area, a base for eco-tourism and the centre of the abalone industry in eastern Victoria.

Marlo is a seaside holiday town looking out towards the river and ocean.

The coastal resort town of **Nungurner** is a small residential lakeside hamlet closely related to, but distinctly separate from Metung.

Metung is a key destination for visitors to the Gippsland Lakes system and a significant boating hub with a strong residential community.

Tambo Bluff is a low density residential area.

Raymond Island is a unique village and rural residential locality set within the heart of the Gippsland Lakes.

Newlands Arm is a small consolidated town distinct from, and dependant on Paynesville for most local services and, serving as both a permanent resident settlement and a holiday recreation destination.

Gipsy Point is a small bushland retreat with a residential community and some visitor accommodation.

Bemm River is a remote fishing hamlet, bordered by public parks and with access to Sydenham Inlet.

Council's strategic directions for Coastal settlements are:

- Providing significant expansion of existing areas in Paynesville and Lake Tyers Beach.
- Providing minor expansion of existing areas in Lakes Entrance, Mallacoota, Marlo, Eagle Point and Nungurner.
- Expanding settlement within existing areas of Metung, Tambo Bluff, Raymond Island, Newlands Arm, Gipsy Point and Bemm River.

Rural settlements

East Bairnsdale - Lucknow is a residential community, a significant employment and industry area and a complementary activity area to Bairnsdale's central business district.

Orbost is a large rural service centre, with a population of 2,150 located on the Snowy River.

Omeo is service town in the Highland sub-region, with a population of about 250 providing retail, administration, tourist services for a large rural area.

Lindenow is a rural township located west of Bairnsdale, with a population of around 300 and a district population of about 3000.

Bruthen is ideally located for rural-residential living, being 25 kilometres north-east of Bairnsdale and 30 kilometres north west of Lakes Entrance.

Mossiface and **Sarsfield** are small settlements near Bruthen, which contain a range of facilities, including the historic Mossiface Hop kilns.

Buchan is a small town located approximately 30 kilometres north of Nowa Nowa with an economy that depends on timber mills, the tourist industry, limestone quarrying and pastoral activities.

The Twin Rivers region is located to the east of Bairnsdale and includes the three small towns of **Nicholson**, **Johnsonville** and **Swan Reach**. The smaller settlements of **Bumberrah** and **Tambo Upper** also sit within the Twin Rivers region.

Ocean Grange is a small settlement on the Barrier south of Paynesville. There are also several other small clusters of dwellings along the Barrier between Ocean Grange and the Entrance.

Tambo Bay is a small residential community situated at the mouth of the Tambo River with full reticulated services.

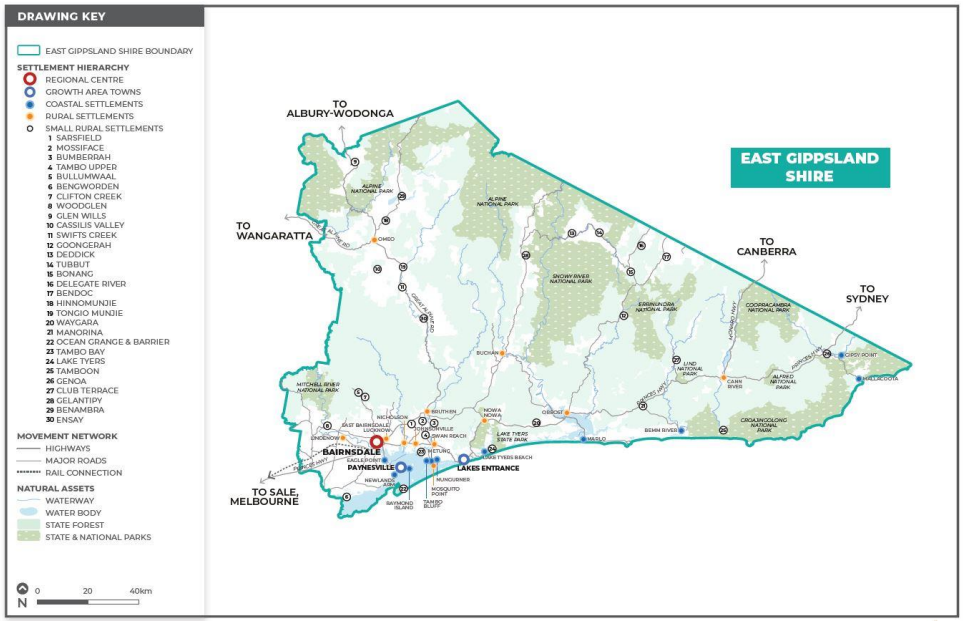
Mosquito Point is a small holiday settlement on the Boole Poole Peninsula on the eastern and southern shores of Bancroft Bay.

Lake Tyers Aboriginal Trust occupies a peninsula in Lake Tyers and is managed on a co-operative basis by the Aboriginal community.

Council's strategic directions for rural settlements are:

- Consolidating development within existing town boundaries, using infill development, before further expansion of the towns.
- Providing for further subdivision where the land has capacity to absorb wastes, native vegetation is protected, and minimal impact is made on adjoining public land.
- Preserving the separation between Nicholson, Johnsonville and Swan Reach.

East Gippsland Settlement Hierarchy Plan



02.03-2 Environmental and landscape values

25/11/2022
C162egip

East Gippsland is a reservoir of biodiversity in south eastern Australia, due to the relatively unspoilt nature of its native vegetation. It is the only place in temperate mainland Australia where large tracts of native vegetation are intact from the Alps to the ocean. Council has an important custodial role in relation to East Gippsland's unique biodiversity and large tracts of intact native vegetation.

Large areas of East Gippsland, including Gippsland Lakes and surrounds, are classified by the National Trust as landscapes of special regional significance. Bruthen and its surrounds are of high cultural landscape significance and the area is currently being assessed by the National Trust of Australia (Victoria).

The Colquhoun area is significant because of the remnant vegetation types existing throughout, particularly along the lower slopes and valley bottoms where extensive lines of Warm Temperate Rainforest remain. The remnant vegetation provides important refuge and habitat areas for fauna and provides good corridor habitat for wildlife. The remnant vegetation also plays a key role in minimising erosion.

Council's strategic directions for environmental and landscape values are:

- Restoring and maintaining the biodiversity of our rivers, waterways, lakes and wetlands.
- Protecting areas of environmental, landscape, heritage or scenic value, particularly coastal/lakes areas; the Nicholson River; the Tambo River; Princes Highway; ridgelines and roadside vegetation.
- Balancing residential, business and tourist development with wildlife corridors and areas of rural or natural landscape.
- Protecting sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values.

02.03-3 Environmental risks and amenity

25/11/2022
C162egip

Council plays an important role in managing and mitigating the environmental risks associated with flood plains, erosion, bushfire and salinity. The extent of forested areas and the species composition of forests leads to particularly high risks of bushfire, relative to many other areas of Victoria.

The impacts of climate-induced sea level rise, combined with more severe storm surges is likely to be significant for coastal communities.

Councils strategic directions for environmental risk are:

- Prioritising the planning and management responses and adaptation strategies to vulnerable areas, such as protect, redesign, rebuild, elevate, relocate and retreat.
- Assessing the impacts of climate-induced sea level rise, combined with more severe storm surges.
- Minimising land degradation and tree decline in some rural areas.
- Using geotechnical risk assessments in evaluating proposals for use and development in erosion risk areas.

02.03-4 Natural resource management

25/11/2022
C162egip

The region's considerable natural resources include agriculture, forestry and timber, water and minerals.

Special Water Supply Catchments for domestic water supply on the southern side of the Great Dividing Range have been identified and need to be protected.

The Lindenow district covers some of the most productive agricultural land in East Gippsland and sustains a very diverse agricultural industry. Lindenow is recognised for producing top quality vegetables for the local and national market as well as high grade fine wool and dairy products.

The Mitchell River flats have a small minimum lot size for subdivision, in order to facilitate restructuring of holdings for agricultural purposes. Development of dwellings will generally require a permit, to minimise the impact of non-agricultural uses on valuable land and the operations being carried out on it.

Council's strategic directions for natural resource management are:

- Protecting water quality and quantity, particularly in water catchments used for domestic supply.
- Providing opportunities to add value to agricultural and timber products.
- Protecting high quality agricultural land from inappropriate development.
- Avoiding small lot subdivision of rural land.
- Providing for small lots where there is a lack of availability of undeveloped lots of the proposed size range in the area.
- Controlling the release of small-lot rural land and rezoning at a rate that ensures that land released does not compete with fully serviced lots in urban centres.
- Encouraging exploration for and development of mineral resources in appropriate areas.

02.03-5 Built environment and heritage

25/11/2022
C162egip

East Gippsland is renowned for its natural beauty that will be linked to the built environment. There are a number of buildings and places of potential heritage significance throughout the municipality.

Council's strategic directions for built environment and heritage are:

- Protecting natural and cultural heritage.
- Maintaining the human scale, village feel and character of Paynesville, particularly in the town centre.
- Upgrading the townscapes of Lakes Entrance and Paynesville.

02.03-6 Economic development

25/11/2022
C162egip

Bairnsdale is the main commercial, retail and public-sector administration centre for East Gippsland. The core retail centre from Wood Street to Pyke Street (between Macleod and Riverine Streets) is the major regional commercial centre. The Paynesville Town Centre is the focus of a village like coastal settlement.

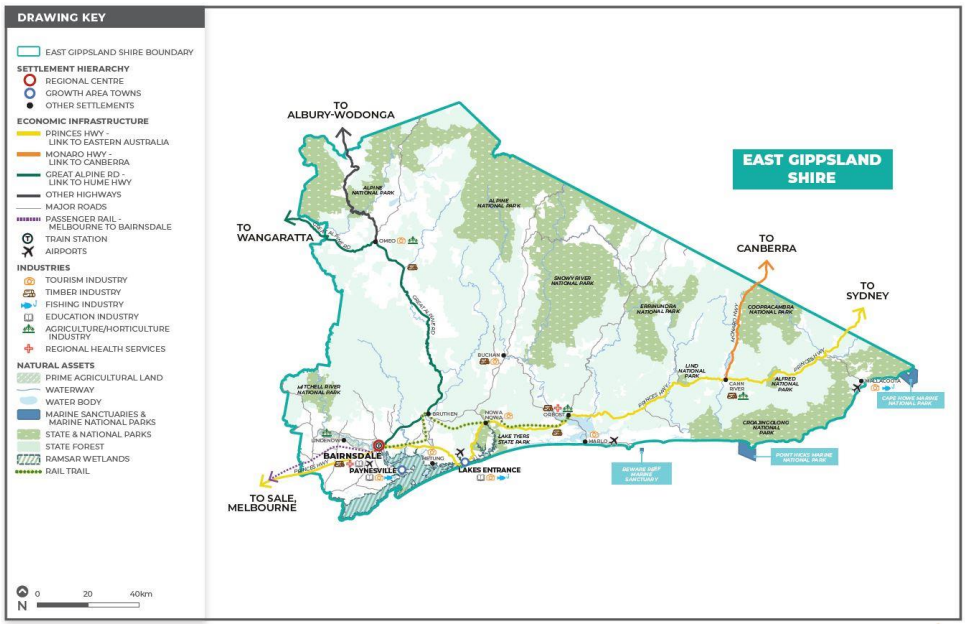
Traditional major industries within the region include agriculture, forestry, tourism, hospitality, fishing, timber, education and health care services. Emerging industries are food manufacturing and processing based on dairy, vegetables and meat production. The region is also recognised as having significant mining potential.

The tourism industry attracted over 1.3 million visitors in 2017-18, contributing over $325 million to the regional economy. East Gippsland is seen as a region with great tourism potential based on its nature-based experiences.

Councils strategic directions for economic development are:

- Enhancing Bairnsdale's role as the principal commercial and retail centre and as the regional centre for public sector administration.
- Consolidating and expanding diverse retail, commercial and community activities in the Paynesville town centre.
- Supporting timber processing and value adding.
- Supporting furniture manufacturers locating in East Gippsland.
- Providing sites for nature-based tourism development to complement opportunities in the parks.
- Protecting the natural environment while utilising timber resources.

East Gippsland Economic Strategy Plan



02.03-7 Transport and infrastructure

25/11/2022
C162egip

Council shares responsibility for the management, maintenance and development of its road system, ports and airport with the Victorian Government.

The construction, maintenance and upgrade of Council infrastructure is necessary for the provision of health, community, environment and general public services. Innovative land-use planning and high quality public infrastructure and open spaces are essential to growing the region as the most liveable in Australia while retaining its enviable lifestyle and unique natural environment.

Council's strategic directions for transport and infrastructure are:

- Encouraging a range of education and health options in the region.
- Supporting provision of reticulated sewerage in un-serviced towns.
- Providing for an aging population.
- Maintaining and extending community services, cultural and recreation facilities.

02.03 STRATEGIC DIRECTIONS

~~25/11/2022~~ ~~C162egip~~Proposed C171egip

02.03-1 Settlement and housing

~~25/11/2022~~ ~~C162egip~~Proposed C171egip

Growth area towns

Bairnsdale is the gateway to East Gippsland and is the largest town in the Shire providing major commercial, retail, educational and public-sector services. **Paynesville**, located approximately 16 kilometres south of Bairnsdale, has grown rapidly in recent times, as a 'dormitory' town and a retirement area. It is a service centre supporting the local community as well as the neighbouring settlements of Eagle Point and Raymond Island. **Lakes Entrance** is a major tourist and retirement destination, which has a strong commercial fishing industry and significant land for future development.

Council's strategic directions for the growth area towns are:

- Encouraging population growth and development on fully serviced residential land in the growth area towns.
- Encouraging a range of housing types and styles including higher density dwellings in town centres.
- Encouraging development of East Gippsland as a retirement destination.
- Reinforcing **Bairnsdale** as the main commercial, retail and service centre for East Gippsland.
- Expanding **Paynesville** as a residential and business centre focused around boating, tourism and healthy living, with access to walking and riding trails, passive and active recreation.
- Enhancing **Lakes Entrance's** role as the largest coastal town in the Gippsland area, with a focus on tourism, commercial fishing and recreational boating activities.

Coastal settlements

~~The~~Council's ~~*Coastal Towns Design Framework (2007)* provided a~~ strategic approach to managing development in 13 coastal settlements based is on the protection of high value environmental resources within or adjoining settlements, the nature and protection of local character and the capacity of infrastructure.

Lake Tyers Beach is an attractive coastal community with high environmental values providing for permanent residents and holiday makers.

Eagle Point is a small consolidated town distinct from Paynesville, ~~with a permanent resident settlement and a holiday recreation destination.~~ characterised by low scale development, and a landscape setting influenced by the natural environment and the lake foreshore.

Mallacoota, in the far east of the Shire, is a very popular holiday location and a retirement area, a base for eco-tourism and the centre of the abalone industry in eastern Victoria.

Marlo is a seaside holiday town looking out towards the river and ocean.

The coastal resort town of **Nungurner** is a small residential lakeside hamlet closely related to, but distinctly separate from Metung.

Metung is a key destination for visitors to the Gippsland Lakes system and a significant boating hub with a strong residential community.

Tambo Bluff is a low density residential area.

Raymond Island is a unique village and rural residential locality set within the heart of the Gippsland Lakes.

Newlands Arm is a small consolidated town distinct from, and dependant on Paynesville for most local services and, serving as both a permanent resident settlement and a holiday recreation destination.

Gipsy Point is a small bushland retreat with a residential community and some visitor accommodation.

Bemm River is a remote fishing hamlet, bordered by public parks and with access to Sydenham Inlet.

Council's strategic directions for Coastal settlements are:

- Providing significant expansion of existing areas in Paynesville~~,~~ and Lake Tyers Beach ~~and Eagle Point~~.
- Providing minor expansion of existing areas in Lakes Entrance, Mallacoota, Marlo, Eagle Point and Nungurner.
- Expanding settlement within existing areas of Metung, Tambo Bluff, Raymond Island, Newlands Arm, Gipsy Point and Bemm River.

Rural settlements

East Bairnsdale - Lucknow is a residential community, a significant employment and industry area and a complementary activity area to Bairnsdale's central business district.

Orbost is a large rural service centre, with a population of 2,150 located on the Snowy River.

Omeo is service town in the Highland sub-region, with a population of about 250 providing retail, administration, tourist services for a large rural area.

Lindenow is a rural township located west of Bairnsdale, with a population of around 300 and a district population of about 3000.

Bruthen is ideally located for rural-residential living, being 25 kilometres north-east of Bairnsdale and 30 kilometres north west of Lakes Entrance.

Mossiface and **Sarsfield** are small settlements near Bruthen, which contain a range of facilities, including the historic Mossiface Hop kilns.

Buchan is a small town located approximately 30 kilometres north of Nowa Nowa with an economy that depends on timber mills, the tourist industry, limestone quarrying and pastoral activities.

The Twin Rivers region is located to the east of Bairnsdale and includes the three small towns of **Nicholson**, **Johnsonville** and **Swan Reach**. The smaller settlements of **Bumberrah** and **Tambo Upper** also sit within the Twin Rivers region.

Ocean Grange is a small settlement on the Barrier south of Paynesville. There are also several other small clusters of dwellings along the Barrier between Ocean Grange and the Entrance.

Tambo Bay is a small residential community situated at the mouth of the Tambo River with full reticulated services.

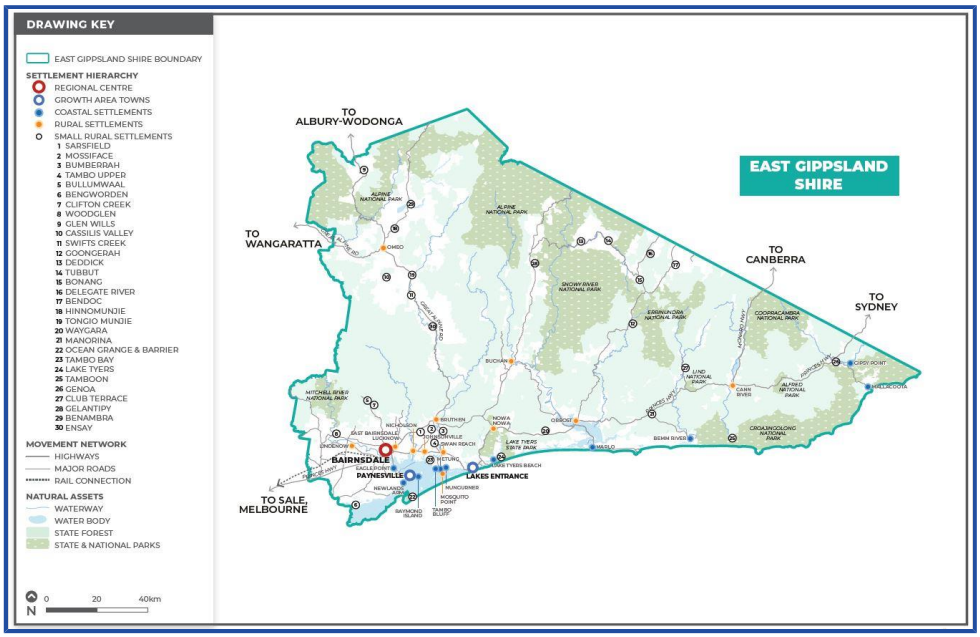
Mosquito Point is a small holiday settlement on the Boole Poole Peninsula on the eastern and southern shores of Bancroft Bay.

Lake Tyers Aboriginal Trust occupies a peninsula in Lake Tyers and is managed on a co-operative basis by the Aboriginal community.

Council's strategic directions for rural settlements are:

- Consolidating development within existing town boundaries, using infill development, before further expansion of the towns.
- Providing for further subdivision where the land has capacity to absorb wastes, native vegetation is protected, and minimal impact is made on adjoining public land.
- Preserving the separation between Nicholson, Johnsonville and Swan Reach.

East Gippsland Settlement Hierarchy Plan



02.03-2 Environmental and landscape values

25/11/2022
C162egip

East Gippsland is a reservoir of biodiversity in south eastern Australia, due to the relatively unspoilt nature of its native vegetation. It is the only place in temperate mainland Australia where large tracts of native vegetation are intact from the Alps to the ocean. Council has an important custodial role in relation to East Gippsland's unique biodiversity and large tracts of intact native vegetation.

Large areas of East Gippsland, including Gippsland Lakes and surrounds, are classified by the National Trust as landscapes of special regional significance. Bruthen and its surrounds are of high cultural landscape significance and the area is currently being assessed by the National Trust of Australia (Victoria).

The Colquhoun area is significant because of the remnant vegetation types existing throughout, particularly along the lower slopes and valley bottoms where extensive lines of Warm Temperate Rainforest remain. The remnant vegetation provides important refuge and habitat areas for fauna and provides good corridor habitat for wildlife. The remnant vegetation also plays a key role in minimising erosion.

Council's strategic directions for environmental and landscape values are:

- Restoring and maintaining the biodiversity of our rivers, waterways, lakes and wetlands.
- Protecting areas of environmental, landscape, heritage or scenic value, particularly coastal/lakes areas; the Nicholson River; the Tambo River; Princes Highway; ridgelines and roadside vegetation.
- Balancing residential, business and tourist development with wildlife corridors and areas of rural or natural landscape.
- Protecting sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values.

02.03-3 Environmental risks and amenity

25/11/2022
C162egip

Council plays an important role in managing and mitigating the environmental risks associated with flood plains, erosion, bushfire and salinity. The extent of forested areas and the species composition of forests leads to particularly high risks of bushfire, relative to many other areas of Victoria.

The impacts of climate-induced sea level rise, combined with more severe storm surges is likely to be significant for coastal communities.

Councils strategic directions for environmental risk are:

- Prioritising the planning and management responses and adaptation strategies to vulnerable areas, such as protect, redesign, rebuild, elevate, relocate and retreat.
- Assessing the impacts of climate-induced sea level rise, combined with more severe storm surges.
- Minimising land degradation and tree decline in some rural areas.
- Using geotechnical risk assessments in evaluating proposals for use and development in erosion risk areas.

02.03-4 Natural resource management

25/11/2022
C162egip

The region's considerable natural resources include agriculture, forestry and timber, water and minerals.

Special Water Supply Catchments for domestic water supply on the southern side of the Great Dividing Range have been identified and need to be protected.

The Lindenow district covers some of the most productive agricultural land in East Gippsland and sustains a very diverse agricultural industry. Lindenow is recognised for producing top quality vegetables for the local and national market as well as high grade fine wool and dairy products.

The Mitchell River flats have a small minimum lot size for subdivision, in order to facilitate restructuring of holdings for agricultural purposes. Development of dwellings will generally require a permit, to minimise the impact of non-agricultural uses on valuable land and the operations being carried out on it.

Council's strategic directions for natural resource management are:

- Protecting water quality and quantity, particularly in water catchments used for domestic supply.
- Providing opportunities to add value to agricultural and timber products.
- Protecting high quality agricultural land from inappropriate development.
- Avoiding small lot subdivision of rural land.
- Providing for small lots where there is a lack of availability of undeveloped lots of the proposed size range in the area.
- Controlling the release of small-lot rural land and rezoning at a rate that ensures that land released does not compete with fully serviced lots in urban centres.
- Encouraging exploration for and development of mineral resources in appropriate areas.

02.03-5 Built environment and heritage

25/11/2022
C162egip

East Gippsland is renowned for its natural beauty that will be linked to the built environment. There are a number of buildings and places of potential heritage significance throughout the municipality.

Council's strategic directions for built environment and heritage are:

- Protecting natural and cultural heritage.
- Maintaining the human scale, village feel and character of Paynesville, particularly in the town centre.
- Upgrading the townscapes of Lakes Entrance and Paynesville.

02.03-6 Economic development

25/11/2022
C162egip

Bairnsdale is the main commercial, retail and public-sector administration centre for East Gippsland. The core retail centre from Wood Street to Pyke Street (between Macleod and Riverine Streets) is the major regional commercial centre. The Paynesville Town Centre is the focus of a village like coastal settlement.

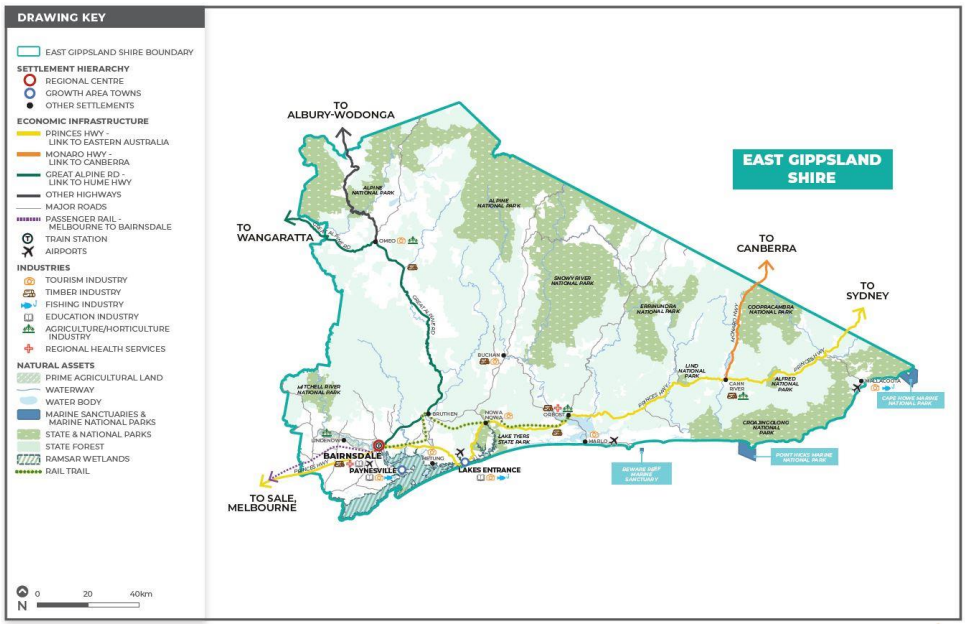
Traditional major industries within the region include agriculture, forestry, tourism, hospitality, fishing, timber, education and health care services. Emerging industries are food manufacturing and processing based on dairy, vegetables and meat production. The region is also recognised as having significant mining potential.

The tourism industry attracted over 1.3 million visitors in 2017-18, contributing over $325 million to the regional economy. East Gippsland is seen as a region with great tourism potential based on its nature-based experiences.

Councils strategic directions for economic development are:

- Enhancing Bairnsdale's role as the principal commercial and retail centre and as the regional centre for public sector administration.
- Consolidating and expanding diverse retail, commercial and community activities in the Paynesville town centre.
- Supporting timber processing and value adding.
- Supporting furniture manufacturers locating in East Gippsland.
- Providing sites for nature-based tourism development to complement opportunities in the parks.
- Protecting the natural environment while utilising timber resources.

East Gippsland Economic Strategy Plan



02.03-7 Transport and infrastructure

25/11/2022
C162egip

Council shares responsibility for the management, maintenance and development of its road system, ports and airport with the Victorian Government.

The construction, maintenance and upgrade of Council infrastructure is necessary for the provision of health, community, environment and general public services. Innovative land-use planning and high quality public infrastructure and open spaces are essential to growing the region as the most liveable in Australia while retaining its enviable lifestyle and unique natural environment.

Council's strategic directions for transport and infrastructure are:

- Encouraging a range of education and health options in the region.
- Supporting provision of reticulated sewerage in un-serviced towns.
- Providing for an aging population.
- Maintaining and extending community services, cultural and recreation facilities.

EAST GIPPSLAND PLANNING SCHEME

11.03 PLANNING FOR PLACES

31/07/2018
VC148

11.03-1S Activity centres

03/02/2022
VC199

Objective

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Strategies

Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:

- Comprises a range of centres that differ in size and function.
- Is a focus for business, shopping, working, leisure and community facilities.
- Provides different types of housing, including forms of higher density housing.
- Is connected by transport.
- Maximises choices in services, employment and social interaction.

Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.

Undertake strategic planning for the use and development of land in and around activity centres.

Give clear direction on preferred locations for investment.

Encourage a diversity of housing types at higher densities in and around activity centres.

Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.

Improve access by walking, cycling and public transport to services and facilities.

Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.

Encourage economic activity and business synergies.

Improve the social, economic and environmental performance and amenity of activity centres.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)

11.03-1L-01 Bairnsdale CBD

25/11/2022
C162egip

Policy application

This policy applies to land within the Bairnsdale Framework Plan to this clause.

Strategies

Consolidate commercial development within the town boundary.

Locate major retail development within the core retail area.

Discourage fragmentation of the core retail area.

Revitalise the shopping centre and further improve its appearance and image.

Link the shopping centre with the river frontage.

Support development that provides opportunities for linkages between Bairnsdale CBD and the Mitchell River.

Facilitate improved vehicle, pedestrian and cycle circulation and movement patterns within Bairnsdale and the CBD.

Maintain heritage elements in the CBD, such as brick channels and metal grates.

Facilitate development of administrative, cultural, recreational and community services within the Bairnsdale CBD.

Support development that encourages the revitalisation of Bairnsdale CBD.

Encourage medium-rise residential or commercial development.

Support development that incorporates upper level apartments and shop top housing throughout the Bairnsdale CBD.

Support restricted retail such as furniture stores or trade supplies in Area 8 in the Bairnsdale Growth Strategy and at Plan 2 Retail and Commercial Hierarchy.

Support a specialised employment centre in the north-east growth area.

Support a specialised community centre around the Bairnsdale Aquatic Recreation Centre.

Support the development of local centres within the growth areas of east and west Bairnsdale and the south-west industrial area of Bairnsdale.

Support retail and commercial office activities along connecting streets between the Bairnsdale Railway Station and Bairnsdale CBD.

Avoid unsustainable or unjustified expansion of the local activity centre in Eastwood.

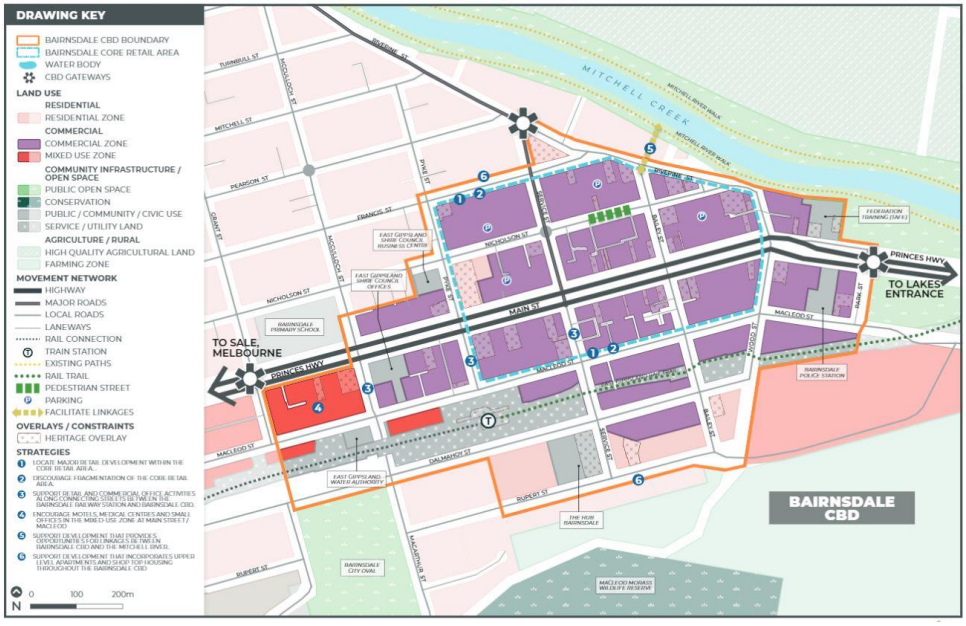
Policy guidelines

Consider as relevant:

- Encouraging medium-rise residential or commercial development of more than three storeys high.
- Supporting industry/manufacturing, restricted retail, and supermarket/retail up to 1,000 square metres of retail floor space within the north-east growth area centre, located within close proximity to address along the northern and southern side of the Princes Highway.
- Supporting a mix of community, recreation, education and health related activities at the Bairnsdale Aquatic and Recreation Centre with medium density housing and supermarket/retail up to 1,000 square metres of retail floor space.
- Facilitating convenience retailing/shop activities in local centres with a retail floor space of 300 – 500 square metres in local centres.

EAST GIPPSLAND PLANNING SCHEME

Bairnsdale Framework Plan



11.03-1L-02 Paynesville Activity Centre

25/11/2022
C162egip

Policy application

This policy applies to the Paynesville Town Centre on the map attached to this clause.

Strategies

Facilitate integration and linkages between the town centre and the foreshore, the active waterfront and the Slip Road Maritime precinct.

Enhance and create public spaces in the town centre.

Encourage architectural and design features that reflect the importance of the maritime character and the authentic local distinctiveness of Paynesville.

Facilitate an active waterfront as a place where boats and visitors use the facilities of the town centre.

Develop tourism opportunities to embrace the nature based and eco-tourism experiences at this gateway to the Gippsland Lakes.

Support retail premises, tourist accommodation, hotels and motels, holiday flats and restaurants.

Consolidate future commercial and mixed-use development within existing business zoned areas.

Encourage non-vehicular pedestrian and bicycle trails that link activity spaces and precincts.

Ensure that buildings do not overshadow the foreshore or other public areas.

Protect unobstructed views of the water.

Encourage built form that respects the village-like feel and pedestrian scale of the Paynesville Town Centre.

Incorporate protection from coastal winds, rain and the provision of shade into building design.

Encourage a maritime theme in the built environment through bulk, form, colours and architectural details.

Encourage building design that is consistent with the character of the town centre.

Provide parking with shade trees at the rear of buildings in the town centre.

Policy guidelines

Consider as relevant:

• Facilitating building height up to two storeys with the opportunity to add a third storey at the rear of key landmark sites.

EAST GIPPSLAND PLANNING SCHEME

Paynesville Town Centre Map

11.03-1L-03 Lakes Entrance Activity Centre

25/11/2022
C162egip

Policy application

This policy applies to use and development in the Lakes Entrance Activity Centre Policy Area as shown on the map to this clause.

Strategies

Contain development of the central business area between Church Street and the Esplanade west of Myer Street.

Encourage buildings to have active retail ground floor uses in the main commercial streets.

Encourage residential use on floors located above a commercial ground floor.

Encourage development to the property line along The Esplanade to provide street level activity.

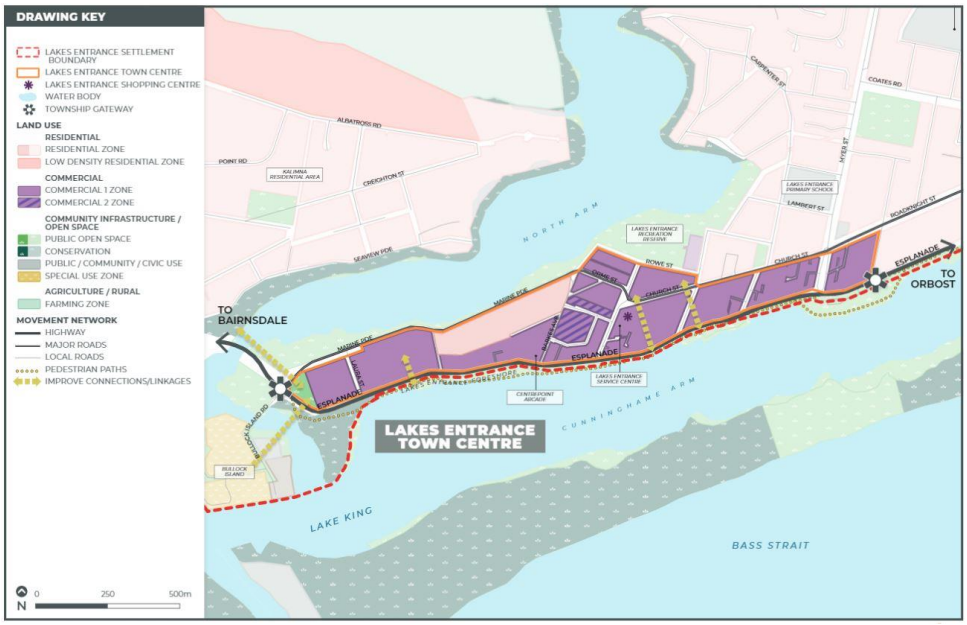
Encourage service businesses and large floor space retail uses in the Commercial 2 Zone in the commercial area of Lakes Entrance west of Mechanics Street.

Policy guidelines

Consider as relevant:

- Encouraging medium-rise residential or commercial development of more than three storeys high.

Lakes Entrance Activity Centre Policy Area



11.03-2S Growth areas

04/05/2022
VC210

Objective

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.

Strategies

Concentrate urban expansion into growth areas that are served by high-capacity public transport.

Implement the strategic directions in the Growth Area Framework Plans.

Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.

Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.

Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

Protect and manage natural resources and areas of heritage, cultural and environmental significance.

Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

Develop Growth Area Framework Plans that will:

- Include objectives for each growth area.
- Identify the long term pattern of urban growth.
- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.

Develop precinct structure plans consistent with the *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021) approved by the Minister for Planning to:

- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.

- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

Policy documents

Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)
- *Ministerial Direction No. 12 – Urban Growth Areas*

11.03-3S Peri-urban areas

31/07/2018
VC148

Objective

To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

Strategies

Identify and protect areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.

Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne, Kyneton, Wonthaggi, Kilmore, Broadford, Seymour and Ballan and other towns identified by Regional Growth Plans as having potential for growth.

Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

Enhance the character, identity, attractiveness and amenity of peri-urban towns.

Prevent dispersed settlement and provide for non-urban breaks between urban areas.

Ensure development is linked to the timely and viable provision of physical and social infrastructure.

Improve connections to regional and metropolitan transport services.

11.03-4S Coastal settlement

20/03/2023
VC229

Objective

To plan for sustainable coastal development.

Strategies

Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.

Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Minimise linear urban sprawl along the coastal edge and ribbon development in rural landscapes.

Protect areas between settlements for non-urban use.

Limit development in identified coastal hazard areas, on ridgelines, primary coastal dune systems, shorelines of estuaries, wetlands and low-lying coastal areas, or where coastal processes may be detrimentally impacted.

Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.

Ensure a sustainable water supply, stormwater management and sewerage treatment for all development.

Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Prevent the development of new residential canal estates.

Policy documents

Consider as relevant:

- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)

11.03-4L-01 Coastal settlements

25/11/2022
C162egip

Policy application

This policy applies to the towns of Paynesville and Lakes Entrance, and to all towns marked as 'Coastal' on the Strategic Framework Plan at Clause 02.04.

Strategies

Contain development within existing zoned boundaries.

Ensure tourist and commercially oriented coastal developments minimise impacts on sensitive coastal ecosystems and processes.

Provide a broad range of recreation activities and access for large numbers of people in activity nodes.

Ensure development does not adversely affect landscape and environmental values and incorporates measures to protect those values.

Provide access roads/ tracks/ paths, car and boat trailer parking, boat ramps, jetties, toilet blocks, caravan parks, kiosks and other services in activity nodes.

Direct lake-based holiday development to fully serviced urban areas.

Minimise small lot rural development in coastal settlements.

Discourage small-lot subdivision along river frontages and lakes.

Encourage indigenous vegetation plantings in public and private development.

Incorporate on-site waste disposal and water sensitive urban design techniques for storm water management in new development.

Retain existing native vegetation and incorporate replanting in new development.

11.03-4L-02 Newlands Arm

25/11/2022
C162egip

Policy application

This policy applies to all land in the Newlands Arm Framework Plan to this clause.

Strategies

Maintain the character and setting of Newlands Arm.

Encourage buildings that remain low in scale and are not visually intrusive.

Encourage built form to be sympathetic to Newlands Arm's lakeshore location.

Protect and enhance the natural environment of the area, including the foreshore, Newlands backwater and Lake Victoria edge.

Protect views from the Newlands backwater and Lake Victoria through responsive landscaping, building siting and building height.

Encourage retirement housing and associated facilities.

Encourage small scale tourist accommodation.

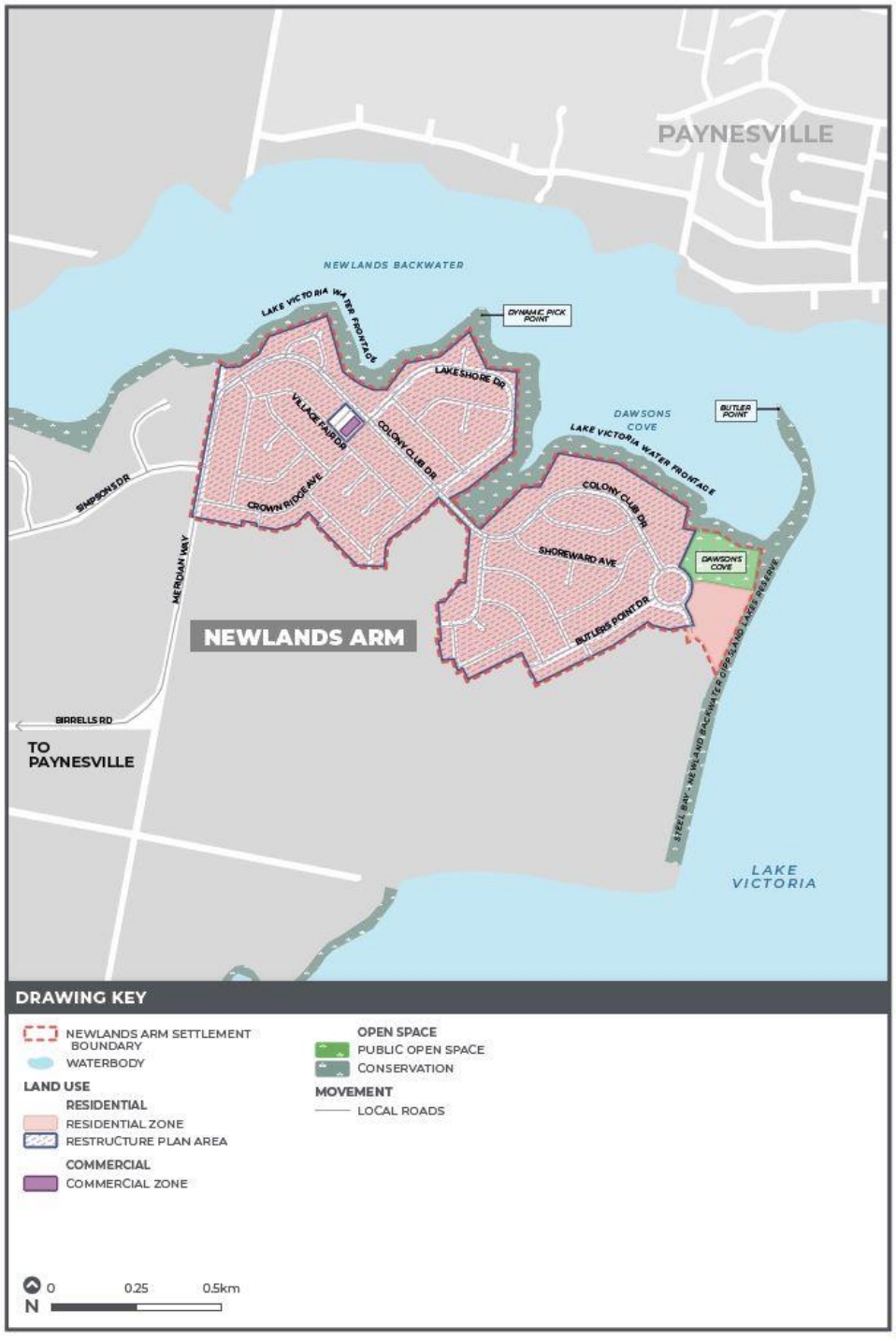
Provide a pathway network within the town, linking key open space areas and focal points.

Complete lot consolidations identified on the Newlands Arm Estate Restructure Plan.

Discourage development on unconsolidated lots on the Newlands Arm Estate Restructure Plan.

EAST GIPPSLAND PLANNING SCHEME

Newlands Arm Framework Plan



11.03-4L-03 Raymond Island

25/11/2022
C162egip

Policy application

This policy applies to all land in the Raymond Island Framework Plan to this clause.

Strategies

Protect and maintain the well vegetated coastal settlement and low intensity character of Raymond Island.

Limit new low intensity development on Raymond Island as an attractive visitor destination for nature based tourism experiences.

Contain residential and low density residential development to currently zoned areas.

Encourage the use of indigenous planting on private land.

Facilitate low impact, small scale and environmentally friendly tourist accommodation.

EAST GIPPSLAND PLANNING SCHEME

Raymond Island Framework Plan

11.03-4L-04 Metung

25/11/2022
C162egip

Policy application

This policy applies to all land in the Metung Framework Plan to this clause.

Strategies

Retain the landscape setting, environmental qualities and lifestyle that contribute to the 'village' character of Metung.

Ensure building heights and footprints retain the human and village scale of the area.

Limit urban development to areas south of Metung – Nungurner Road and Hardys Road.

Retain the north-east area of Metung as low density residential development.

Protect visually and environmentally significant native vegetation, the vegetated escarpment of Lake King and vegetated wildlife corridors and wetlands.

Encourage planting of indigenous plant species.

Facilitate visual connections to the water and increased water edge activities.

Facilitate additional parking opportunities on the fringe of the village centre.

Ensure low key signage that is consistent with the character of the village.

Improve pedestrian connections along both sides of the peninsula.

Provide waterfront links between the village centre and the rest of Metung.

Design development adjoining the Village Green and Patterson Park to be consistent with the character of the village.

Encourage the development of the Storth Ryes site on the Framework Plan as a resort or for low density residential uses, subject to the preparation of an Incorporated Plan.

Avoid development adjoining Metung Road, Nungurner Road and Kalimna West Road that detracts from the views and scenic landscape values of the road corridors.

Support Metung's boating centre role.

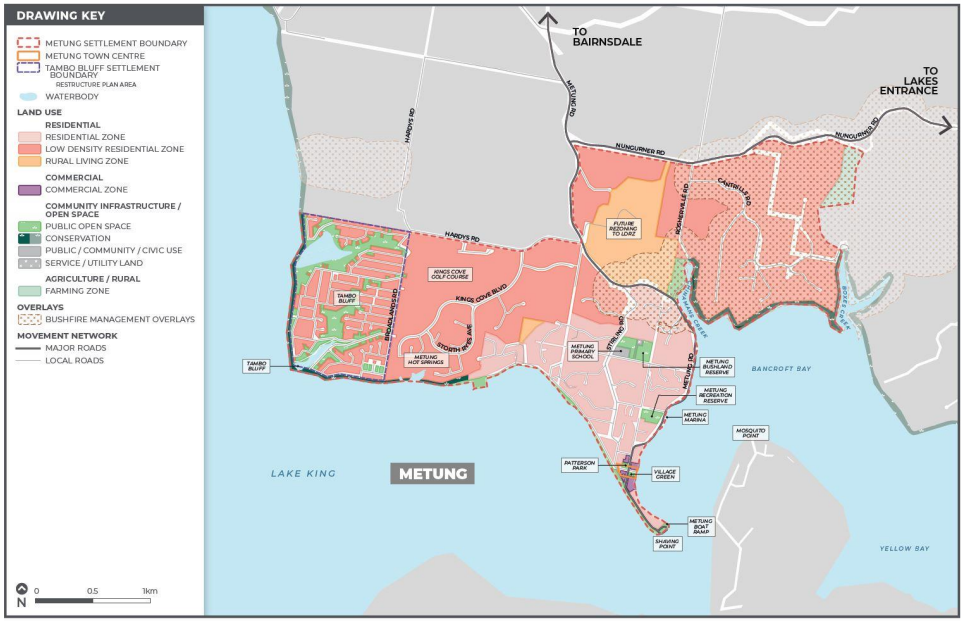
Policy guideline

Consider as relevant:

- Linking the village centre to buildings of two to three levels with materials and colours that complement the natural environment.

EAST GIPPSLAND PLANNING SCHEME

Metung Framework Plan



11.03-4L-05 Nungurner

25/11/2022
C162egip

Policy application

This policy applies to all land in the Nungurner Framework Plan to this clause.

Strategies

Maintain the low-density bushland character of Nungurner.

Design development that will be environmentally responsive, using materials and finishes reflective of the bush environment.

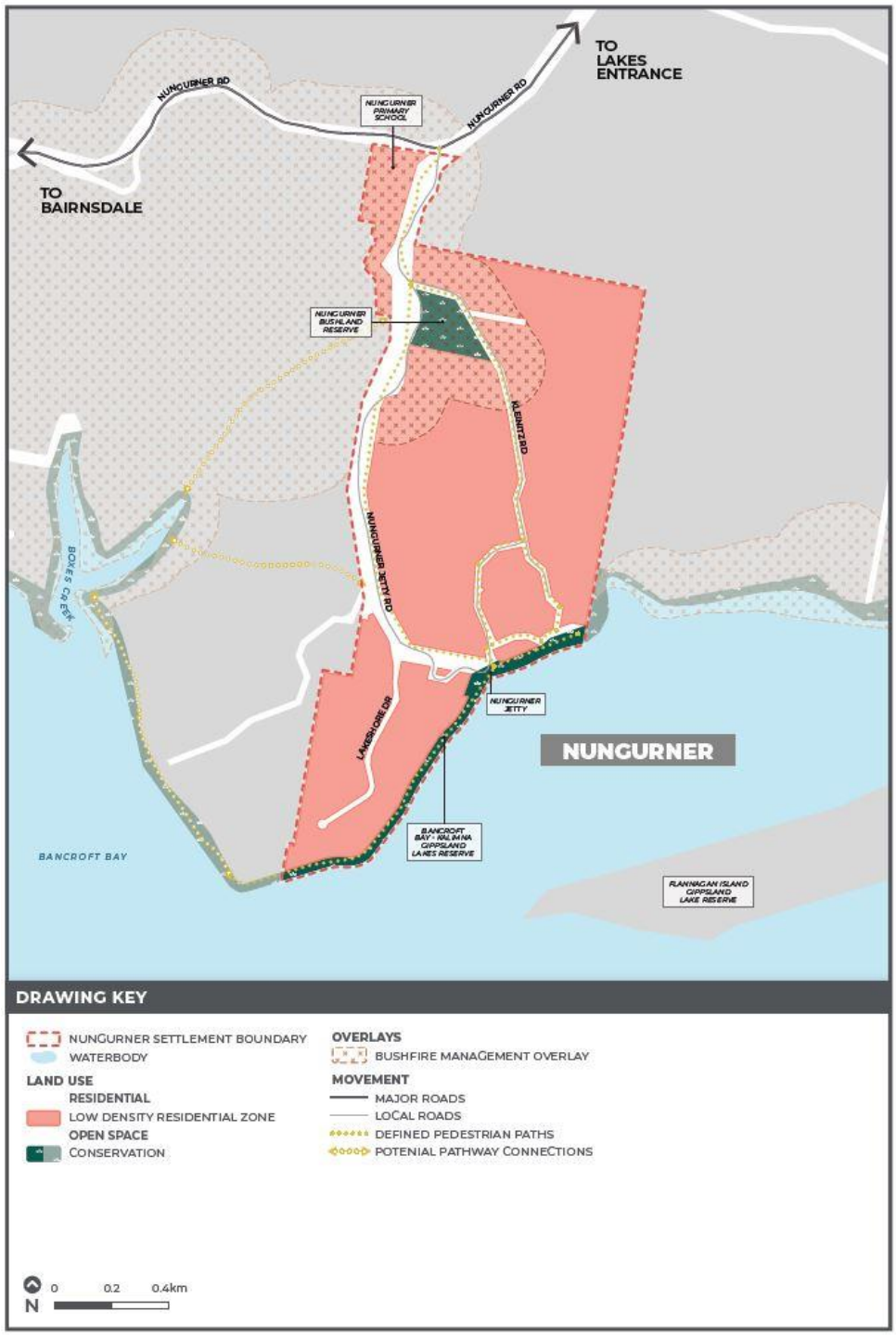
Limit subdivision to the Low Density Residential Zone or the Farming zone.

Provide walking trail opportunities and linkages as part of development approvals.

Promote on-site storm water management for new and existing development within the settlement.

EAST GIPPSLAND PLANNING SCHEME

Nungurner Framework Plan



11.03-4L-06 Tambo Bluff

25/11/2022
C162egip

Policy application

This policy applies to all land in the Tambo Bluff Framework Plan to this clause.

Strategies

Ensure low density residential development at Tambo Bluff is respectful of the attractive natural setting of vegetated hill slopes, gullies and natural wetlands.

Minimise building height and footprint.

Encourage planting and revegetation to improve visual amenity and minimise the impact of development on views from the lakes to Tambo Bluff.

EAST GIPPSLAND PLANNING SCHEME

Tambo Bluff Framework Plan

11.03-4L-07 Lake Tyers Beach

25/11/2022
C162egip

Policy application

This policy applies to all land in the Lake Tyers Framework Plan to this clause.

Strategies

Design development to the north of Lake Tyers Beach township to protect the water quality of Lake Tyers and to reflect the lake edge/seaside character.

Control sedimentation and nutrient inflow to Lake Tyers.

Connect new development to reticulated sewerage.

Provide for on-site stormwater management in new development.

Facilitate access to the northern boat ramp that reduces impacts on residential areas.

Incorporate expanded foreshore vegetation buffers and revegetation corridors in new development areas.

Encourage consolidation within existing boundaries before allowing expansion of the town.

Facilitate future tourist developments in residential zones.

Encourage a neighbourhood convenience goods store and/or take away food store.

Discourage ribbon development along Lake Tyers Beach Road and other access roads to the Lake.

EAST GIPPSLAND PLANNING SCHEME

Lake Tyers Framework Plan

11.03-4L-08 Marlo

25/11/2022
C162egip

Policy application

This policy applies to all land in the Marlo Framework Plan to this clause.

Strategies

Maintain the existing scale of residential development.

Contain development to south of Healeys Road.

Protect the scale and character of the residential areas in the 'old town' area.

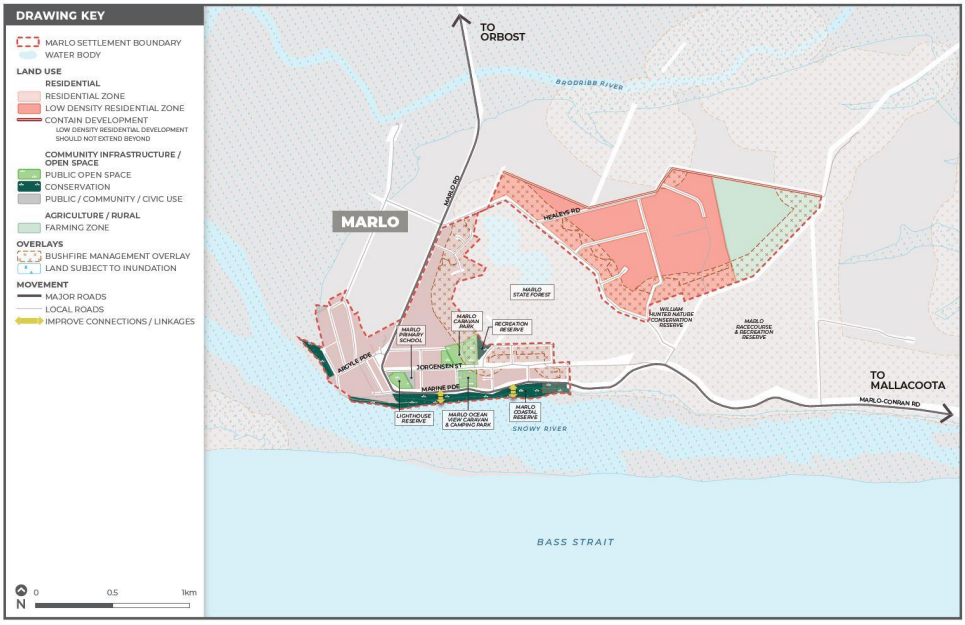
Ensure that the scale and character of development in Marine Parade is consistent with the prevailing development form and height.

Locate commercial uses on Argyle Parade to consolidate commercial development.

Increase visual connections to the Snowy River and Bass Strait.

Provide connections to the foreshore south of Marine Parade.

Marlo Framework Plan



11.03-4L-09 Bemm River

25/11/2022
C162egip

Policy application

This policy applies to all land in the Bemm River Framework Plan to this clause.

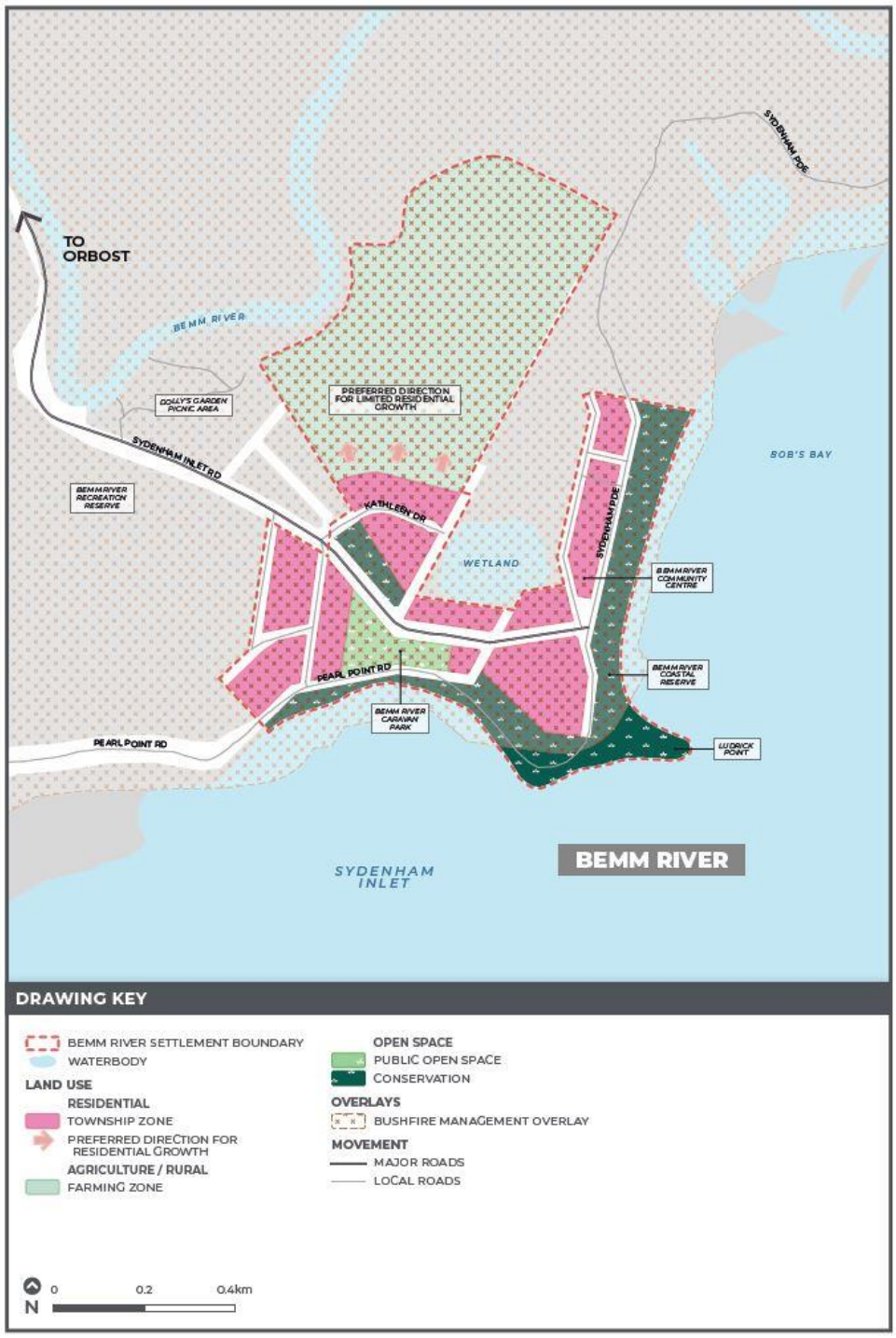
Strategies

Protect the well-vegetated coastal hamlet character of Bemm River.

Design development that reflects the 'fishing village' character of the Bemm River hamlet.

Develop land to the north of Kathleen Drive for limited residential development with on-site waste disposal arrangements.

Bemm River Framework Plan



11.03-4L-10 Mallacoota

25/11/2022
C162egip

Policy application

This policy applies to all land in the Mallacoota Framework Plan to this clause.

Strategies

Design development that reflects the coastal character of Mallacoota.

Encourage infill development of vacant sites along Maurice Avenue and Allan Drive with links to the public open space precinct.

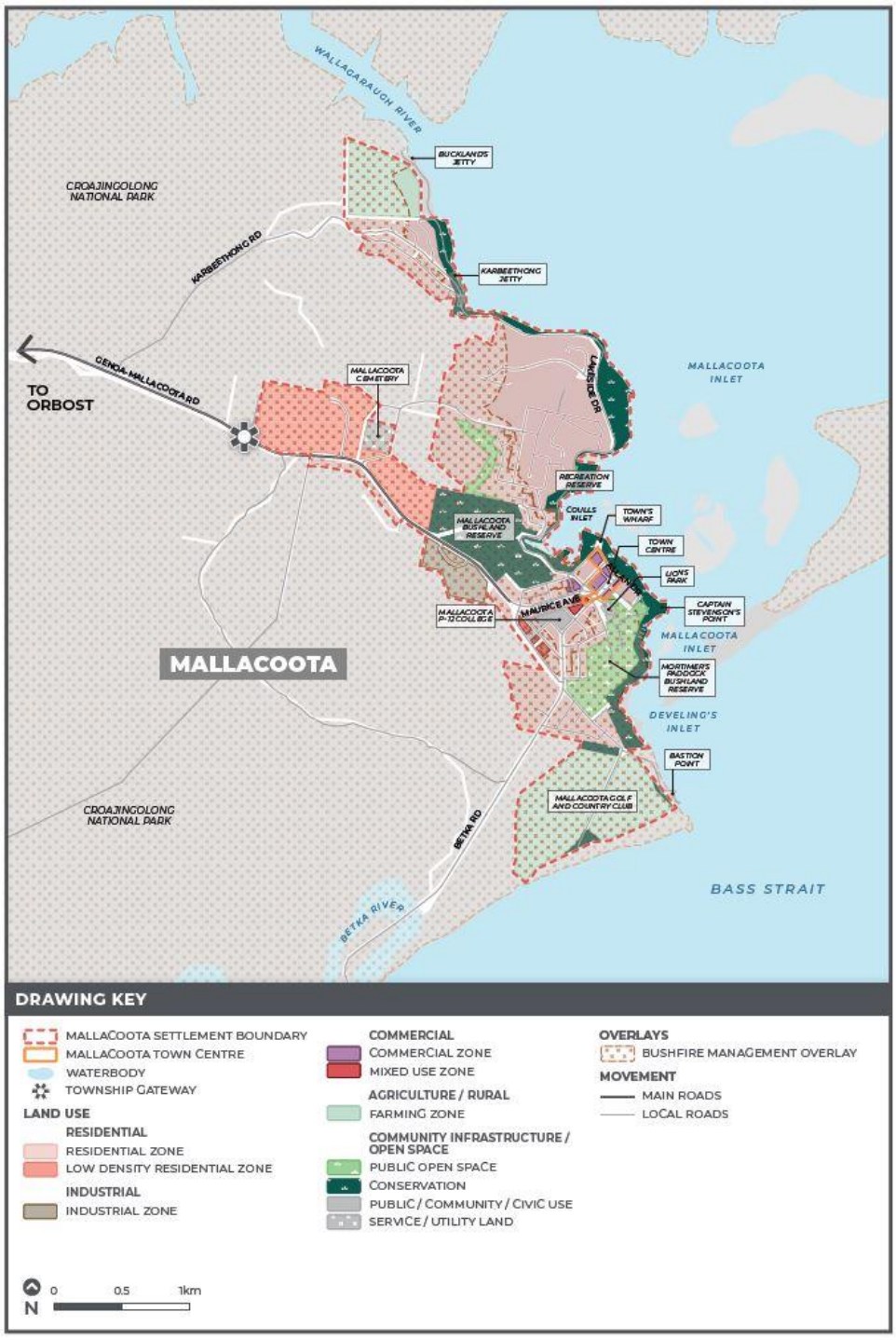
Design development to preserve the village atmosphere of the town centre.

Encourage high quality tourist accommodation.

Establish activity nodes at the Wharf, Karbeethong and Bastion Point.

EAST GIPPSLAND PLANNING SCHEME

Mallacoota Framework Plan



11.03-4L-11 Gipsy Point

25/11/2022
C162egip

Policy application

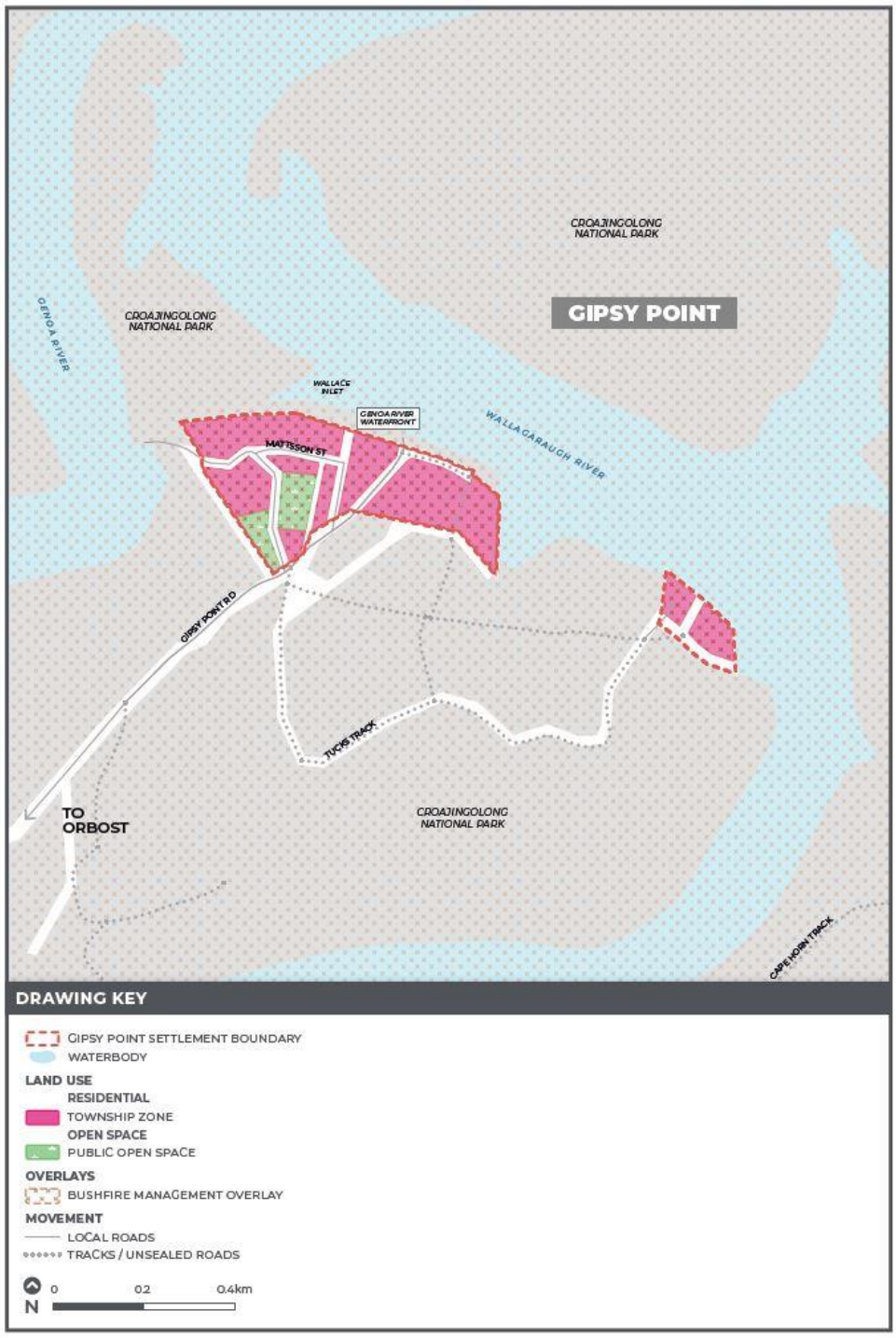
This policy applies to all land in the Gipsy Point Framework Plan to this clause.

Strategies

Limit growth in Gipsy Point.

Ensure development respects the bushland setting of Gipsy Point.

Gipsy Point Framework Plan



11.03-4L-12 Eagle Point

--/--/----
Proposed C171egip

Policy application

This policy applies to all land shown in Map 1 to this clause.

Strategies

Protect and enhance the low scale coastal character of Eagle Point.

Facilitate a defined Community Precinct and Foreshore Precinct to meet the community and recreational needs of Eagle Point and provide nature based tourism opportunities.

Encourage pedestrian accessibility and connectivity throughout Eagle Point.

Protect and enhance native vegetation that contributes to the character and environmental values of Eagle Point.

Protect views to and from Eagle Point through responsive landscaping, building siting and building height.

Protect and enhance waterways, in particular Tyers Creek.

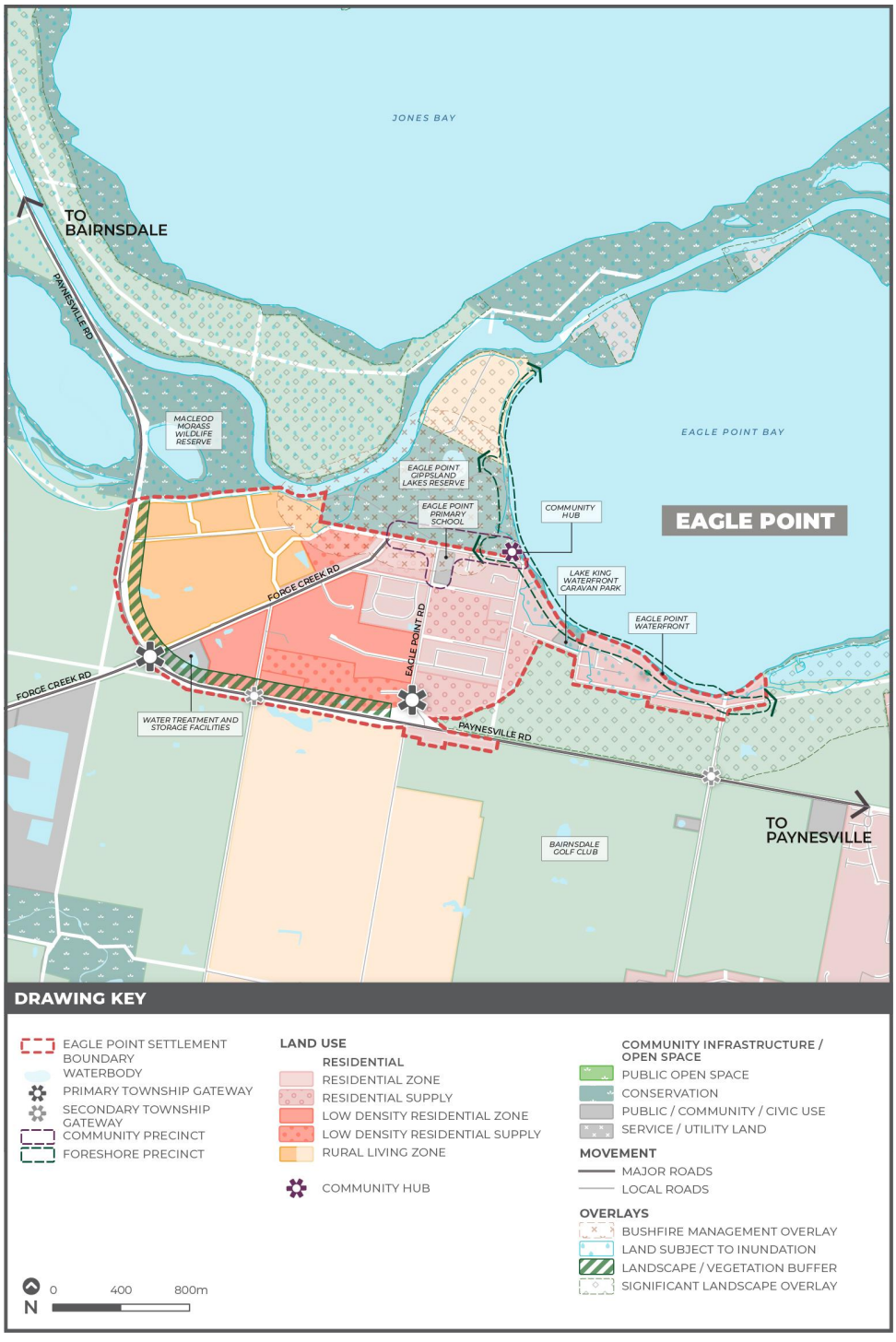
Protect the ecological values of the Eagle Point Flora and Fauna Reserve and the Silt Jetties.

Policy document

Eagle Point Structure Plan (2019)

EAST GIPPSLAND PLANNING SCHEME

Map 1 - Eagle Point Framework Plan



11.03-4L-13 Lake Victoria settlements

25/11/2022
C162egip

Policy application

This policy applies to Goon Nure, Wattle Point and the Banksia Peninsula as identified on the Strategic Framework Plan to Clause 02.04.

Strategies

Discourage further small lot subdivision at Goon Nure, Wattle Point and the Banksia Peninsula.

Develop nature based tourism at Wattle Pont.

Support group accommodation and environmental / outdoor education on Banksia Peninsula.

Allow limited development of existing lots at Goon Nure.

11.03-5S Distinctive areas and landscapes

30/04/2021
VC185

Objective

To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.

Strategies

Recognise the unique features and special characteristics of these areas and landscapes.

Implement the strategic directions of approved Localised Planning Statements and Statements of Planning Policy.

Integrate policy development, implementation and decision-making for declared areas under Statements of Planning policy.

Recognise the important role these areas play in the state as tourist destinations.

Protect the identified key values and activities of these areas.

Enhance conservation of the environment, including the unique habitats, ecosystems and biodiversity of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

Policy documents

Consider as relevant:

- *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015)
- *Macedon Ranges Statement of Planning Policy* (Victorian Government, 2019)
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014)
- *Yarra Ranges Localised Planning Statement* (Victorian Government, 2017)

11.03-6S Regional and local places

31/07/2018
VC148

Objective

To facilitate integrated place-based planning.

Strategies

Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.

Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

EAST GIPPSLAND PLANNING SCHEME

11.03 PLANNING FOR PLACES

31/07/2018
VC148

11.03-1S Activity centres

03/02/2022
VC199

Objective

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Strategies

Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:

- Comprises a range of centres that differ in size and function.
- Is a focus for business, shopping, working, leisure and community facilities.
- Provides different types of housing, including forms of higher density housing.
- Is connected by transport.
- Maximises choices in services, employment and social interaction.

Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.

Undertake strategic planning for the use and development of land in and around activity centres.

Give clear direction on preferred locations for investment.

Encourage a diversity of housing types at higher densities in and around activity centres.

Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.

Improve access by walking, cycling and public transport to services and facilities.

Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.

Encourage economic activity and business synergies.

Improve the social, economic and environmental performance and amenity of activity centres.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)

11.03-1L-01 Bairnsdale CBD

25/11/2022
C162egip

Policy application

This policy applies to land within the Bairnsdale Framework Plan to this clause.

Strategies

Consolidate commercial development within the town boundary.

Locate major retail development within the core retail area.

Discourage fragmentation of the core retail area.

Revitalise the shopping centre and further improve its appearance and image.

Link the shopping centre with the river frontage.

Support development that provides opportunities for linkages between Bairnsdale CBD and the Mitchell River.

Facilitate improved vehicle, pedestrian and cycle circulation and movement patterns within Bairnsdale and the CBD.

Maintain heritage elements in the CBD, such as brick channels and metal grates.

Facilitate development of administrative, cultural, recreational and community services within the Bairnsdale CBD.

Support development that encourages the revitalisation of Bairnsdale CBD.

Encourage medium-rise residential or commercial development.

Support development that incorporates upper level apartments and shop top housing throughout the Bairnsdale CBD.

Support restricted retail such as furniture stores or trade supplies in Area 8 in the Bairnsdale Growth Strategy and at Plan 2 Retail and Commercial Hierarchy.

Support a specialised employment centre in the north-east growth area.

Support a specialised community centre around the Bairnsdale Aquatic Recreation Centre.

Support the development of local centres within the growth areas of east and west Bairnsdale and the south-west industrial area of Bairnsdale.

Support retail and commercial office activities along connecting streets between the Bairnsdale Railway Station and Bairnsdale CBD.

Avoid unsustainable or unjustified expansion of the local activity centre in Eastwood.

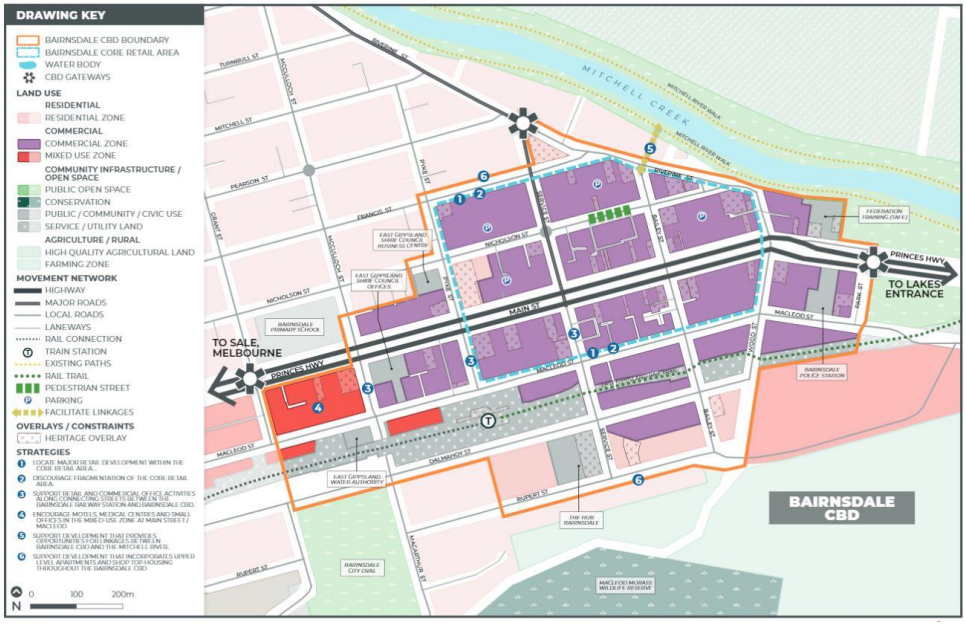
Policy guidelines

Consider as relevant:

- Encouraging medium-rise residential or commercial development of more than three storeys high.
- Supporting industry/manufacturing, restricted retail, and supermarket/retail up to 1,000 square metres of retail floor space within the north-east growth area centre, located within close proximity to address along the northern and southern side of the Princes Highway.
- Supporting a mix of community, recreation, education and health related activities at the Bairnsdale Aquatic and Recreation Centre with medium density housing and supermarket/retail up to 1,000 square metres of retail floor space.
- Facilitating convenience retailing/shop activities in local centres with a retail floor space of 300 – 500 square metres in local centres.

EAST GIPPSLAND PLANNING SCHEME

Bairnsdale Framework Plan



11.03-1L-02 Paynesville Activity Centre

25/11/2022
C162egip

Policy application

This policy applies to the Paynesville Town Centre on the map attached to this clause.

Strategies

Facilitate integration and linkages between the town centre and the foreshore, the active waterfront and the Slip Road Maritime precinct.

Enhance and create public spaces in the town centre.

Encourage architectural and design features that reflect the importance of the maritime character and the authentic local distinctiveness of Paynesville.

Facilitate an active waterfront as a place where boats and visitors use the facilities of the town centre.

Develop tourism opportunities to embrace the nature based and eco-tourism experiences at this gateway to the Gippsland Lakes.

Support retail premises, tourist accommodation, hotels and motels, holiday flats and restaurants.

Consolidate future commercial and mixed-use development within existing business zoned areas.

Encourage non-vehicular pedestrian and bicycle trails that link activity spaces and precincts.

Ensure that buildings do not overshadow the foreshore or other public areas.

Protect unobstructed views of the water.

Encourage built form that respects the village-like feel and pedestrian scale of the Paynesville Town Centre.

Incorporate protection from coastal winds, rain and the provision of shade into building design.

Encourage a maritime theme in the built environment through bulk, form, colours and architectural details.

Encourage building design that is consistent with the character of the town centre.

Provide parking with shade trees at the rear of buildings in the town centre.

Policy guidelines

Consider as relevant:

• Facilitating building height up to two storeys with the opportunity to add a third storey at the rear of key landmark sites.

EAST GIPPSLAND PLANNING SCHEME

Paynesville Town Centre Map

11.03-1L-03 Lakes Entrance Activity Centre

25/11/2022
C162egip

Policy application

This policy applies to use and development in the Lakes Entrance Activity Centre Policy Area as shown on the map to this clause.

Strategies

Contain development of the central business area between Church Street and the Esplanade west of Myer Street.

Encourage buildings to have active retail ground floor uses in the main commercial streets.

Encourage residential use on floors located above a commercial ground floor.

Encourage development to the property line along The Esplanade to provide street level activity.

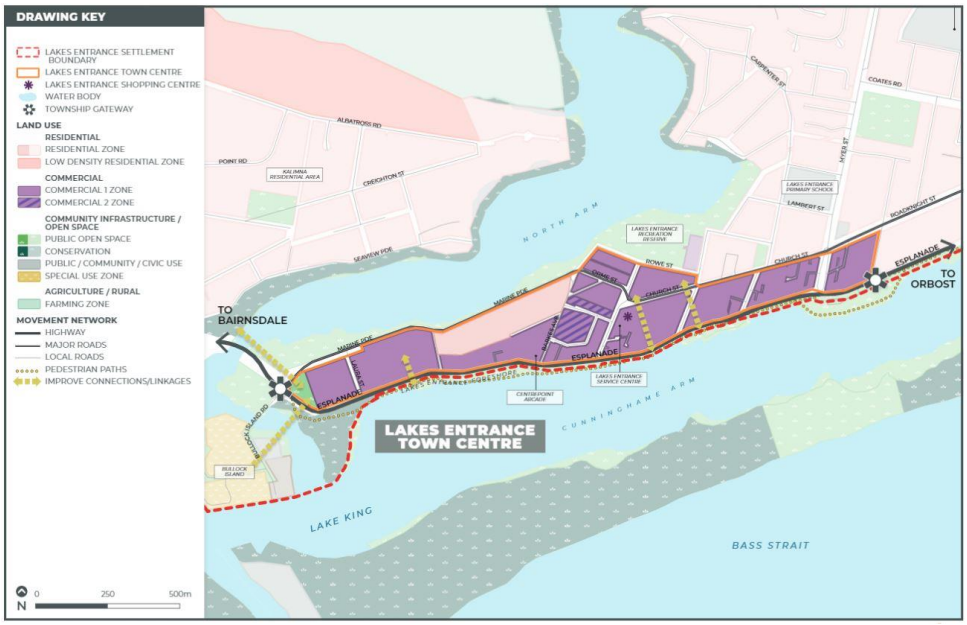
Encourage service businesses and large floor space retail uses in the Commercial 2 Zone in the commercial area of Lakes Entrance west of Mechanics Street.

Policy guidelines

Consider as relevant:

- Encouraging medium-rise residential or commercial development of more than three storeys high.

Lakes Entrance Activity Centre Policy Area



11.03-2S Growth areas

04/05/2022
VC210

Objective

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.

Strategies

Concentrate urban expansion into growth areas that are served by high-capacity public transport.

Implement the strategic directions in the Growth Area Framework Plans.

Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.

Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.

Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

Protect and manage natural resources and areas of heritage, cultural and environmental significance.

Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

Develop Growth Area Framework Plans that will:

- Include objectives for each growth area.
- Identify the long term pattern of urban growth.
- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.

Develop precinct structure plans consistent with the *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021) approved by the Minister for Planning to:

- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.

- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

Policy documents

Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)
- *Ministerial Direction No. 12 – Urban Growth Areas*

11.03-3S Peri-urban areas

31/07/2018
VC148

Objective

To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

Strategies

Identify and protect areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.

Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne, Kyneton, Wonthaggi, Kilmore, Broadford, Seymour and Ballan and other towns identified by Regional Growth Plans as having potential for growth.

Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

Enhance the character, identity, attractiveness and amenity of peri-urban towns.

Prevent dispersed settlement and provide for non-urban breaks between urban areas.

Ensure development is linked to the timely and viable provision of physical and social infrastructure.

Improve connections to regional and metropolitan transport services.

11.03-4S Coastal settlement

20/03/2023
VC229

Objective

To plan for sustainable coastal development.

Strategies

Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.

Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Minimise linear urban sprawl along the coastal edge and ribbon development in rural landscapes.

Protect areas between settlements for non-urban use.

Limit development in identified coastal hazard areas, on ridgelines, primary coastal dune systems, shorelines of estuaries, wetlands and low-lying coastal areas, or where coastal processes may be detrimentally impacted.

Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.

Ensure a sustainable water supply, stormwater management and sewerage treatment for all development.

Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Prevent the development of new residential canal estates.

Policy documents

Consider as relevant:

- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)

11.03-4L-01 Coastal settlements

25/11/2022
C162egip

Policy application

This policy applies to the towns of Paynesville and Lakes Entrance, and to all towns marked as 'Coastal' on the Strategic Framework Plan at Clause 02.04.

Strategies

Contain development within existing zoned boundaries.

Ensure tourist and commercially oriented coastal developments minimise impacts on sensitive coastal ecosystems and processes.

Provide a broad range of recreation activities and access for large numbers of people in activity nodes.

Ensure development does not adversely affect landscape and environmental values and incorporates measures to protect those values.

Provide access roads/ tracks/ paths, car and boat trailer parking, boat ramps, jetties, toilet blocks, caravan parks, kiosks and other services in activity nodes.

Direct lake-based holiday development to fully serviced urban areas.

Minimise small lot rural development in coastal settlements.

Discourage small-lot subdivision along river frontages and lakes.

Encourage indigenous vegetation plantings in public and private development.

Incorporate on-site waste disposal and water sensitive urban design techniques for storm water management in new development.

Retain existing native vegetation and incorporate replanting in new development.

11.03-4L-02 Newlands Arm

25/11/2022
C162egip

Policy application

This policy applies to all land in the Newlands Arm Framework Plan to this clause.

Strategies

Maintain the character and setting of Newlands Arm.

Encourage buildings that remain low in scale and are not visually intrusive.

Encourage built form to be sympathetic to Newlands Arm's lakeshore location.

Protect and enhance the natural environment of the area, including the foreshore, Newlands backwater and Lake Victoria edge.

Protect views from the Newlands backwater and Lake Victoria through responsive landscaping, building siting and building height.

Encourage retirement housing and associated facilities.

Encourage small scale tourist accommodation.

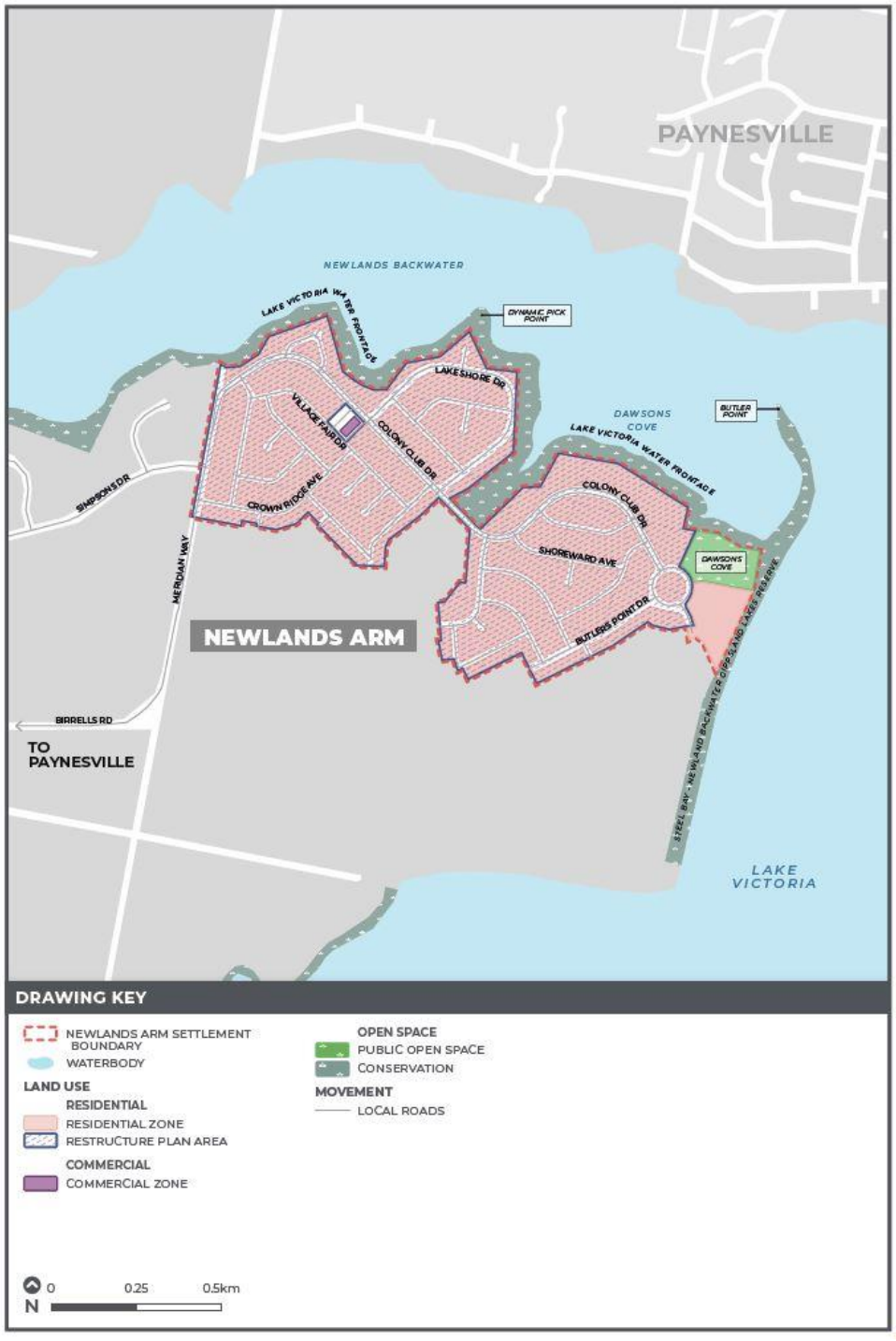
Provide a pathway network within the town, linking key open space areas and focal points.

Complete lot consolidations identified on the Newlands Arm Estate Restructure Plan.

Discourage development on unconsolidated lots on the Newlands Arm Estate Restructure Plan.

EAST GIPPSLAND PLANNING SCHEME

Newlands Arm Framework Plan



11.03-4L-03 Raymond Island

25/11/2022
C162egip

Policy application

This policy applies to all land in the Raymond Island Framework Plan to this clause.

Strategies

Protect and maintain the well vegetated coastal settlement and low intensity character of Raymond Island.

Limit new low intensity development on Raymond Island as an attractive visitor destination for nature based tourism experiences.

Contain residential and low density residential development to currently zoned areas.

Encourage the use of indigenous planting on private land.

Facilitate low impact, small scale and environmentally friendly tourist accommodation.

Raymond Island Framework Plan

11.03-4L-04 Metung

25/11/2022
C162egip

Policy application

This policy applies to all land in the Metung Framework Plan to this clause.

Strategies

Retain the landscape setting, environmental qualities and lifestyle that contribute to the 'village' character of Metung.

Ensure building heights and footprints retain the human and village scale of the area.

Limit urban development to areas south of Metung – Nungurner Road and Hardys Road.

Retain the north-east area of Metung as low density residential development.

Protect visually and environmentally significant native vegetation, the vegetated escarpment of Lake King and vegetated wildlife corridors and wetlands.

Encourage planting of indigenous plant species.

Facilitate visual connections to the water and increased water edge activities.

Facilitate additional parking opportunities on the fringe of the village centre.

Ensure low key signage that is consistent with the character of the village.

Improve pedestrian connections along both sides of the peninsula.

Provide waterfront links between the village centre and the rest of Metung.

Design development adjoining the Village Green and Patterson Park to be consistent with the character of the village.

Encourage the development of the Storth Ryes site on the Framework Plan as a resort or for low density residential uses, subject to the preparation of an Incorporated Plan.

Avoid development adjoining Metung Road, Nungurner Road and Kalimna West Road that detracts from the views and scenic landscape values of the road corridors.

Support Metung's boating centre role.

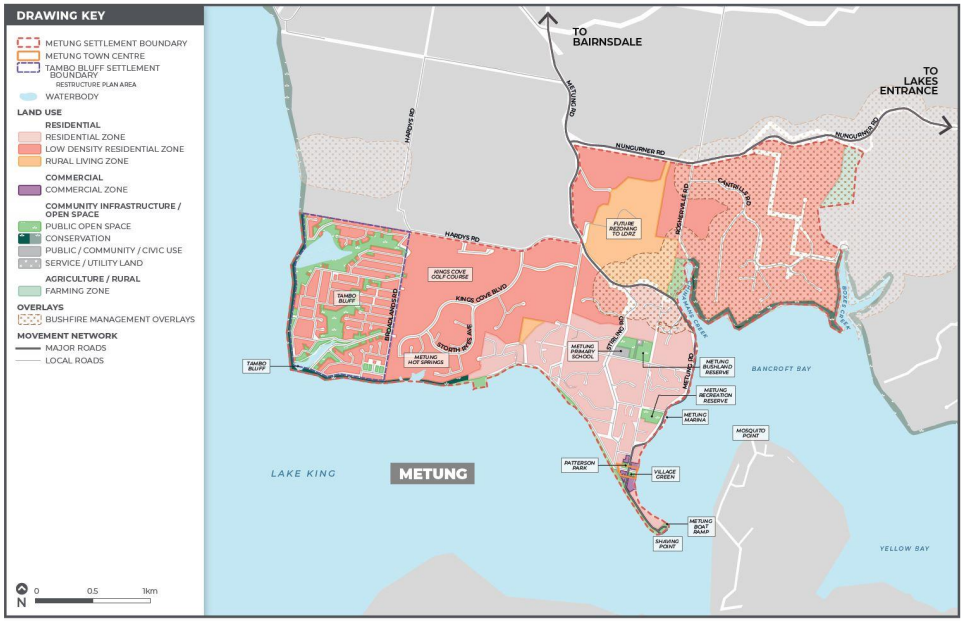
Policy guideline

Consider as relevant:

- Linking the village centre to buildings of two to three levels with materials and colours that complement the natural environment.

EAST GIPPSLAND PLANNING SCHEME

Metung Framework Plan



11.03-4L-05 Nungurner

25/11/2022
C162egip

Policy application

This policy applies to all land in the Nungurner Framework Plan to this clause.

Strategies

Maintain the low-density bushland character of Nungurner.

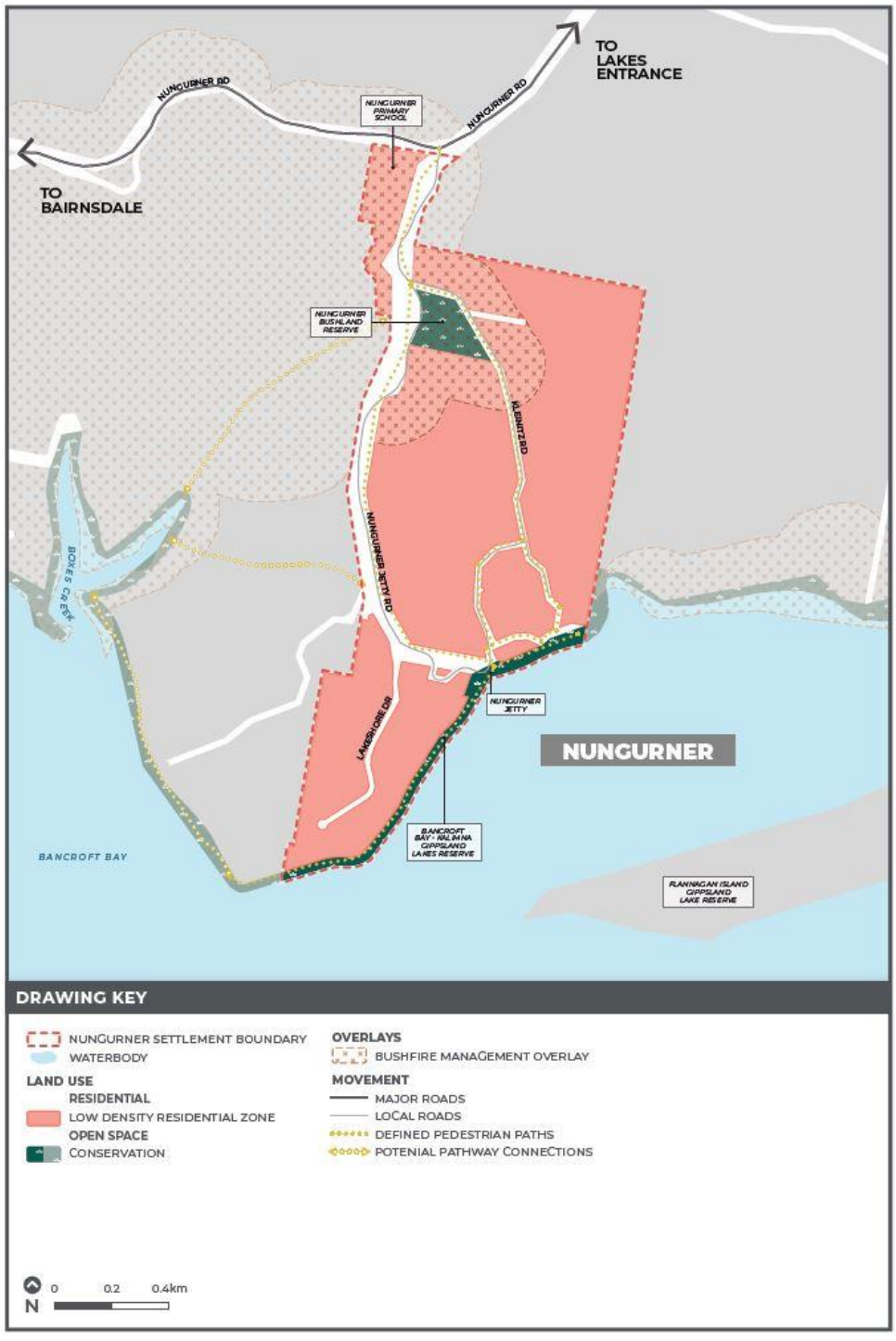
Design development that will be environmentally responsive, using materials and finishes reflective of the bush environment.

Limit subdivision to the Low Density Residential Zone or the Farming zone.

Provide walking trail opportunities and linkages as part of development approvals.

Promote on-site storm water management for new and existing development within the settlement.

Nungurner Framework Plan



11.03-4L-06 Tambo Bluff

25/11/2022
C162egip

Policy application

This policy applies to all land in the Tambo Bluff Framework Plan to this clause.

Strategies

Ensure low density residential development at Tambo Bluff is respectful of the attractive natural setting of vegetated hill slopes, gullies and natural wetlands.

Minimise building height and footprint.

Encourage planting and revegetation to improve visual amenity and minimise the impact of development on views from the lakes to Tambo Bluff.

Tambo Bluff Framework Plan

11.03-4L-07 Lake Tyers Beach

25/11/2022
C162egip

Policy application

This policy applies to all land in the Lake Tyers Framework Plan to this clause.

Strategies

Design development to the north of Lake Tyers Beach township to protect the water quality of Lake Tyers and to reflect the lake edge/seaside character.

Control sedimentation and nutrient inflow to Lake Tyers.

Connect new development to reticulated sewerage.

Provide for on-site stormwater management in new development.

Facilitate access to the northern boat ramp that reduces impacts on residential areas.

Incorporate expanded foreshore vegetation buffers and revegetation corridors in new development areas.

Encourage consolidation within existing boundaries before allowing expansion of the town.

Facilitate future tourist developments in residential zones.

Encourage a neighbourhood convenience goods store and/or take away food store.

Discourage ribbon development along Lake Tyers Beach Road and other access roads to the Lake.

EAST GIPPSLAND PLANNING SCHEME

Lake Tyers Framework Plan

11.03-4L-08 Marlo

25/11/2022
C162egip

Policy application

This policy applies to all land in the Marlo Framework Plan to this clause.

Strategies

Maintain the existing scale of residential development.

Contain development to south of Healeys Road.

Protect the scale and character of the residential areas in the 'old town' area.

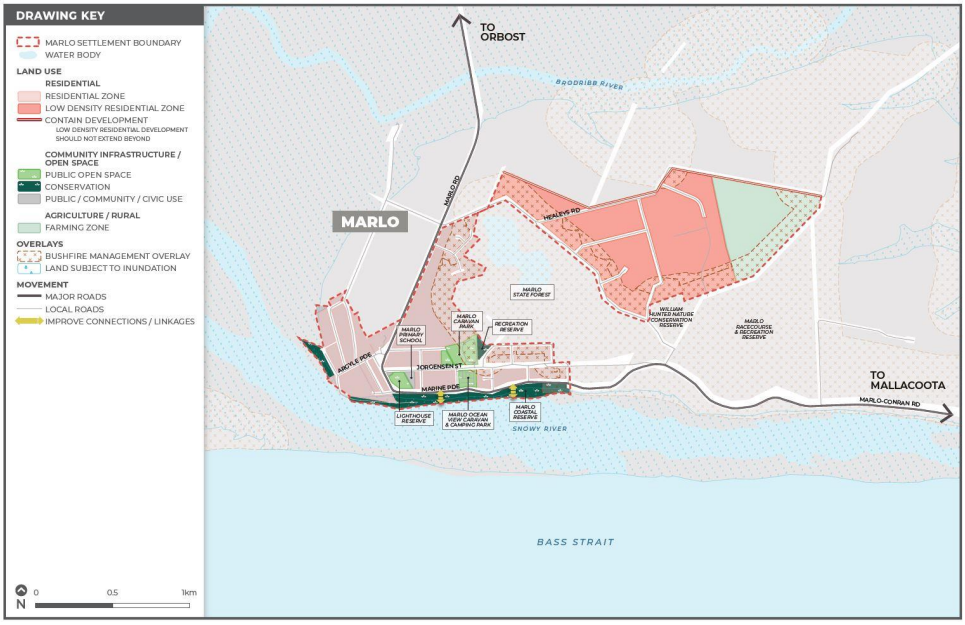
Ensure that the scale and character of development in Marine Parade is consistent with the prevailing development form and height.

Locate commercial uses on Argyle Parade to consolidate commercial development.

Increase visual connections to the Snowy River and Bass Strait.

Provide connections to the foreshore south of Marine Parade.

Marlo Framework Plan



11.03-4L-09 Bemm River

25/11/2022
C162egip

Policy application

This policy applies to all land in the Bemm River Framework Plan to this clause.

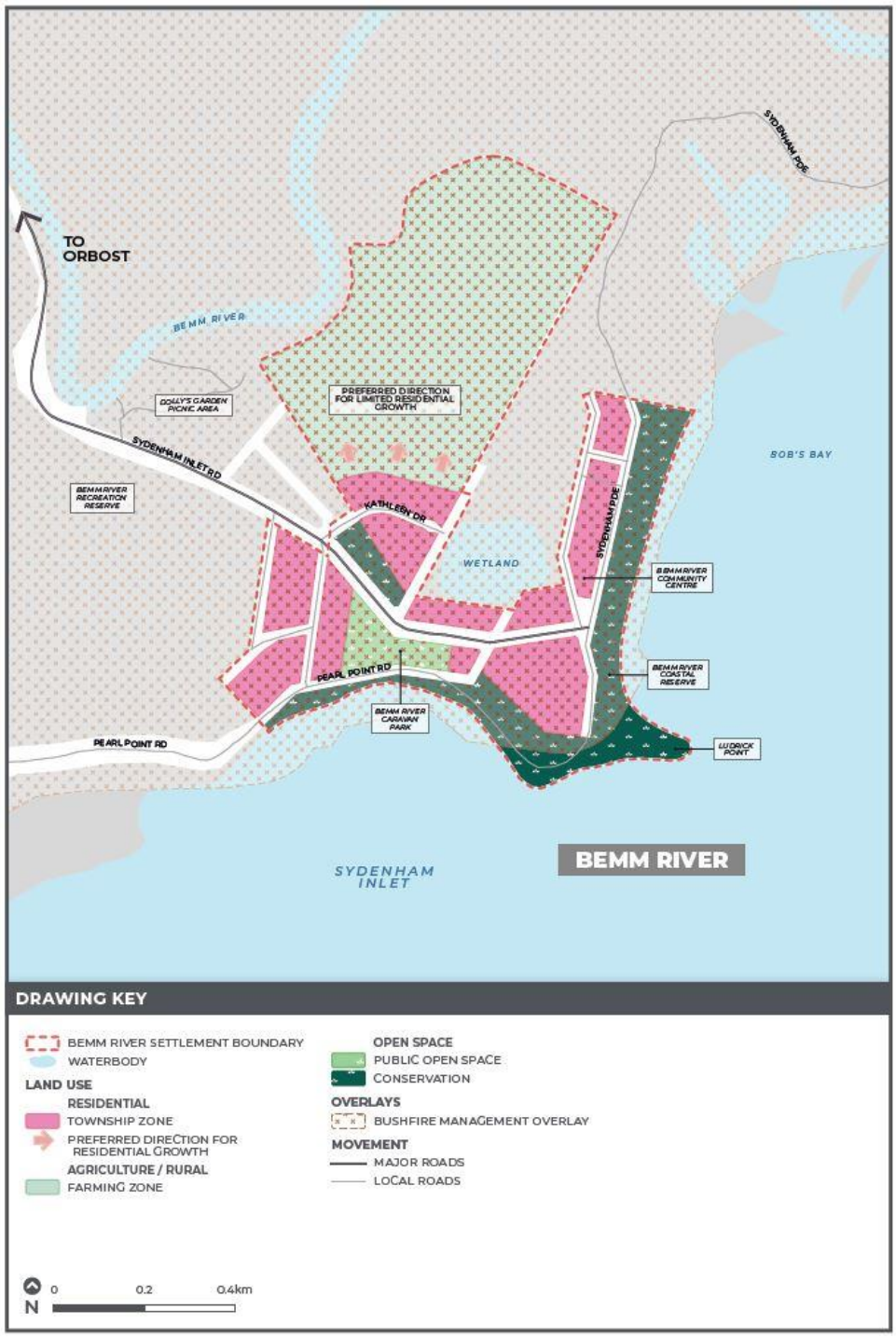
Strategies

Protect the well-vegetated coastal hamlet character of Bemm River.

Design development that reflects the 'fishing village' character of the Bemm River hamlet.

Develop land to the north of Kathleen Drive for limited residential development with on-site waste disposal arrangements.

Bemm River Framework Plan



11.03-4L-10 Mallacoota

25/11/2022
C162egip

Policy application

This policy applies to all land in the Mallacoota Framework Plan to this clause.

Strategies

Design development that reflects the coastal character of Mallacoota.

Encourage infill development of vacant sites along Maurice Avenue and Allan Drive with links to the public open space precinct.

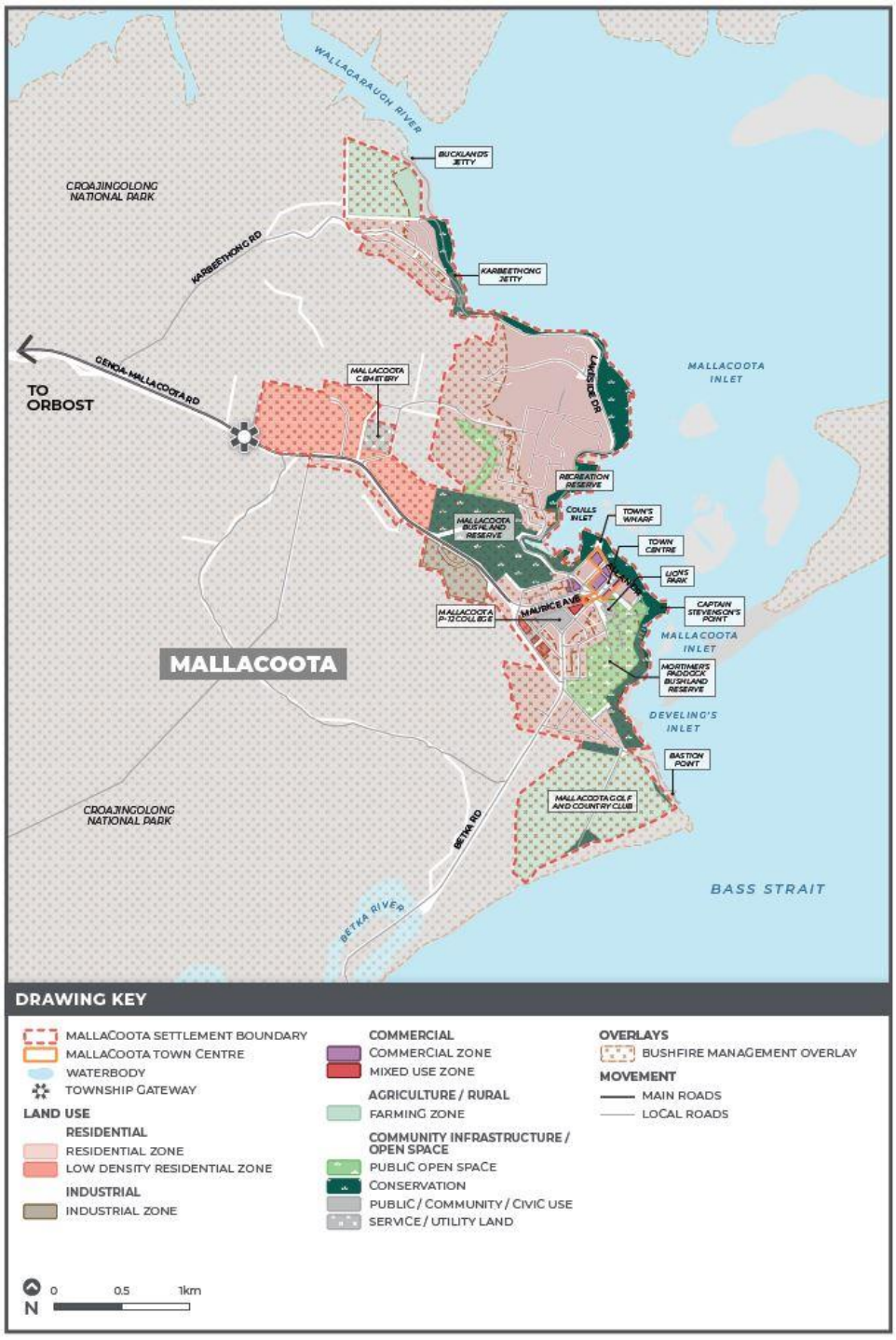
Design development to preserve the village atmosphere of the town centre.

Encourage high quality tourist accommodation.

Establish activity nodes at the Wharf, Karbeethong and Bastion Point.

EAST GIPPSLAND PLANNING SCHEME

Mallacoota Framework Plan



11.03-4L-11 Gipsy Point

25/11/2022
C162egip

Policy application

This policy applies to all land in the Gipsy Point Framework Plan to this clause.

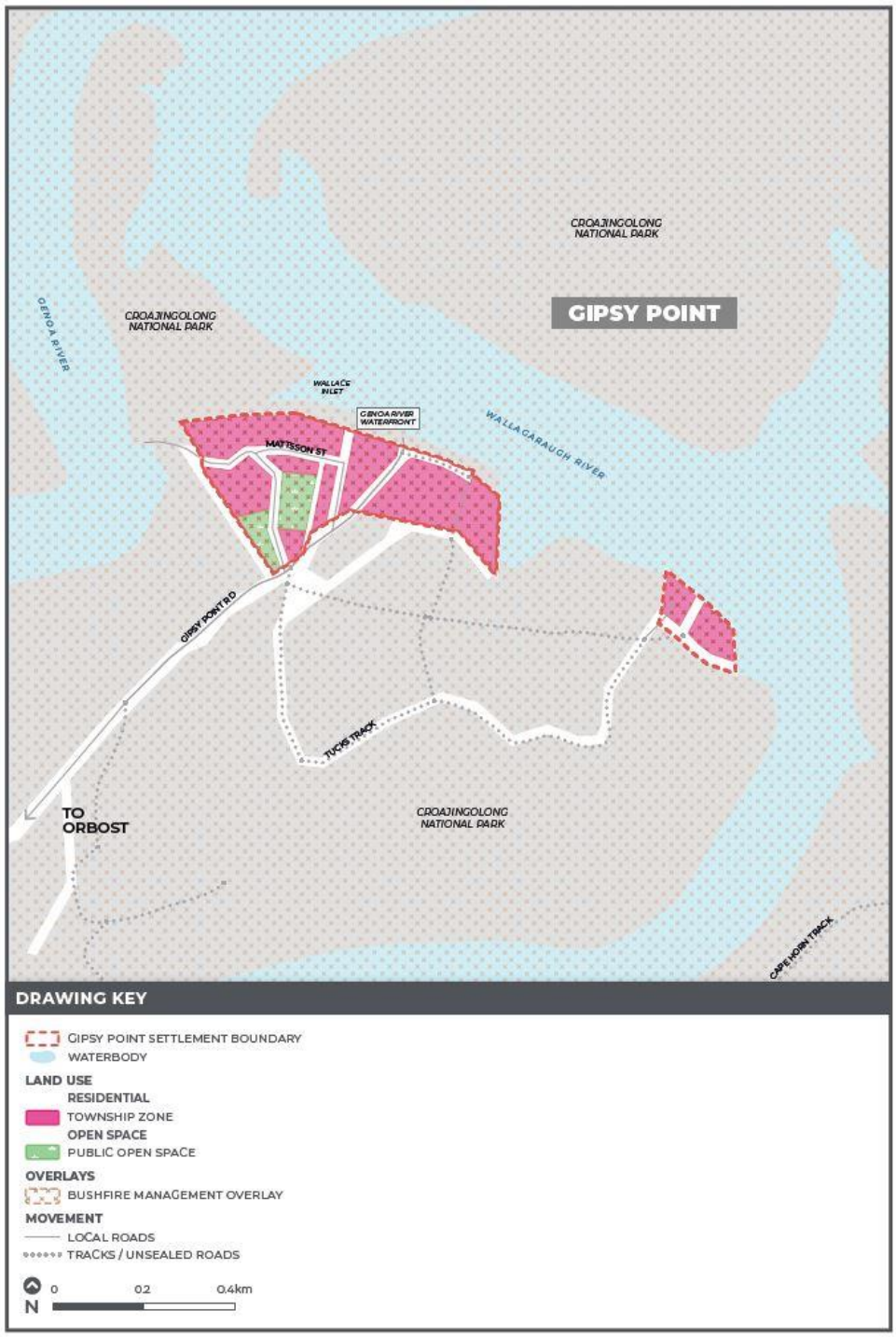
Strategies

Limit growth in Gipsy Point.

Ensure development respects the bushland setting of Gipsy Point.

EAST GIPPSLAND PLANNING SCHEME

Gipsy Point Framework Plan



11.03-4L-12 Eagle Point

~~25/11/2022 C162egip~~Proposed C171egip

~~Policy application~~Policy application

This policy applies to all land ~~in the Eagle Point Framework Plan~~shown in Map 1 to this clause.

~~Strategies~~Strategies

~~Ensure building character in Eagle Point remains low in scale and not be visually intrusive.~~Protect and enhance the low scale coastal character of Eagle Point.

Facilitate a defined Community Precinct and Foreshore Precinct to meet the community and recreational needs of Eagle Point and provide nature based tourism opportunities.

Encourage pedestrian accessibility and connectivity throughout Eagle Point.

Protect and enhance native vegetation that contributes to the character and environmental values of Eagle Point.

Protect views to ~~Eagle Point from the Lakes~~and from Eagle Point through responsive landscaping, building siting and building height.

~~Maintain view corridors to the lakes and northern ranges.~~Protect and enhance waterways, in particular Tyers Creek.

~~Retain the Gippsland Redgum throughout the township.~~

~~Encourage a community and local commercial centre near the school and caravan park.~~Protect the ecological values of the Eagle Point Flora and Fauna Reserve and the Silt Jetties.

~~Encourage retirement housing and associated facilities.~~**Policy document**

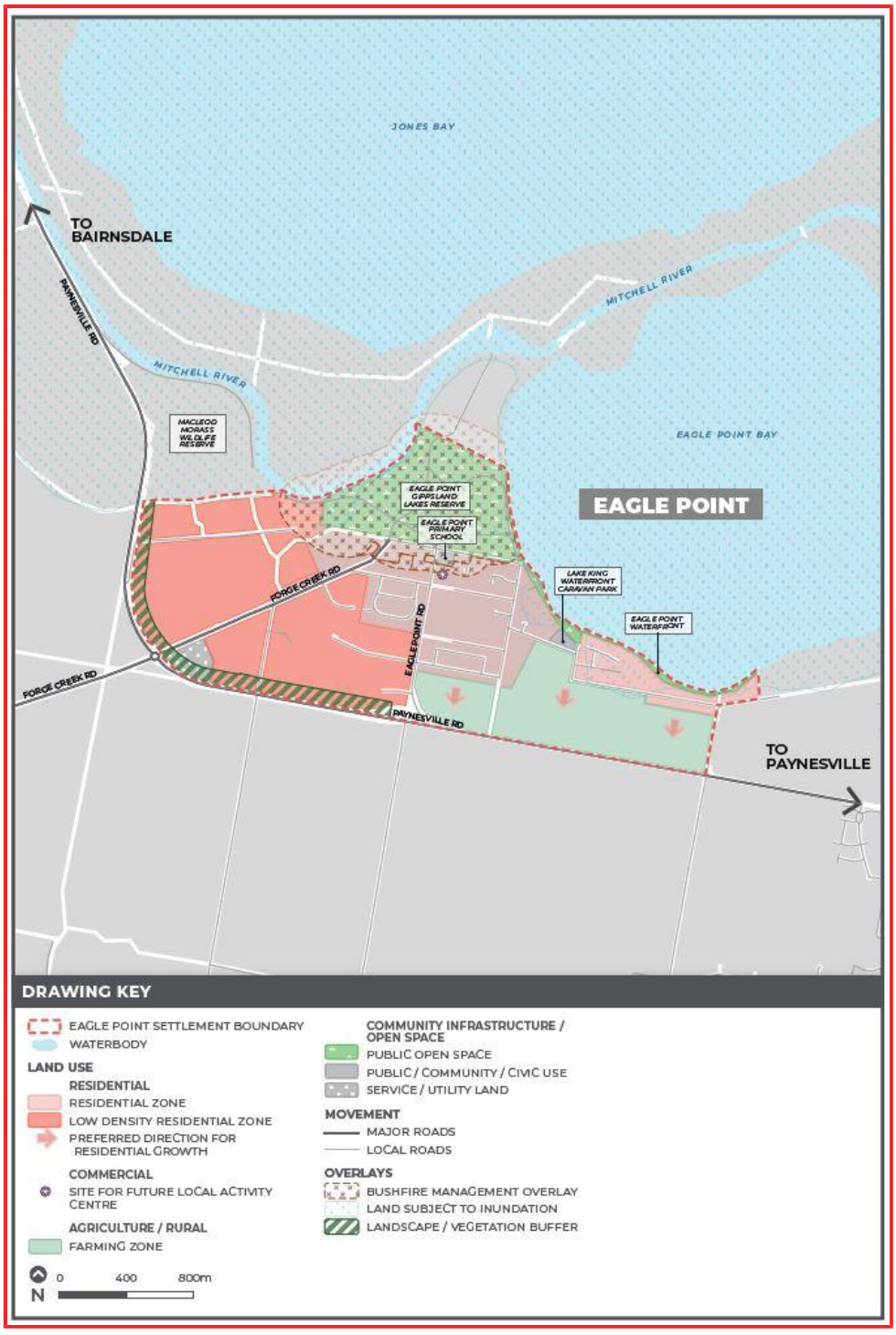
~~Retain indigenous vegetation in development areas.~~ *Eagle Point Structure Plan (2019)*

~~Extend wildlife corridors with additional planting.~~

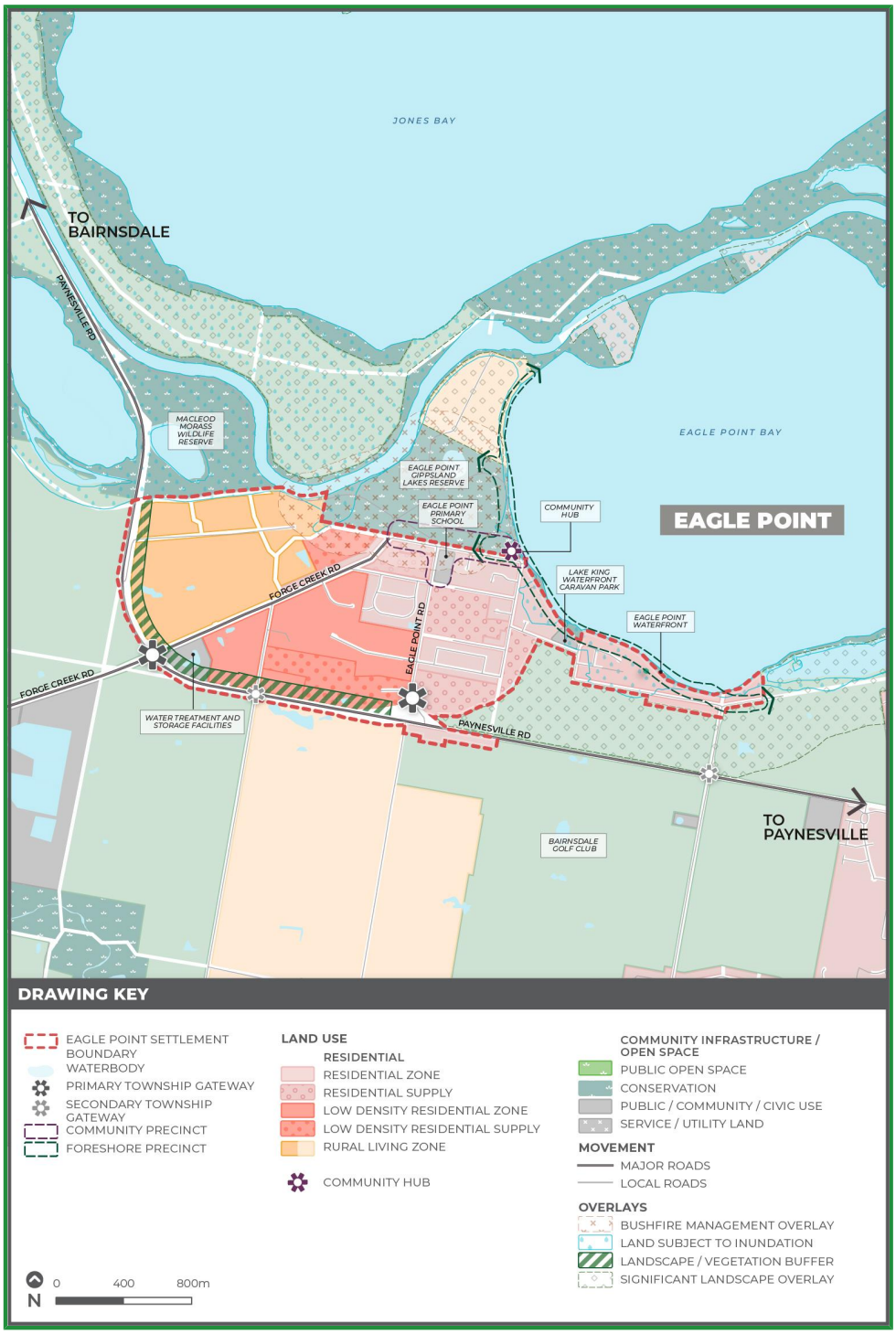
~~Encourage residential development along the Paynesville-Bairnsdale Road including a vegetated buffer adjacent to the road.~~

EAST GIPPSLAND PLANNING SCHEME

~~Eagle Point Framework Plan~~**Map 1 - Eagle Point Framework Plan**



EAST GIPPSLAND PLANNING SCHEME



11.03-4L-13 Lake Victoria settlements

25/11/2022
C162egip

Policy application

This policy applies to Goon Nure, Wattle Point and the Banksia Peninsula as identified on the Strategic Framework Plan to Clause 02.04.

Strategies

Discourage further small lot subdivision at Goon Nure, Wattle Point and the Banksia Peninsula.

Develop nature based tourism at Wattle Pont.

Support group accommodation and environmental / outdoor education on Banksia Peninsula.

Allow limited development of existing lots at Goon Nure.

11.03-5S Distinctive areas and landscapes

30/04/2021
VC185

Objective

To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.

Strategies

Recognise the unique features and special characteristics of these areas and landscapes.

Implement the strategic directions of approved Localised Planning Statements and Statements of Planning Policy.

Integrate policy development, implementation and decision-making for declared areas under Statements of Planning policy.

Recognise the important role these areas play in the state as tourist destinations.

Protect the identified key values and activities of these areas.

Enhance conservation of the environment, including the unique habitats, ecosystems and biodiversity of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

Policy documents

Consider as relevant:

- *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015)
- *Macedon Ranges Statement of Planning Policy* (Victorian Government, 2019)
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014)
- *Yarra Ranges Localised Planning Statement* (Victorian Government, 2017)

11.03-6S Regional and local places

31/07/2018
VC148

Objective

To facilitate integrated place-based planning.

Strategies

Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.

Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

EAST GIPPSLAND PLANNING SCHEME

--/--/----
Proposed C171egip

SCHEDULE 2 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ2.**

1.0 Subdivision requirements

--/--/----
Proposed C171egip

	Land	Area (hectares)
Minimum subdivision area (hectares)	All land	0.4ha
	1, 3, 4, 5, 6, 7, 8 Morecroft Rise. 1007A and 1007B Paynesville Road. 1005 Paynesville Road. 76 Eagle Point Road.	0.2ha

2.0 Outbuilding permit requirements

--/--/----
Proposed C171egip

Dimensions above which a permit is required to construct an outbuilding (square metres)
None specified

EAST GIPPSLAND PLANNING SCHEME

--/--/----
Proposed C171egip

SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ2**.

EAGLE POINT INCREMENTAL CHANGE AREA

1.0 Neighbourhood character objectives

--/--/----
Proposed C171egip

To support diverse, contemporary architecture which positively responds to Eagle Point's natural, coastal setting.

To encourage development that responds to Eagle Point's environmental attributes, significant views and retains native vegetation.

2.0 Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement

--/--/----
Proposed C171egip

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

--/--/----
Proposed C171egip

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

4.0 Maximum building height requirement for a dwelling, small second dwelling or residential building

--/--/----
Proposed C171egip

None specified

5.0 Application requirements

--/--/----
Proposed C171egip

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis plan and/or report demonstrating how development of the site responds to:
  - Site features including vegetation to be removed and retained, topography, views and adjoining development conditions.
  - The Neighbourhood Character Objectives specified within this clause.

- For building and works applications, a landscape plan which details landscaping within the lot.
- For building and works applications, a schedule of colours and materials.

6.0 Decision guidelines

--/--/----
Proposed C171egip

None specified

EAST GIPPSLAND PLANNING SCHEME

20/04/2020
GC112

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

--/--/----
Proposed C171egip

Name of background document	Amendment number - clause reference
A Land Capability Study of the Cassilis Valley, Swifts Creek. Technical Report No. 27, Centre for Land Protection Research, D. M. Rees (Department of Conservation and Natural Resources, Victoria, 1995).	Clause 44.01s
Draft East Gippsland Native Vegetation Plan (Government of Victoria and East Gippsland Catchment Management Authority, 2000)	Clause 42.02s8
Eagle Point Structure Plan (Mesh Urban Planning and Design, 2019)	Clause 11.03-4L-12
East Gippsland Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
East Gippsland Sites of Biological Significance, (Department of Natural Resources and Environment, 1997)	Clause 42.01
East Gippsland Soil Erosion Management Plan (Department of Primary Industries, 2009)	Clause 44.01s
Erosion Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2) (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.01s
Gippsland Lakes Coastal Action Plan (Gippsland Coastal Board, 1999)	Clause 42.02s2 Clause 42.02s4 Clause 42.02s5 Clause 42.02s6
Gippsland Lakes Environs Survey. D. F. Howe and T. Poutsma(Department of Conservation, Forests and Lands, unpublished)	Clause 44.01s
Infrastructure Design Manual (2020, Local Government Infrastructure Design Association)	GC112 - Clause 21.11-6
Input to Twin Rivers Land Use Plan – Economic Assessment of Future land Requirements *(Essential Economics Pty Ltd, August 2011)*	Clause 43.04s9
Lakes Entrance Northern Growth Area Social Impact Assessment (East Gippsland Shire Council, August 2012)	Clause 43.04s8
Lakes Entrance Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s13
Mallacoota Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s12
North Arm Action Plan. Friends of North Arm (East Gippsland Shire and Department of Natural Resources and Environment, 1996)	Clause 42.02s7
Northern Growth Area Lakes Entrance Development Concept Plan Hydrology, Water Technology (Water Technology Pty Ltd, October 2013)	Clause 43.04s8

EAST GIPPSLAND PLANNING SCHEME

Name of background document	Amendment number - clause reference
Paynesville Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s14
Raymond Island Strategy (Shire of Bairnsdale, 1992)	Clause 42.02s2
Revegetation Planting Standards	Clause 43.04s4 Clause 43.04s7
Roadside Management Plan (East Gippsland Shire Council, 1995)	Clause 42.02s1
Salinity Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2) (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.02s
The Siting and Design Guidelines for Structures on the Victorian Coast(Victorian Coastal Council, 1998)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
State Overview Report, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
Twin Rivers Land Use Plan – Final Report *(Meinhardt Infrastructure & Environment Pty Lty, May 2012)*	Clause 43.04s9
Twin Rivers Land Use Plan, Nicholson – Options for future Township Zone growth Desktop Analysis – 2012, Meinhardt	Clause 43.04s9
Victoria's Native Vegetation Management – A Framework for Action	Clause 43.04s3 Clause 43.04s4 Clause 43.04s7
*Urban Design Frameworks for Bemm River, Eagle Point, Gipsy Point, Lake Tyers Beach, Marlo, Metung, Newlands Arm, Nungurner, Raymond Island and Tambo Bluff (*Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s11
Urban Waterway Guidelines *(East Gippsland Shire Council, March 2013)*	Clause 43.04s9

EAST GIPPSLAND PLANNING SCHEME

20/04/2020
GC112

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

~~25/11/2022~~ ~~-/--/----~~
~~G162egip~~Proposed C171egip

Name of background document	Amendment number - clause reference
A Land Capability Study of the Cassilis Valley, Swifts Creek. Technical Report No. 27, Centre for Land Protection Research, D. M. Rees (Department of Conservation and Natural Resources, Victoria, 1995).	Clause 44.01s
Draft East Gippsland Native Vegetation Plan (Government of Victoria and East Gippsland Catchment Management Authority, 2000)	Clause 42.02s8
Eagle Point Structure Plan (Mesh Urban Planning and Design, 2019)	Clause 11.03-4L-12
East Gippsland Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
East Gippsland Sites of Biological Significance, (Department of Natural Resources and Environment, 1997)	Clause 42.01
East Gippsland Soil Erosion Management Plan (Department of Primary Industries, 2009)	Clause 44.01s
Erosion Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2) (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.01s
Gippsland Lakes Coastal Action Plan (Gippsland Coastal Board, 1999)	Clause 42.02s2 Clause 42.02s4 Clause 42.02s5 Clause 42.02s6
Gippsland Lakes Environs Survey. D. F. Howe and T. Poutsma(Department of Conservation, Forests and Lands, unpublished)	Clause 44.01s
Infrastructure Design Manual (2020, Local Government Infrastructure Design Association)	GC112 - Clause 21.11-6
Input to Twin Rivers Land Use Plan – Economic Assessment of Future land Requirements *(Essential Economics Pty Ltd, August 2011)*	Clause 43.04s9
Lakes Entrance Northern Growth Area Social Impact Assessment (East Gippsland Shire Council, August 2012)	Clause 43.04s8
Lakes Entrance Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s13
Mallacoota Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s12
North Arm Action Plan. Friends of North Arm (East Gippsland Shire and Department of Natural Resources and Environment, 1996)	Clause 42.02s7
Northern Growth Area Lakes Entrance Development Concept Plan Hydrology, Water Technology (Water Technology Pty Ltd, October 2013)	Clause 43.04s8

EAST GIPPSLAND PLANNING SCHEME

Name of background document	Amendment number - clause reference
Paynesville Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s14
Raymond Island Strategy (Shire of Bairnsdale, 1992)	Clause 42.02s2
Revegetation Planting Standards	Clause 43.04s4 Clause 43.04s7
Roadside Management Plan (East Gippsland Shire Council, 1995)	Clause 42.02s1
Salinity Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2) (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.02s
The Siting and Design Guidelines for Structures on the Victorian Coast(Victorian Coastal Council, 1998)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
State Overview Report, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
Twin Rivers Land Use Plan – Final Report *(Meinhardt Infrastructure & Environment Pty Lty, May 2012)*	Clause 43.04s9
Twin Rivers Land Use Plan, Nicholson – Options for future Township Zone growth Desktop Analysis – 2012, Meinhardt	Clause 43.04s9
Victoria's Native Vegetation Management – A Framework for Action	Clause 43.04s3 Clause 43.04s4 Clause 43.04s7
*Urban Design Frameworks for Bemm River, Eagle Point, Gipsy Point, Lake Tyers Beach, Marlo, Metung, Newlands Arm, Nungurner, Raymond Island and Tambo Bluff (*Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s11
Urban Waterway Guidelines *(East Gippsland Shire Council, March 2013)*	Clause 43.04s9

EAST GIPPSLAND PLANNING SCHEME

25/11/2022
C162egip

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0 Further strategic work

--/--/----
Proposed C171egip

Review of the Coastal Settlements Design and Development Overlays.

Prepare a planning scheme amendment to update municipal planning statement, including a municipal overview and integration of the Council Plan 2021-2025.

Review Heritage Gap Study, prepare local planning policy and update schedule to the Heritage Overlay.

Prepare and implement into the planning scheme the Rural Land Use Strategy.

Undertake a review of the land demand and supply for rural living.

Prepare and implement into the planning scheme the Settlement and Housing Strategy.

Prepare a land supply and demand analysis for residential land at a municipal wide level.

Review Coastal Inundation and Erosion Policy as part of the Update to the flooding mapping, policy and schedules.

Prepare a Planning Scheme Amendment to implement planning controls to protect landfill and water infrastructure.

Prepare Planning Scheme Amendment to implement the Paynesville Growth Area Structure Plan (PGASP).

Review and update Bairnsdale Growth Strategy.

Prepare a land demand and supply analysis for industrial land at a municipal wide level.

Prepare a Structure Plan for Lindenow.

Review and update the Erosion Management Overlay mapping, schedules and local policy.

In association with the relevant catchment management authority, review and update flood mapping, schedules and policy using best available data and with consideration of climate change, sea level rise and increased rainfall intensity.

Review and update the Bushfire Management mapping, schedules, planning policy and develop schedules for strategically identified townships.

Prepare an Industrial land demand and supply analysis.

Review and update the mapping and schedule to the Environmental Significance Overlay.

Review and update the development contributions plans for Lakes Entrance Northern Growth Area.

Prepare a Planning Scheme Amendment to update planning policy, zoning review and residential land supply for Omeo.

Prepare an Open Space Strategy.

Work with the landowner to prepare a Structure Plan for Lake Tyers Beach.

Review Master Plans contained in the Urban Design Frameworks on a township and needs basis as part of the review and preparation of structure plans.

EAST GIPPSLAND PLANNING SCHEME

25/11/2022 C162egip

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0 Further strategic work

~~25/11/2022~~ ~~C162egip~~Proposed C171egip

Review of the Coastal Settlements Design and Development Overlays.

Prepare a planning scheme amendment to update municipal planning statement, including a municipal overview and integration of the Council Plan 2021-2025.

Review Heritage Gap Study, prepare local planning policy and update schedule to the Heritage Overlay.

Prepare and implement into the planning scheme the Rural Land Use Strategy.

Undertake a review of the land demand and supply for rural living.

Prepare and implement into the planning scheme the Settlement and Housing Strategy.

Prepare a land supply and demand analysis for residential land at a municipal wide level.

Review Coastal Inundation and Erosion Policy as part of the Update to the flooding mapping, policy and schedules.

Prepare a Planning Scheme Amendment to implement planning controls to protect landfill and water infrastructure.

Prepare Planning Scheme Amendment to implement the Paynesville Growth Area Structure Plan (PGASP).

~~Prepare Planning Scheme Amendment to implement the Eagle Point Structure Plan.~~

Review and update Bairnsdale Growth Strategy.

Prepare a land demand and supply analysis for industrial land at a municipal wide level.

Prepare a Structure Plan for Lindenow.

Review and update the Erosion Management Overlay mapping, schedules and local policy.

~~Review and update the Flooding mapping, schedules and planning policy.~~

~~Consider planning policy implications~~In association with the relevant catchment management authority, review and update flood mapping, schedules and policy using best available data and with consideration of climate change, sea level rise and ~~coastal inundation as part of the update of the planning scheme flooding controls~~increased rainfall intensity.

Review and update the Bushfire Management mapping, schedules, planning policy and develop schedules for strategically identified townships.

Prepare an Industrial land demand and supply analysis.

Review and update the mapping and schedule to the Environmental Significance Overlay.

Review and update the development contributions plans for Lakes Entrance Northern Growth Area.

Prepare a Planning Scheme Amendment to update planning policy, zoning review and residential land supply for Omeo.

Prepare an Open Space Strategy.

Work with the landowner to prepare a Structure Plan for Lake Tyers Beach.

Review Master Plans contained in the Urban Design Frameworks on a township and needs basis as part of the review and preparation of structure plans.

EAGLE POINT

DRAFT STRUCTURE PLAN VOLUME 1

JUNE 2019

EAST GIPPSLAND SHIRE COUNCIL

© Mesh Livable Urban Communities Pty Ltd 2019

This work is copyright. Apart from any use permitted under the Copyright Act 1968, no part may be reproduced by any process without written permission from Mesh Livable Urban Communities Pty Ltd, Level 2, 6 Riverside Quay Southbank VIC

EAST GIPPSLAND SHIRE COUNCIL

mesh URBAN PLANNING & DESIGN

EAGLE POINT STRUCTURE PLAN

JUNE 2019
VOLUME 1

TABLE OF CONTENTS

1. INTRODUCTION 4
- 1.1 Overview 4
- 1.2 Purpose of this Document 5
- 1.3 Eagle Point Snap Shot 7

2. THE VISION 8

3. TOWNSHIP BOUNDARY 10
- 3.1 Guiding Principle 10
- 3.2 Key Issues/Considerations 10
- 3.3 Objectives and Strategies 12
- 3.4 Actions 13

4. MANAGING RESIDENTIAL CHANGE + GROWTH 14
- 4.1 Guiding Principle 14
- 4.2 Key Issues/Considerations 14
- 4.3 Objectives and Strategies 15
- 4.4 Actions 17

5. THE COMMUNITY AND FORESHORE PRECINCTS 20
- 5.1 Guiding Principle 20
- 5.2 Key Issues/Considerations 20
- 5.3 Objectives and Strategies 21
- 5.4 Actions 22
- 5.5 Community Precinct 23
- 5.6 Foreshore Precinct 23

6. GATEWAYS AND STREETSCAPES 26
- 6.1 Guiding Principle 26
- 6.2 Key Issues/Considerations 26
- 6.3 Objectives and Strategies 28

7. MOVEMENT NETWORK 29
- 7.1 Guiding Principle 29
- 7.2 Key Issues/Considerations 29
- 7.3 Objectives and Strategies 29
- 7.4 Actions 31
- 7.5 Road Cross Sections 34

8. LANDSCAPE, OPEN SPACE AND ENVIRONMENT 44
- 8.1 Guiding Principle 44
- 8.2 Key Issues/Considerations 44
- 8.3 Objectives and Strategies 45
- 8.4 Actions 49

9. NATURAL HAZARDS 50
- 9.1 Guiding Principle 50
- 9.2 Key Issues/Considerations 50
- 9.3 Objectives and Strategies 51
- 9.4 Actions 52

10. DRAINAGE AND INFRASTRUCTURE 54
- 10.1 Guiding Principle 54
- 10.2 Key Issues/Considerations 54
- 10.3 Objectives and Strategies 54
- 10.4 Actions 56

11. IMPLEMENTATION PLAN 59
- 11.1 Introduction 59
- 11.2 Action Implementation Plan 60
- 11.3 Planning Controls 64
- 11.4 Preconditions and Requirements for Development 66
- 11.5 Incremental Change Areas 66
- 11.6 Established Areas Change - Strategic Sites 66
- 11.7 New Change Area 66
- 11.8 Long-term Development Opportunities 67
- 11.9 Public Realm and Infrastructure 68

12. APPENDIX 1 NEIGHBOURHOOD CHARACTER SUMMARIES 70
- 12.1 Rural Living Neighbourhood 70
- 12.2 Low Density Neighbourhoods 71
- 12.3 Conventional Residential Neighbourhood 72
- 12.4 New Development Potential Neighbourhoods 73

13. APPENDIX 2 DEVELOPMENT GUIDANCE FOR CHANGE AREAS 74
- 13.1 30 Forge Creek Road 74
- 13.2 25 Waterview Road 76
- 13.3 Woodman Road 78
- 13.4 Riley Road 80
- 13.5 Paynesville Road 82
- 13.6 Eagle Point Road New Residential Area 84
- 13.7 Long-term Development Opportunities 84

mesh
URBAN PLANNING & DESIGN

1. INTRODUCTION

1.1 Overview

Eagle Point is a small town cherished by its community as a beautiful place to live and visit. Encompassing undulating topography, impressive scenery and high quality natural setting; Eagle Point's village character has been influenced by its natural attributes and low scale development form.

Eagle Point is small and highly valued by its residents for its quiet, natural and coastal character. Development within the town is a combination of low density-style lots and 'standard' density development which has organically developed over time. When entering Eagle Point, it is immediately evident that development has responded to the complex interplay of the township's natural features which has produced a unique lifestyle-based living.

Eagle Point's local community and visitors value its intrinsic connection to the natural environment which includes the popular foreshore precinct. As a key tourist destination, the foreshore precinct and surrounding attractions such as the Gippsland Lakes, Silt Jetties, Eagle Point Flora and Fauna Reserve and Macleod Morass Wildlife Reserve promote a wide range of nature-based recreational opportunities. These include camping, caravanning, fishing, hiking and other water activities alongside the Gippsland Lakes. On the periphery of the township, the Bairnsdale Golf Course is another tourist recreation drawcard located on Eagle Point's doorstep.

Eagle Point is located between larger townships, Bairnsdale and Paynesville, which are each nominated for growth and change. Eagle Point residents generally access these towns for their services, facilities and employment opportunities.

Eagle Point will remain a small village defined and influenced by its natural environment and character, with access to local-scale services and facilities. This is in keeping with slow growth and change trends experienced within Eagle Point, reflecting its lifestyle offering that is very different to the residential offering provided by Paynesville and Bairnsdale.

The role and purpose of the Eagle Point Township Structure Plan is to protect and enhance the unique and special qualities of the town, by identifying where change is appropriate and where change will be limited. Protection of human life will be prioritised over all other policy considerations, with regard to bushfire risk and sea level change.

A common thread to the Eagle Point Township Structure Plan is:

- Eagle Point is a scenic township with a character that is influenced by the natural environment. This character is to be protected and enhanced.
- Eagle Point's role in the broader network of towns will remain as a small lifestyle-based township that will rely upon the established services and facilities offered by larger towns including Bairnsdale and Paynesville.
- Where change is to occur within Eagle Point, it will be limited in scale, carefully located and managed to respect the township's character and role.
- The foreshore precinct offers a wide range of recreational pursuits and will be reinforced as the key resident and tourism focal point.
- Management of bushfire risk and sea level rise is a high priority in protecting and enhancing Eagle Point's natural environment, therefore facilitating change will occur where there is low risk to life and property.

> **"East Gippsland Shire Council has recognised the need to prepare a Structure Plan to manage change in Eagle Point in the long term. Change in the town will have regard to its existing character, its role in the wider network of towns and its limited growth capacity. The Structure Plan will ensure the very attributes which make the town special are nurtured and enhanced well into the future."**

1.2 Purpose of this Document

The Eagle Point Township Structure Plan is a planning tool that provides guidance for East Gippsland Shire Council, residents and a range of government and non-government stakeholders about the intended planning and development outcomes for Eagle Point.

The Structure Plan has been formulated to articulate the role of Eagle Point and positively shape its future. This is achieved by setting a clear vision statement that describes Eagle Point's values and character, its capacity to accommodate change and importantly, the community's feedback on their desires and expectations for the township.

The Structure Plan focusses on "protecting and enhancing" Eagle Point, its character and lifestyle attributes over the long term. This will be accomplished by articulating areas within Eagle Point where residential change will be supported and where residential change will not be supported, having particular regard to bushfire risk and sea level rise. Where change will be supported within the town as incremental development or new residential areas, the Structure Plan provides strategies as to how change will be managed via pre-conditions that must be demonstrated. In doing so, change within the township will be respectful of its character and values ensuring the very elements that make Eagle Point a special place to live and visit are protected, whilst harnessing opportunities that can prove beneficial for the community and the township.

Figure 1 Strategic Directions for Eagle Point

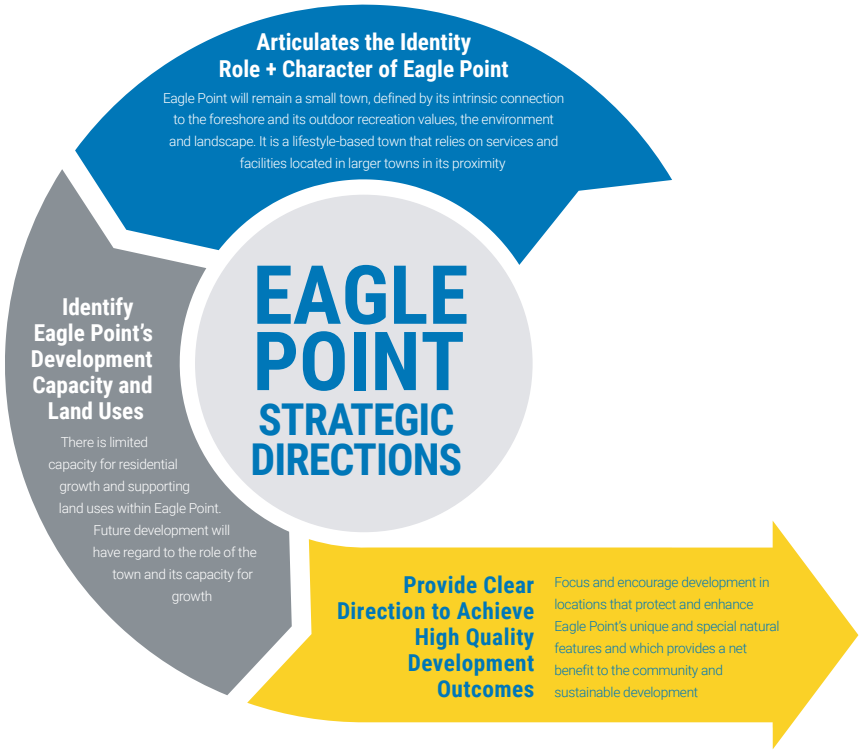


Figure 2 Document Structure Plan

VOLUME 1

Is the Structure Plan for Eagle Point, comprising a set of guiding principles, objectives, strategies and actions, that will collectively contribute to achieving the vision articulated for the township.

VOLUME 2

Provides background analysis and further discussion that has been used to support and justify the directions set out in this Structure Plan.

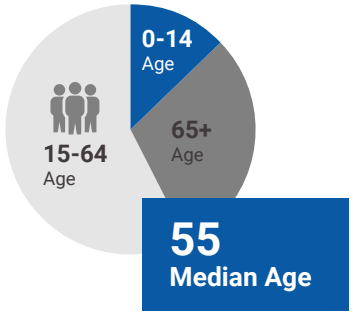
Figure 3 Eagle Point Settlement Snap Shot

EAGLE POINT

13km
South-East of Bairnsdale

3km
to Paynesville Centre

843
residents as at 2016
(2016 Census)



58.3%
Home ownership
Regional Victorian Average is 53.9%

13.3%
Rentals
Regional Victorian Average is 26.5%

Holiday Home Destination

Small settlement

Existing Facilities Recreation and Infrastructure:

- Eagle Point Primary School
- 2 x Caravan Parks including Eagle Point Caravan Park (Council managed)
- Café/convenience shop
- Toilets/amenity block
- Tennis court
- Community hall
- Eagle Point Gippsland Lakes Reserve
- Macleod Morass Wildlife Reserve
- Mitchell River Silt Jetties + Gippsland Lakes Reserve
- Bairnsdale Golf and Bowls Club
- Eagle Point Tanks (water facility)
- Limited existing sewer

Housing:

445
dwellings

19% of dwellings are unoccupied meaning high use for holiday homes

Current Zones:

General Residential 1 Zone
Low Density Residential Zone
Rural Living Zone Schedule 1 and 3
Public Use Zone
Public Park and Recreation Zone
Public Conservation and Resource Zone

Overlays:

Vegetation Protection Overlay
Erosion Overlay
Management Overlay
Significant Landscape Overlay
Bushfire Management Overlay
Land Subject to Inundation Overlay

Other:

Bushfire Prone Area

1.3 Eagle Point Snap Shot

Eagle Point is a small village that is defined by its natural environment and low scale development pattern that has organically formed over time.

Located immediately on the Gippsland Lakes and adjacent to environmentally significant Mitchell River Silt Jetties and Macleod Morass Wildlife Reserve, Eagle Point's physical and visual connections to the surrounding landscape and natural environment has shaped and contributes to its special character.

Figure 4 Eagle Point Locality Plan

2. THE VISION

A vision statement has been developed for Eagle Point.

The vision is intended to be a high-level expression of the long-term aspirations of the town, and serves to guide the policy formulation and decision making as it applies to Eagle Point. The vision for Eagle Point is supplemented by a set of guiding principles that provide more direction around specific Structure Plan elements. Each of the objectives, strategies and actions within the Structure Plan is informed by the vision and the relevant guiding principle.

VISION STATEMENT

Eagle Point's intrinsic natural beauty and quiet lifestyle-based appeal is unique and highly valued by the community and visitors. Eagle Point will continue to be a small township that is characterised by low scale development, and a landscape setting influenced by the natural environment and the foreshore.

Eagle Point will remain a small village offering an experience different to other towns. It will continue to rely on established services and facilities provided in the broader region including Bairnsdale and Paynesville.

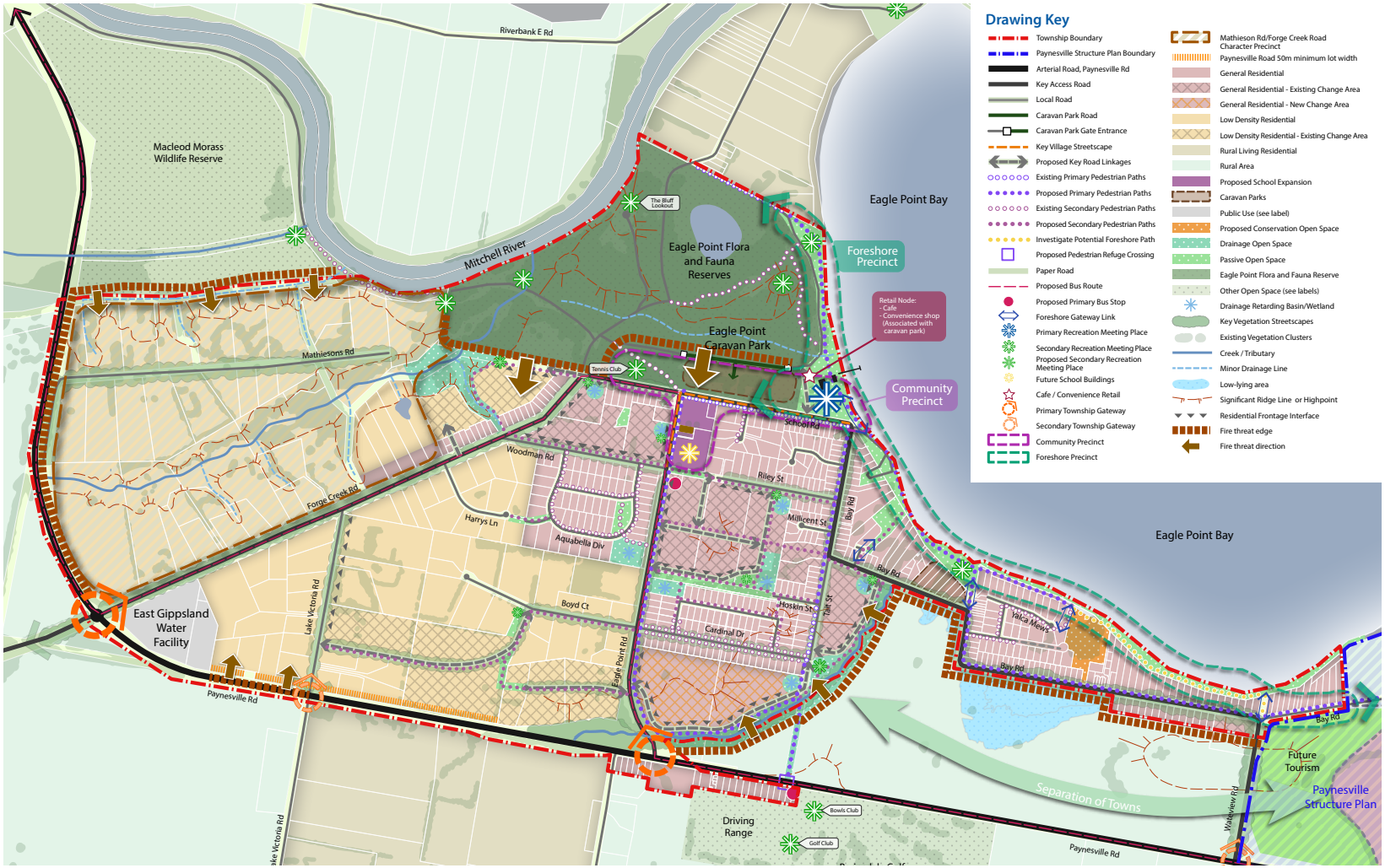
Eagle Point is not identified for substantial change. Where some change is designated to occur, it will be sustainable and properly managed to the benefit of the community and it will protect and enhance the town's informal character and natural environment.

Protection and change will be managed with careful consideration given to current climatic conditions, predicted sea level rise and bushfire risk. The protection of human life will be prioritised above all else.

Progressively, change within Eagle Point will facilitate better connections between its diverse residential neighbourhoods and the town's diverse meeting places. Walking connections will be improved with positive impacts to health and wellbeing. Gateways and streetscapes throughout the township will reinforce Eagle Point's informal village character and ensure it is protected

The role of nature-based tourism and recreation associated with the Gippsland Lakes, Eagle Bay, the foreshore precinct and surrounds will reinforce the special character of Eagle Point. The foreshore precinct will be prioritised and enhanced to create the primary community focal point and meeting place. Amenities along the foreshore precinct will be improved over time, delivering high quality nature-based experiences and activities that will continue to be enjoyed by both residents and visitors alike.

Figure 5 The Eagle Point Structure Plan



3. TOWNSHIP BOUNDARY

3.1 Guiding Principle

Eagle Point will be defined by an enduring township boundary that is informed by the natural environment, landscape setting and its built form composition and character. Implementation of a township boundary will protect Eagle Point's highly valued small village character and will assist to guide land use and change outcomes within the township.

The presence of a township boundary reinforces Eagle Point's role in the broader network of towns, as a town with limited capacity for growth and change, and importantly, provides clear separation from Paynesville. Eagle Point's township boundary enhances bushfire safety for existing and future residents by containing limited growth within the existing settlement.

3.2 Key Issues/Considerations

- Eagle Point and Paynesville being two distinct coastal towns is consistent with state planning policy and reflects the towns respective role, development patterns and character
- A formal township boundary reinforces the lifestyle-based character of Eagle Point, and articulates its role as a village that relies upon larger towns for most service needs
- There is no formal township boundary for Eagle Point and it is instead defined by the existing extent of development, placing development pressure on the natural qualities both within the town and on its periphery
- The importance of protecting peripheral values of the township including Macleod Morass Wildlife Reserve, the Silt Jetties area and sweeping scenic views from Paynesville Road from further development encroachment
- Sweeping views from the Gippsland Lakes to the township and the natural surrounds contributes to the quality and character of the area
- An undulating topographic terrain provides opportunities for capturing landscape vistas however requires consideration of low lying land from a development and drainage perspective
- Peripheral uses such as Bairnsdale Golf Course, farming land and rural living areas in proximity to Eagle Point's edges need to be considered in the context of their contribution to Eagle Point
- Bushfire risk presenting to the settlement from surrounding farm land, Macleod Morass Wildlife Reserve and Eagle Point Flora and Fauna Reserve.

Figure 6 Eagle Point Township Boundary

3.3 Objectives and Strategies

TB 1	**To contain growth and development of Eagle Point within an enduring township boundary that responds and respects its intrinsic relationship and connection to the natural environment, water, landscape setting and bushfire risk, and provides for clear separation from Paynesville**
TB 1.1	Contain development within the township boundary defined in Figure 6.
TB 1.2	Discourage development, including further rural subdivision and single dwelling construction outside the township boundary.
TB 1.3	Recognise the positive influence of the natural edges of Eagle Point, such as drainage lines, vegetation and topography which together define the extent of the township and characterises Eagle Point.
TB 1.4	Protect the ecological and biodiversity importance and sensitivity of the Eagle Point Flora and Fauna Reserve and Silt Jetties area by restricting development in this area.
TB 1.5	Protect agricultural land, environmental values and rural living activity on the periphery of Eagle Point by discouraging further low density or “lifestyle” subdivision outside of Eagle Point’s nominated Township Boundary.
TB 1.6	Protect the sweeping scenic views to Eagle Bay from Paynesville Road by limiting further development along Paynesville Road, generally south of the drainage line.
TB 1.7	Recognise the landscape values of rural amenity north of Paynesville Road, by requiring further subdivisions to maintain a minimum width and lot size as defined in Figure 26.
TB 1.8	Protect rural living areas to the north of the township adjacent to the Silt Jetties by locating this area outside of the township boundary.
TB 1.9	Ensure bushfire risk protection measures and management are considered as a priority when protecting the natural environment and landscape setting of Eagle Point.
TB 2	**To acknowledge and reinforce Eagle Point’s role as a small, lifestyle-based township that draws upon services and facilities offered by the broader township network including Paynesville and the regional town of Bairnsdale**
TB 2.1	Ensure future planning undertaken for Paynesville and Bairnsdale considers the needs of Eagle Point residents in terms of its reliance on these larger towns and access to higher order services, facilities, retail and employment opportunities.
TB 2.2	Plan for improvements to the Community Precinct and Foreshore Precinct as set out in Chapter 5 to support the local needs of the community.

3.4 Actions

A1 **Articulate and define the role of Eagle Point (including township boundary) by incorporating the Eagle Point Structure Plan into the Municipal Strategic Statement.**

A2 **Apply the Significant Landscape Overlay to the landholdings as shown in Figure 6.**

4. MANAGING RESIDENTIAL CHANGE AND CHARACTER

4.1 Guiding Principle

Residential development in Eagle Point will continue to be positively influenced and shaped by the relationship between the natural environment, water, landscape setting, housing style and development pattern which together give Eagle Point its informal village character.

Within this overall setting, there are four neighbourhood types that characterise the town. The Structure Plan articulates the qualities of each neighbourhood and in doing so, will guide future change and development of Eagle Point ensuring the township is protected and enhanced into the future. The neighbourhood character types are summarised in Appendix 1 and defined as:

- Rural living neighbourhood
- Low density neighbourhood
- Conventional residential neighbourhood
- New development potential neighbourhood

Residential change within Eagle Point's existing areas and new areas will protect Eagle Point's lifestyle quality. Where change is to be accommodated, it will be guided in specific neighbourhoods and carefully planned in a manner which protects and enhances the township and provides for missing infrastructure that will result in a net community benefit.

4.2 Key Issues/Considerations

- A defining quality of Eagle Point is its residential neighbourhoods that are informal in character, development pattern, streetscape forms and the close physical and visual connectivity to the natural environment
- The influence of direct frontage and lot size along the Paynesville Road interface in keeping with the existing large lot character
- Lot sizes in Eagle Point are generally larger than Bairnsdale and Paynesville, reflecting the lifestyle role of the township and higher proportion of holiday homes
- There are four distinct neighbourhood type each with their own character and suitability for change over time
- Low density areas along Forge Creek Road and Mathiesons Road area contribute greatly to the character of the township and entry experiences and will be protected
- Housing density increases toward the centre of the township around the community precinct
- Newer subdivisions display more 'urban' qualities in terms of lot sizes and streetscapes which is inconsistent with the preferred informal character of the township
- New areas must be carefully guided to ensure residential change reflects the site specific and overall character of Eagle Point
- Rural living areas outside of the township boundary will be protected and maintained for the character value they provide the Eagle Point area.
- New development and uses will be appropriately located and designed in response to bushfire hazard.

4.3 Objectives and Strategies

RN 1	**To protect and enhance Eagle Point's low scale and informal residential character, which forms an integral part of the township's valued lifestyle quality**
RN 1.1	Require new residential development within Eagle Point's existing neighbourhoods to respect the attributes of the township such as its informal streetscapes, lot sizes, retention of existing trees and vegetation and to have regard to significant views.
RN 1.2	Support diverse, contemporary architecture which positively responds to Eagle Point's neighbourhood character areas and reflects its overall natural, coastal character.
RN 1.3	Encourage residential subdivision and development that is sensitively sited and responds to both internal site conditions and the site context, and has regard to the character attributes identified for each neighbourhood in Appendix 1 (Neighbourhood Character Summaries).
RN 2	**To identify preferred locations for new residential development opportunities having regard to the scale, role and character of Eagle Point**
RN 2.1	Support new residential development within Eagle Point's defined residential neighbourhoods as set out in Figure 7.
RN 2.2	Support a range of lot sizes capable of accommodating a variety of dwelling types which are responsive to the character of Eagle Point and its neighbourhood character areas (refer to Appendix 1).
RN 2.3	Support innovative aged care housing opportunities within the township that positively integrates with the township character and with surrounding neighbourhoods and streetscapes.
RN 2.4	Discourage further subdivision within the environmentally significant and highly valued Mathiesons Road Neighbourhood Character Precinct.
RN 3	**To carefully manage future development within Eagle Point's township boundary that protects and enhances the character and lifestyle attributes of the township**
RN 3.1	Plan for residential change within Eagle Point's township boundary that has regard to its capacity for change, is respectful of the lifestyle attributes, protects and enhances the character of the township and provides a net community benefit.
RN 3.2	Support residential development within Eagle Point's *Incremental Change* areas and *Existing Areas – Strategic Sites* as generally nominated in Figure 7. Where planning permits are triggered for subdivision and development, require applications to be generally in accordance with: > The relevant Neighbourhood Character Area guidance as detailed in Appendix 1; > The Development Guidance for Strategic Development Areas in Appendix 2 (for areas identified as Strategic Development Areas only); > Relevant bushfire policy and bushfire planning provisions; and > Other requirements as listed in Chapter 11.
RN 3.3	Require residential development to provide missing infrastructure such as pedestrian paths and road connections that provide for a connected community with access between neighbourhoods and precincts where appropriate.

RN 4	**To identify areas within the township boundary that can accommodate carefully planned new development**
RN 4.1	Plan for the future rezoning of the *new change area* as depicted in Figure 7 that will contribute to positively defining the southern extent of Eagle Point and the establishment of the linear public open space link along the creek line.
RN 4.2	Ensure planning and development of the new change area as depicted in Figure 7 responds to the following requirements: > The relevant Neighbourhood Character Area objectives detailed in Appendix 1; > The Development Guidance for Strategic Development Areas in Appendix 2 (for areas identified as Strategic Development Areas only); > Relevant bushfire policy and bushfire planning provisions; and > Any other development pre-conditions as provided in Chapter 11.
RN 5	**To protect Eagle Point's sensitive or environmentally significant areas from further development**
RN 5.1	Maintain existing farming and rural living areas outside of the Eagle Point township boundary.
RN 6	**To support the role of non-residential land uses for their economic and community benefits to Eagle Point**
RN 6.1	Protect the role of the Bairnsdale Golf Course as a key tourism asset by considering a proposal/s for rezoning and development of the Bairnsdale Golf Course for low density residential development in the location depicted in Figure 7 subject to satisfying pre-conditions as detailed in Chapter 11.

4.4 Actions

A3 Insert the Overall Township Objectives into East Gippsland's Municipal Strategic Statement to guide future development outcomes within Eagle Point's residential neighbourhood areas.

A4 Rezone the Mathiesons Road Neighbourhood Character Area to the Rural Living Zone and apply a minimum subdivision area of 2 hectares and review restrictive covenants.

A5 Include preconditions for 'Incremental Change Areas' as specified in Chapter 11.5 to all relevant zone schedules as shown in Figure 7 (excluding Strategic Sites).

A6 Apply the Development Plan Overlay to Strategic Sites identified in Figure 19 and include preconditions and requirements specified in Chapter 11.5.

A7 Amend the General Residential Zone boundary for land at 25 Waterview Road to reflect alignment with the Structure Plan.

A8 Rezone land identified as a new change area as depicted in Figure 7 subject to development preconditions and requirements listed within Chapter 11.

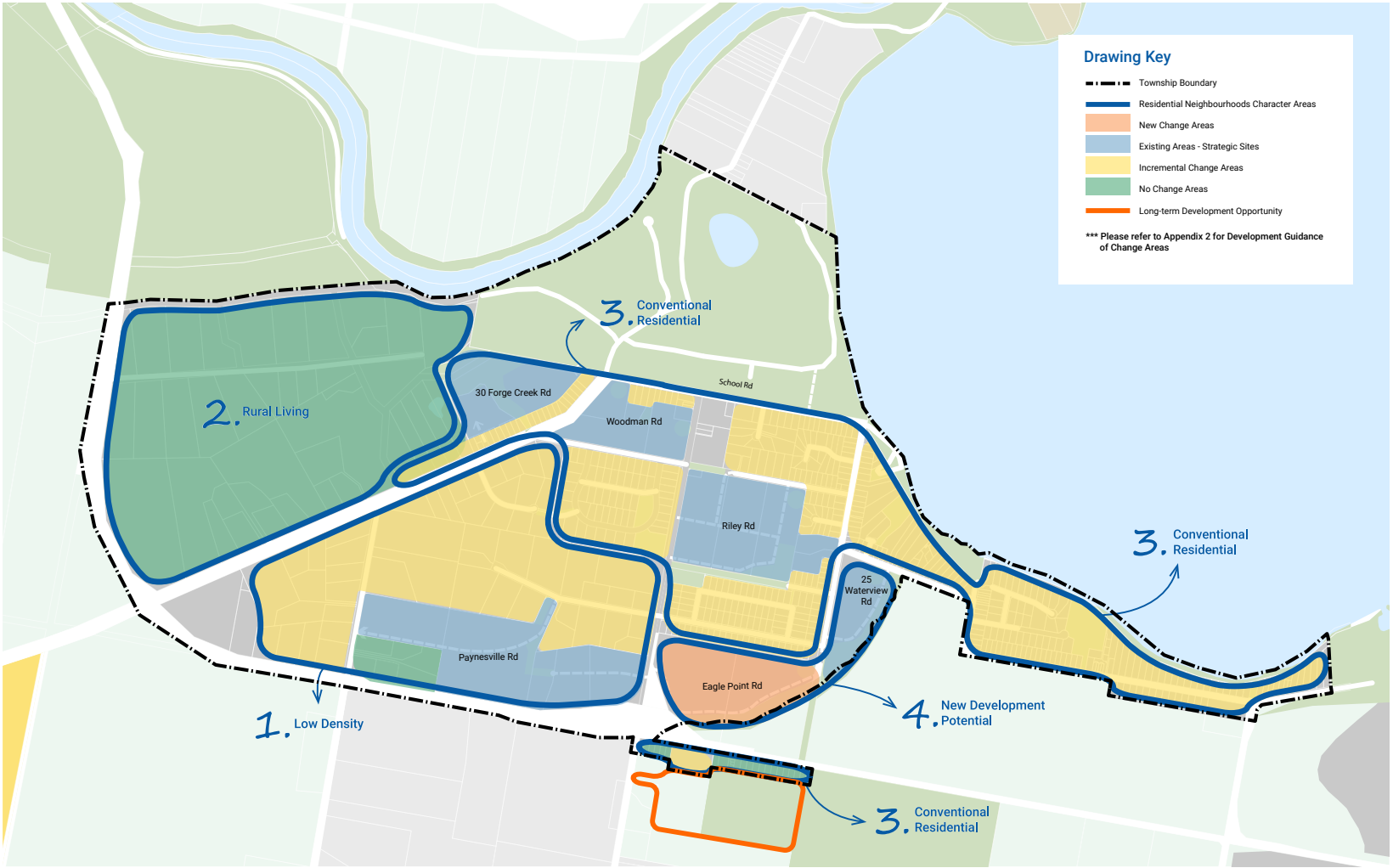
A9 Work collaboratively with the Bairnsdale Golf Course to understand timing of future proposals and reinforce its tourism role and economic benefits to Eagle Point and the broader area, over the long term.

A10 Rezone land at 30 Forge Creek Road to the Low Density Residential Zone as identified in Figure 19.

A11 Apply minimum subdivision areas (specified in Figure 26) to the existing Low Density Residential Zone land identified in Figure 19 through a schedule.

A12 Apply and amend schedules to all zones (as required) to reflect neighbourhood character summaries in Appendix 1.

Figure 7 Residential Neighbourhoods, Character and change areas



Residential Change Area Category	Explanation
Incremental Change Areas	Identifies land within the existing residential zoned areas of Eagle Point that can accommodate small or incremental change. Change will be consistent with the directions of the Structure Plan and other planning controls applicable to the land.
Existing Areas- Strategic Sites	Identifies land within existing residential neighbourhoods of Eagle Point that can accommodate more substantial change, such as multi-lot subdivision and development. These sites at the time of development, will require a response to the general directions set out in this Structure Plan, including provision of infrastructure.
New Change Areas	This is a new site that has been identified for future residential development within Eagle Point. This site will require further planning work to ensure holistic outcomes and infrastructure is provided to the benefit of Eagle Point as a whole.
No Change Areas	Designates areas where no change will occur, to protect natural character elements.
Long-term development opportunities	This identifies opportunities to support the ongoing role of Bairnsdale Golf Course and Eagle Point.

5. THE COMMUNITY AND FORESHORE PRECINCTS

5.1 Guiding Principle

The Structure Plan identifies the importance of defining a community precinct and the foreshore precinct as focal points for the township. These precincts will be enhanced over time to satisfy the changing needs of residents and to ensure they are accessible, well-connected to neighbourhoods and foster a sense of community and enjoyment.

5.2 Key Issues/Considerations

- Eagle Point does not have a defined town centre. Instead the network of community facilities including Eagle Point Primary School, community hall, recreation open space and tennis courts perform a community hub function
- Community facilities and the foreshore are integral to Eagle Point, however can be difficult to locate and access for some residential neighbourhoods' due to disconnected path network and lack of east-west road connections through the township
- The Structure Plan must address local changing community needs including upgrades of facilities, such as Eagle Point Primary School
- The foreshore precinct is Eagle Point's key passive recreation open space, however requires upgrade of facilities and paths to support its role
- The foreshore precinct performs a dual role in attracting visitors and tourism opportunities which can be leveraged via upgrades to its facilities
- The Eagle Point Caravan Park is a Council-managed asset that could benefit form upgrades to better leverage tourism and economic opportunities for the town
- There is an opportunity for a small retail node within the foreshore precinct to support local convenience needs of the community and provide a meeting place for residents and tourists.

5.3 Objectives and Strategies

CFP 1	**To identify key places within Eagle Point that perform a 'hub' role and serve as the community's primary meeting places, promote health and wellbeing, and which are connected and accessible by all residents**
CFP 1.1	Plan for a defined community and foreshore precinct within Eagle Point which acts as the hub of the township and as places that meet the community and recreational needs of the township.
CFP 1.2	Ensure planned change or development within the community and foreshore precincts reflect the purpose of the precincts, the overall character of Eagle Point and the desire to enhance the community's interaction with the outdoors and each other.
CFP 1.3	Support accessibility to the community and foreshore precincts via construction of missing and new pedestrian paths and missing road links in Eagle Point that connect all residential neighbourhoods to the community precinct and foreshore precinct.
CFP 2	**To define the community precinct and plan for upgrades to meet the changing needs of residents of Eagle Point**
CFP 2.1	Within the community precinct as generally depicted in Figure 8 support the existing range of local services and facilities such as the Eagle Point Primary School, community hall, recreation open space and tennis courts.
CFP 2.2	Improve and upgrade the function and operation of the tennis courts and provide for a potential multipurpose community facility. Plans to upgrade the tennis courts must contain, detailed concept plans which include car parking, signage and public lighting, traffic report and vegetation assessment.
CFP 2.3	Support and plan for expansion of the Eagle Point Primary School to meet local needs.
CFP 3	**To reinforce the foreshore precinct as Eagle Point's primary passive recreation open space for outdoor activities and tourism related functions**
CFP 3.1	Support upgrades and enhancements to the foreshore precinct which is Eagle Point's primary recreation open space asset where people can enjoy outdoor activities, community connections and nature-based experiences within their township.
CFP 3.2	Support the role of the foreshore precinct for a set of diverse outdoor activities along its length, connected by a pedestrian path network.
CFP 3.3	Support enhancements and upgrades within the primary recreation facilities that will better integrate facilities including the Caravan park, amenities block, the jetty, camping areas, barbeque and other assets for the enjoyment of residents and visitors, generally in accordance with Figure 9.
CFP 3.4	Ensure all development within the foreshore is sympathetic to significant views and the nature-based attributes and environmental sensitivities of the foreshore.
CFP 3.5	Provide for a connected pedestrian path network (where possible) with park benches, signs and landscaping along the foreshore that will ultimately connect cyclists and pedestrians to Eagle Point's neighbourhoods, Paynesville and to Eagle Point's network of open spaces and destinations within the town and on its periphery.
CFP 3.6	Support a small convenience shop and/or café within the foreshore precinct that is both permanent and seasonal to support the everyday needs of the town and its broader tourism role.

5.4 Actions

A13 **Exhibit and implement the Eagle Point Foreshore Management Plan and support its implementation within Eagle Point over time, as it relates to land use planning decisions.**

A14 **Prepare a landscape masterplan for the primary recreation meeting place within the foreshore precinct which details a utilisation of space, improvement of existing facilities, new facilities and access arrangements for the community and clarification of the extent of camping.**

A15 **Investigate options for the existing tennis courts and associated buildings by exploring future uses and multiplicity of use to maximise community benefit.**

5.5 Community Precinct

In support of the changing needs of the town over the long term, the Structure Plan provides direction on defining a formalised 'community precinct' which provides a high-quality community focal point for the town.

The community precinct will be accessible via improvements to pedestrian path and road system over time, ensuring that each neighbourhood within Eagle Point can access this important community hub. Upgrades to Eagle Point Road and a focus on formalising entry gateways, streetscapes and buildings will ensure the community precinct is a safe and enjoyable area for residents and families and defining hub of Eagle Point.

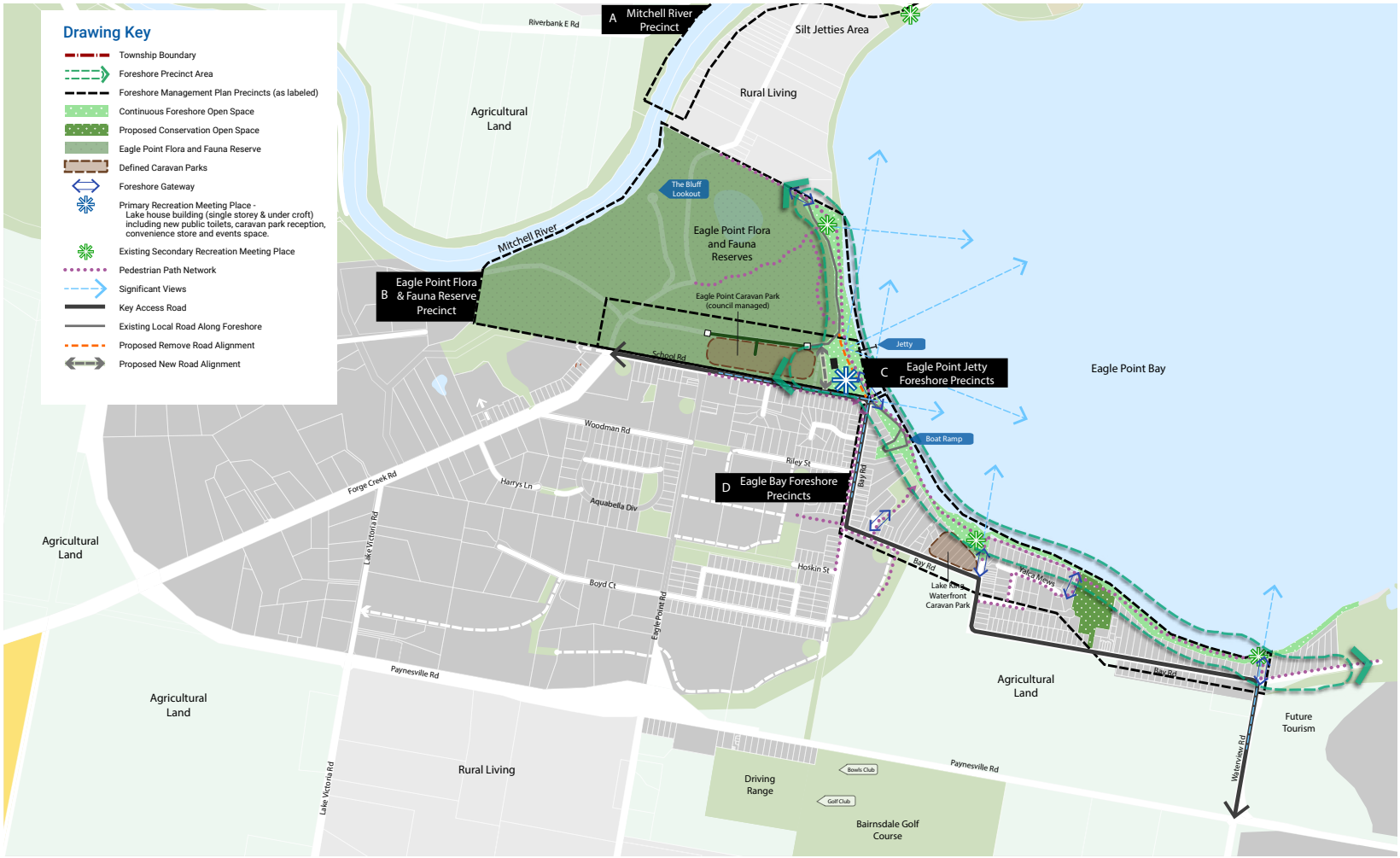
5.6 Foreshore Precinct

The foreshore precinct is the essence of Eagle Point and is highly valued by the community and visitors for its range of passive outdoor and nature-based recreational opportunities. The foreshore precinct supports a hub of outdoor recreational opportunities and activities such as walking, swimming, camping, boating, picnicking, a playground etc which Eagle Point residents enjoy.

In recognition of the important role of the foreshore precinct to meet the passive recreation needs of the community, the Structure Plan prioritises infrastructure upgrades that seek to improve the function and experience for residents, being their primary passive recreation and open space asset. The benefits of enhancing the foreshore precinct are wide reaching and positive. Enhancements will contribute to the health and wellbeing of residents, providing for a community meeting point in addition to the community precinct.

Figure 8 Community Precinct - Detail

Figure 9 Foreshore Precinct – Detail



6. GATEWAYS AND STREETSCAPES

6.1 Guiding Principle

Eagle Point's primary township gateways will continue to include natural planting, scenic vistas and low scale development upon entry from Paynesville Road. Internally, secondary gateways will accent entries to the community precinct and foreshore precinct identifying these as important community meeting spaces and places for recreational enjoyment. Existing streetscapes will be protected and enhanced to reflect the informal village character of Eagle Point, its natural coastal influences and environmental qualities. New streetscapes will contribute to Eagle Point's coastal character, including widened streetscapes, soft drainage treatments and informal tree plantings arrangements. Native tree species are encouraged. Refer to Chapter 7.5 for cross-sections.

6.2 Key Issues/Considerations

> The township gateway experiences from Paynesville Road contributes to the first impressions of the informal village character of Eagle Point

> The community and foreshore precincts lack gateway definition, however are two important community nodes and places for meeting, visiting and recreating

> The need to identify and enhance key streetscapes within Eagle Point which contribute to the character, coastal and landscape values, without increasing bushfire risk to the settlement.

Figure 10 Gateways and Streetscapes

6.3 Objectives and Strategies

GS 1	**To enhance Eagle Point's township gateways in a way that reflects and contributes to the informal character of the township**
GS 1.1	Maintain the informal character of existing primary and secondary township gateways by protecting existing vegetation.
GS 1.2	Ensure future subdivision and/or development that is subject to a planning permit on sites within proximity to the key entry gateway sites on Eagle Point Road sensitively respond to existing topography, existing vegetation, the drainage line and views to and from Paynesville Road.
GS 2	**To support physical and visual connectivity between Eagle Point's residential neighbourhoods and foreshore precinct**
GS 2.1	Support defined foreshore gateways (via the Landscape Masterplan) that are appropriately landscaped and demarcated to provide high quality public access and an entry experience to the foreshore precinct.
GS 3	**To create a formalised and identifiable gateway to the community precinct**
GS 3.1	Define the community precinct by improving and formalising School Road and Eagle Point Road streetscapes, the village centre gateways, and by improving pedestrian safety and car parking outcomes.
GS 3.2	Support high quality built form on key gateway sites that address School Road and Forge Creek Road and contribute to the formalised streetscape outcomes within the community precinct.

7. MOVEMENT NETWORK

7.1 Guiding Principle

Where new development is identified to occur with Eagle Point, it will provide for missing road and pedestrian path connections over time. New road and path connections will better integrate residential neighbourhoods, providing access to the network of open spaces, community precinct, foreshore precinct and other destinations within Eagle Point.

Public transport and accessibility to the town will be maximised, to ensure Eagle Point residents can continue to access services and facilities provided by Paynesville and Bairnsdale.

7.2 Key Issues/Considerations

- Eagle Point is accessed via Paynesville Road, an arterial road managed by VicRoads that connects Bairnsdale, Eagle Point and Paynesville. There is a need to restrict private lot access from Paynesville Road in recognition of its higher order function
- Forge Creek Road, School Road, Bay Road and Waterview Road are all managed by VicRoads however perform a lower order/local road function similar to other local streets within the town
- Lack of east-west connectivity through the town leaves neighbourhoods and precincts disconnected, particularly for pedestrians
- There are some road safety concerns along Paynesville Road and at other minor intersections within the township
- The informality of Eagle Point's road cross-sections and paths shape the town's character
- The foreshore precinct walking path is disconnected and has potential to provide for a high order recreational trail system, linking Eagle Point to Paynesville
- Public transport provides an important mobility option for younger and older people.

7.3 Objectives and Strategies

MN 1	To provide a movement network that connects the community, its neighbourhoods and reflects the character of Eagle Point and diversity of streetscapes
MN 1.1	Maintain the existing character of local streets in their current form/condition, unless required to be upgraded to accommodate construction of paths, landscape enhancements or minor safety/improvements.
MN 1.2	Ensure the design of new roads in new subdivisions reflects the character of Eagle Point generally in accordance with the cross-sections contained in Chapter 7.5. "Urban" style cross-sections will be discouraged in favour of larger road reservations with informal cross-sectional elements and street tree planting.
MN 1.3	Require developers to construct new road and pedestrian path connections within and adjacent to new development within zoned residential land, to ensure residential neighbourhoods are appropriately connected and accessible.
MN 1.4	Facilitate bus transportation by encouraging Public Transport Victoria, VicRoads, local school and community bus services to extend routes within Eagle Point.

MN 1.5	Facilitate construction of a formalised bus stop and pedestrian crossing on Eagle Point Road in the Community Precinct to provide for safe access to the school and community buildings.
MN 1.6	Ensure new local roads and intersections provide for the safe passage of vehicles and pedestrians through the town.
MN 1.7	Plan for new roads which are site responsive and are aligned having regard to presence of existing dwellings, existing vegetation and other site considerations.
MN 1.8	Improve the current intersection at School Road and Bay Road consistent with the Eagle Point Foreshore Management Plan.
MN 2	**To improve pedestrian accessibility and connectivity to Eagle Point's network of open spaces and community facilities**
MN 2.1	Progressively provide upgrades to the primary and secondary pedestrian path network along the foreshore as generally depicted in Figure 12, and investigate opportunities to deliver a pedestrian path along the full length of the foreshore.
MN 2.2	Recognise the contribution of both paved and gravel paths to the informal character of Eagle Point by requiring new development to provide urban design advice as to appropriate path materials in accordance with the development requirements set out in Chapter 11.
MN 2.3	Investigate locations for an appropriately located pedestrian crossing of Paynesville Road to provide accessibility to the existing bus stop and areas south of Paynesville Road including the Golf Course.
MN 3	**To ensure streetscapes within Eagle Point reflect the informal, natural and coastal character of the township**
MN 3.1	With the exception of the community precinct, discourage formalised and urban streetscapes and road cross-sectional elements that do not reflect the natural character of Eagle Point This includes excessive use of hard surfaces, formalised and exotic street tree plantings, narrow road reservations and constructed kerb and channels (where appropriate and not required to meet drainage needs).
MN 3.2	Support enlarged road cross-sections with informal elements such as swale drains (refer to cross-sections in Chapter 7.5).
MN 3.3	Require new streetscapes that will enhance the informality and natural character of Eagle Point generally in accordance with the streetscape direction provided in the cross-sections in Chapter 7.5.
MN 3.4	Require large canopy street trees which are planted informally on both sides of the street and have regard to view lines and establishment of the preferred neighbourhood character area.
MN 3.5	Support pedestrian paths within streetscapes that have regard for the role of the path network as guided in Chapter 7.
MN 3.6	Ensure streetscapes consider bushfire risk and new streetscapes or improvements do not result in a net increase in risk to existing residents and infrastructure.

7.4 Actions

A16 **Work collaboratively with VicRoads to locate, design and construct a pedestrian crossing/refuge that will facilitate safe pedestrian access across Paynesville Road and improve bus stop safety.**

A17 **Work collaboratively with VicRoads, Public Transport Victoria and private bus operators to improve bus routes within the town, including formalising a stop in proximity to the Eagle Point Primary School.**

A18 **Investigate intersection treatment options at School Road and the foreshore consistent with the Eagle Point Foreshore Management Plan.**

Figure 11 Road Network

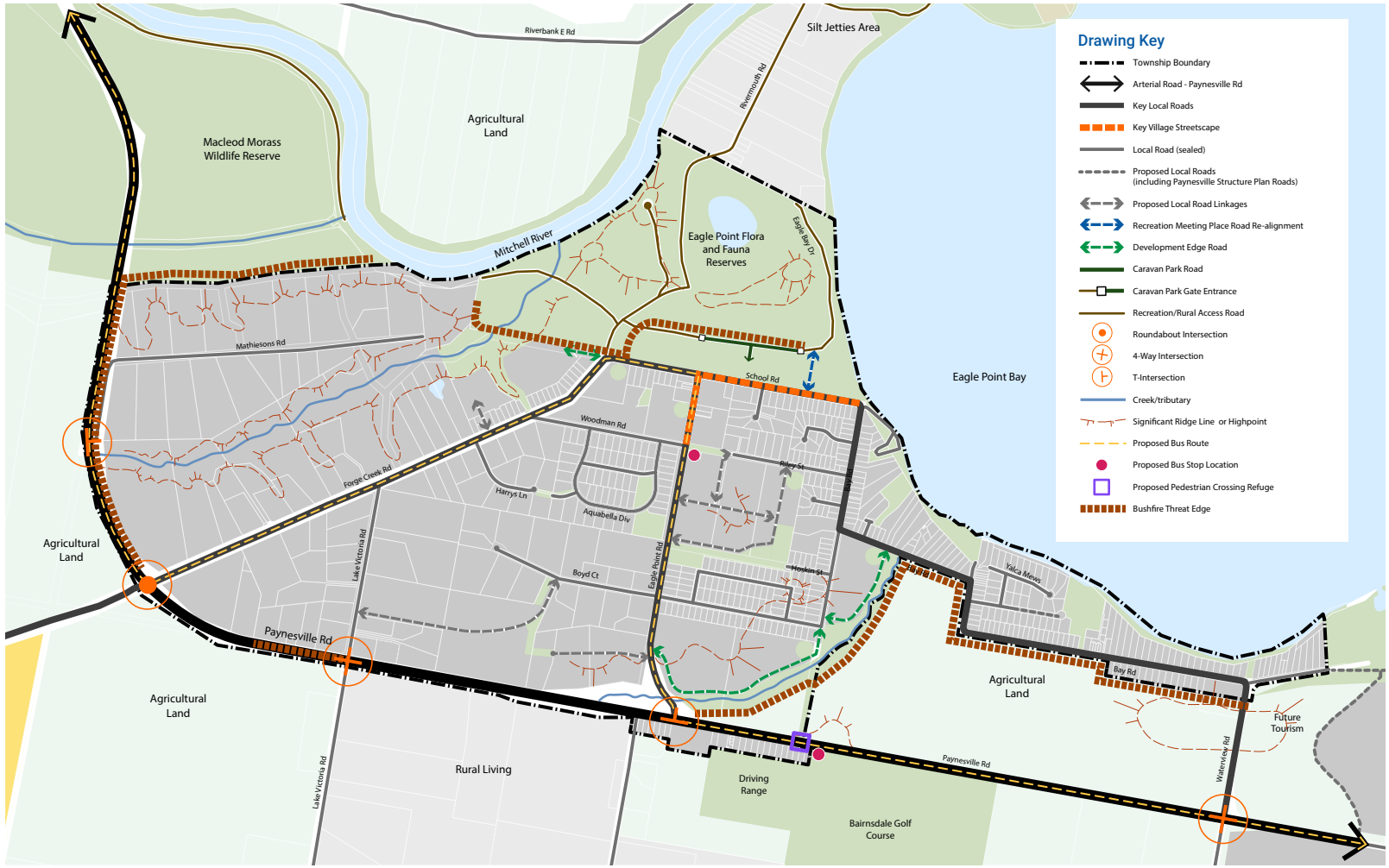
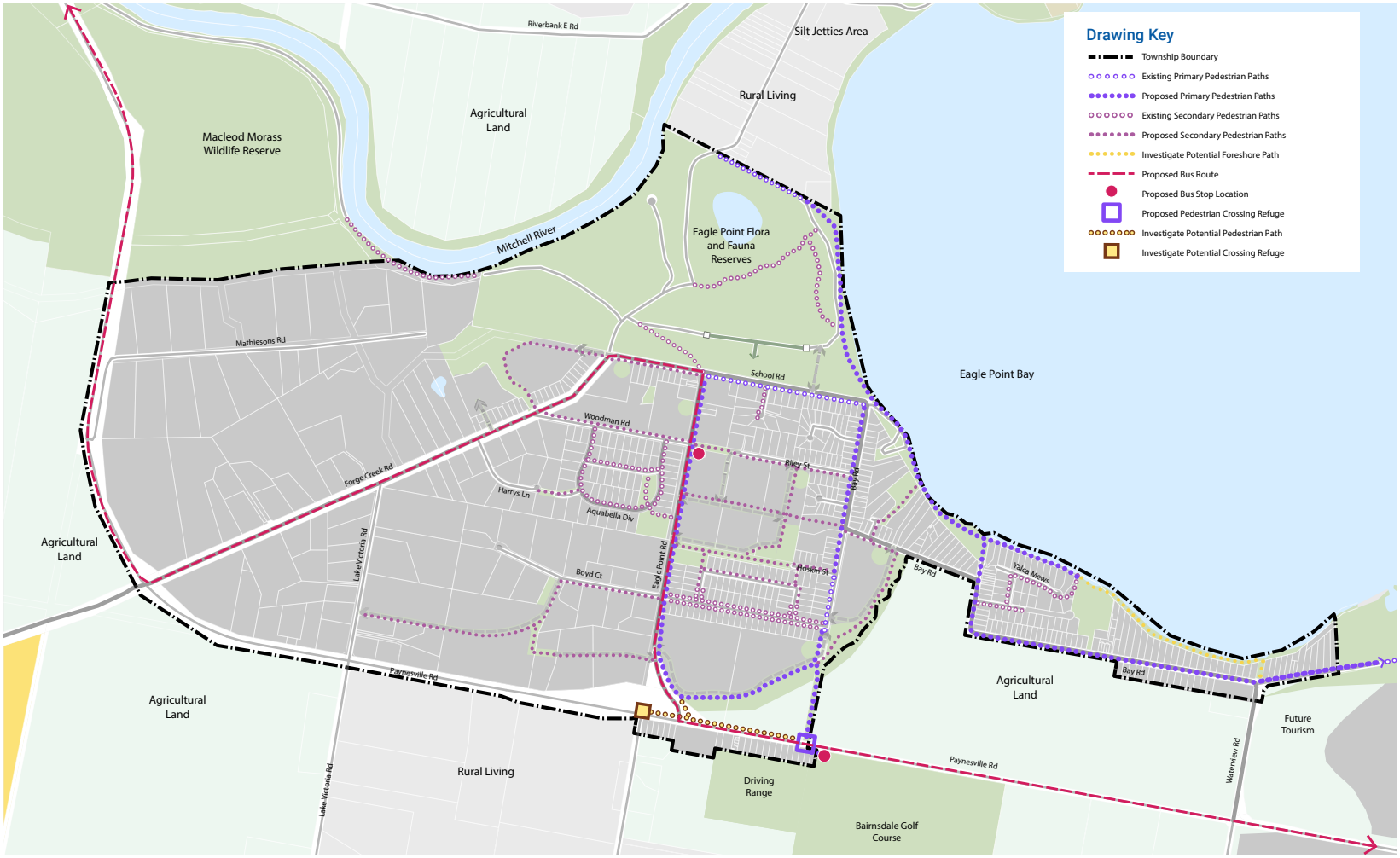
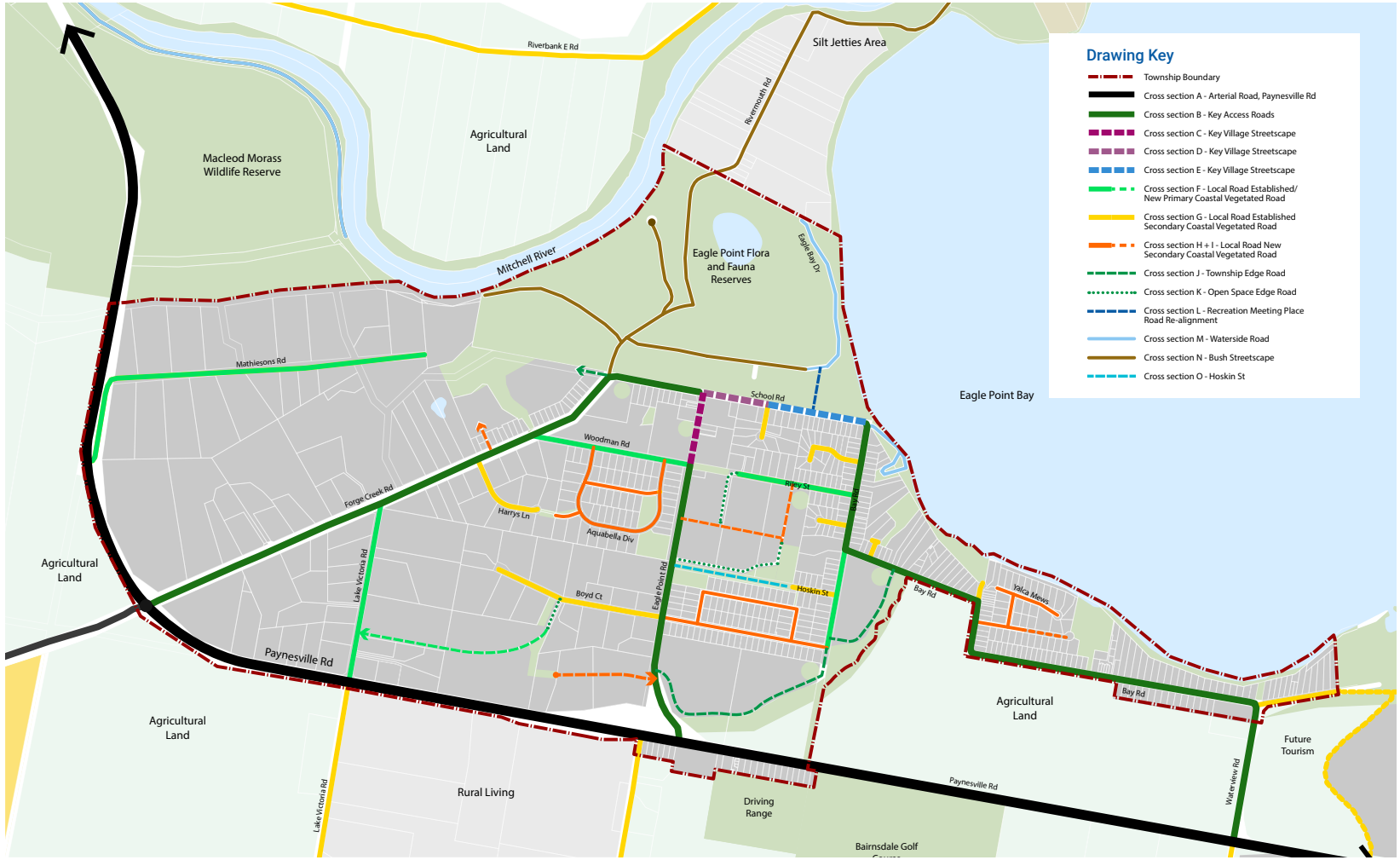


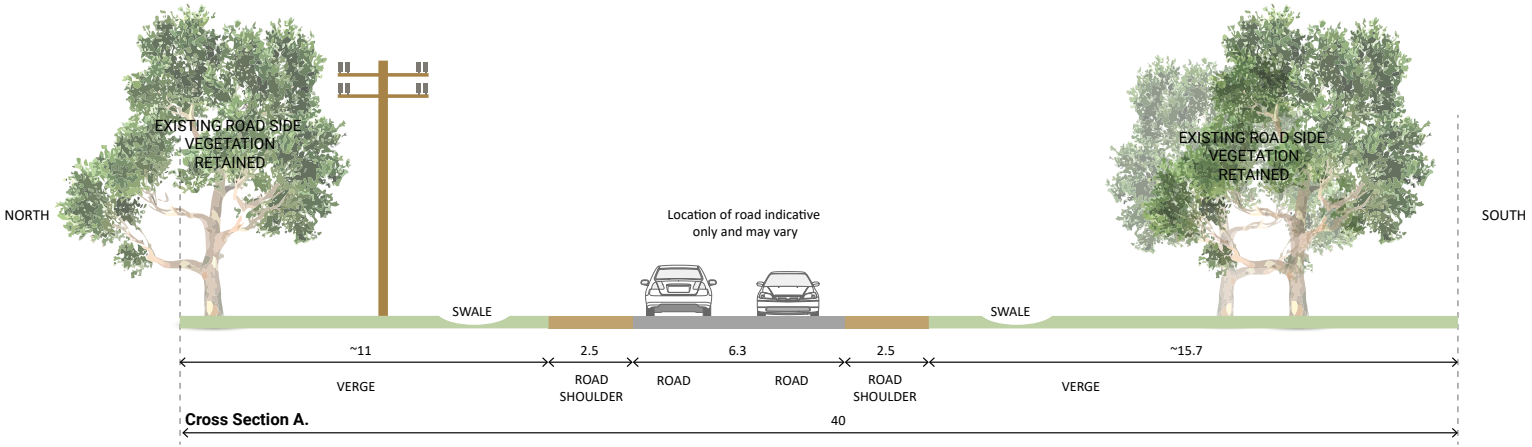
Figure 12 Path and Public Transport Network



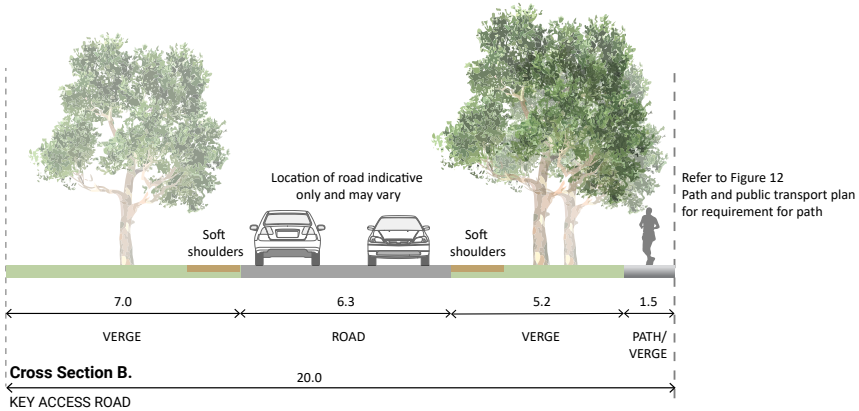
7.5 Road Cross-sections

Figure 13 Road cross-section

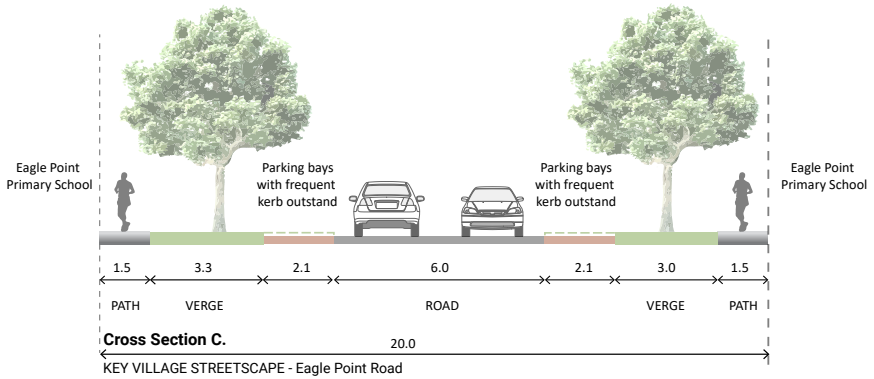




ARTERIAL ROAD - PAYNESVILLE ROAD
Features:
- Main connection to both Paynesville and Bairnsdale service centres.
- Street vegetation should consider bushfire risk.

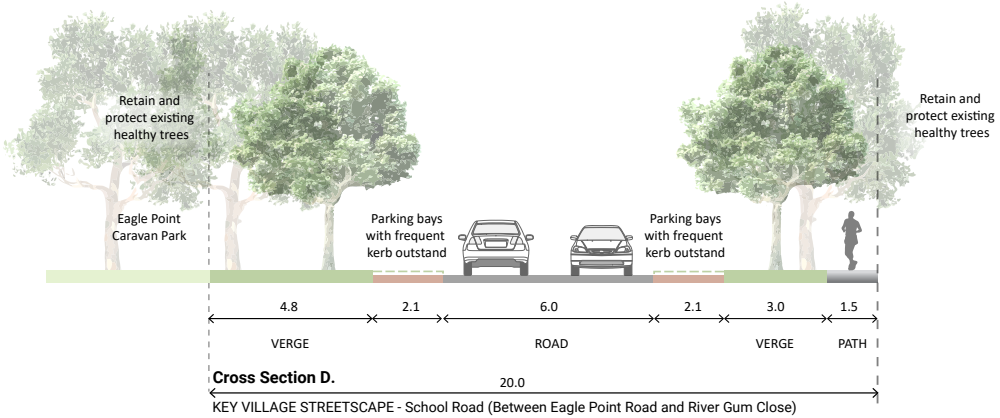


KEY ACCESS ROAD
Features:
- Allows for informal large primarily native canopy trees within widened verges.
- Contributes to township gateways.
- One sided footpath.
- Temporary parking on road shoulders only.
- Bus capable design.
- Street vegetation should consider bushfire risk.



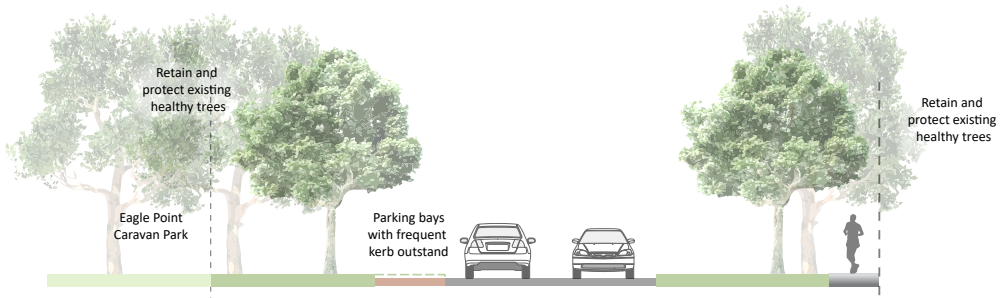
Cross Section C.

KEY VILLAGE STREETSCAPE - Eagle Point Road
Features:
- Regular canopy trees of consistent species.
- Provides more shade to road, parked cars and footpaths.
- Creates a distinct identity to village centre.
- Footpath on south side opposite the caravan park. (Caravan park road opperates as foothpath)
- Dedicated parking to respond to demands of Primary School and foreshore recreation.
- Street vegetation should consider bushfire risk.



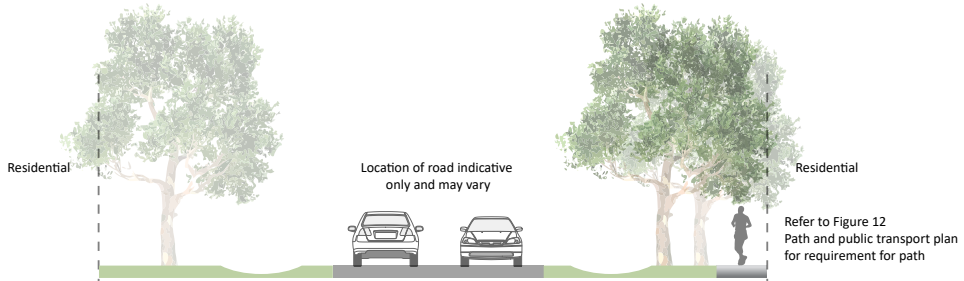
Cross Section D.

KEY VILLAGE STREETSCAPE - School Road (Between Eagle Point Road and River Gum Close)
Features:
- Regular canopy trees of consistent species.
- Provides more shade to road, parked cars and footpaths.
- Creates a distinct identity to village centre.
- Footpath on south side opposite the caravan park. (Caravan park road opperates as foothpath)
- Dedicated parking to respond to demands of Primary School and foreshore recreation.
- Street vegetation should consider bushfire risk.



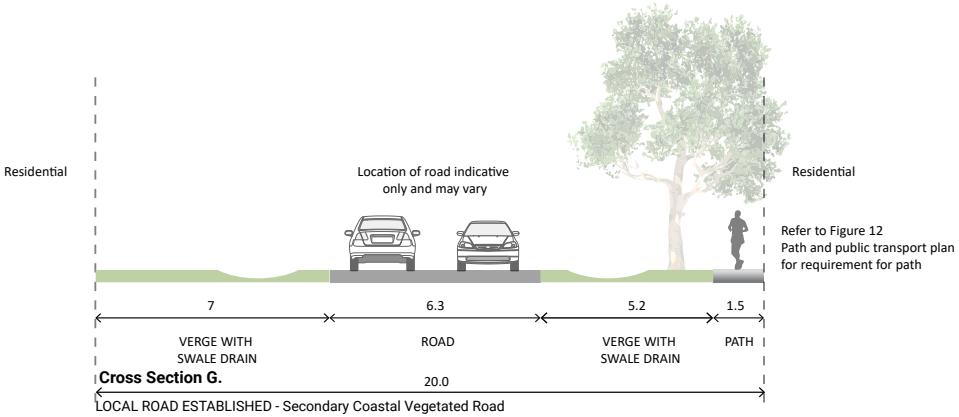
Cross Section E.

KEY VILLAGE STREETSCAPE - School Road (River Gum Close to Bay Road)
Features:
- Regular canopy trees of consistent species.
- Provides more shade to road, parked cars and footpaths.
- Creates a distinct identity to village centre.
- Footpath on south side opposite the caravan park. (Caravan park road operates as foothpath)
- Dedicated parking to respond to demands of Primary School and foreshore recreation.
- Street vegetation should consider bushfire risk.



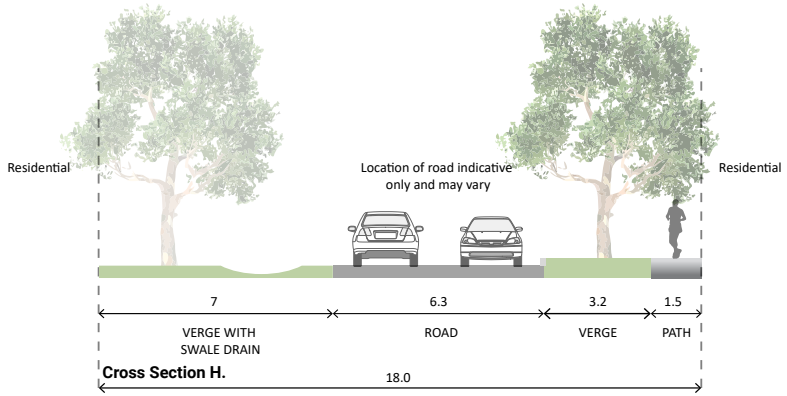
Cross Section F.

LOCAL ROAD EXISTING/PROPOSED - Primary Coastal Vegetated Road
Features:
- Allows for increased planting of informal large primarily native canopy trees within widened verges.
- Contributes to linking open space and recreational meeting places
- One sided footpath.
- Swale drains are retained unless otherwise specified or required for township drainage purposes.
- Street vegetation should consider bushfire risk.



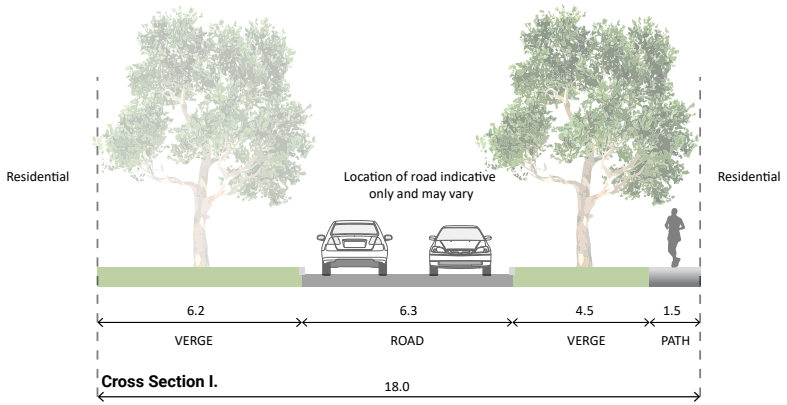
Cross Section G.

LOCAL ROAD ESTABLISHED - Secondary Coastal Vegetated Road
Features:
- Provides for local amenity.
- Level of informal planting is maintained with a sense of openness irregularity.
- Private planting contributes significantly to the streetscape .
- Swale drains are retained unless otherwise specified or required for township drainage purposes.
- Street vegetation should consider bushfire risk.



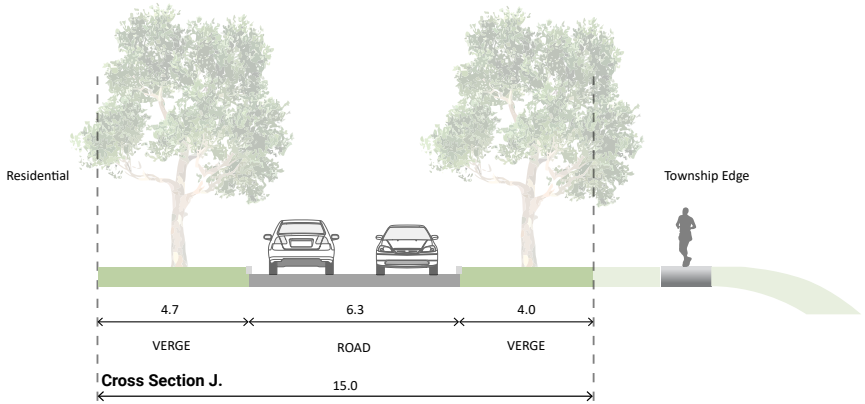
Cross Section H.

LOCAL ROAD NEW OPTION 1 - Secondary Coastal Vegetated Road
Features:
- Space for informal canopy tree planting on both sides of the street.
- Reduced road reserve width to allow for more investment in street amenity.
- Contributes to linking open space and recreational meeting places.
- One sided footpath on all new streets.
- Swale drains incorporated on one side to contribute to the natural character of the area.
- Street vegetation should consider bushfire risk.



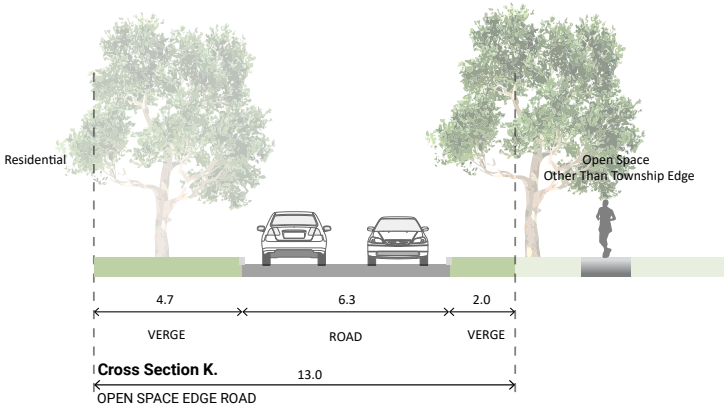
Cross Section I.

LOCAL ROAD NEW OPTION 2 - Secondary Coastal Vegetated Road
Features:
- Space for informal canopy tree planting on both sides of the street.
- Reduced road reserve width to allow for more investment in street amenity.
- Contributes to linking open space and recreational meeting places.
- One sided footpath on all new streets.
- Street vegetation should consider bushfire risk.



Cross Section J.

TOWNSHIP EDGE ROAD - Secondary Coastal Vegetated Road
Features:
- Provides generous space for native vegetation planting to frame the township edge.
- Reduced road reserve width to allow for more investment in street amenity and creek environment.
- Contributes to linking open space and recreational meeting places.
- No footpath inside road reserve as a path will be provided along the creek.
- Street vegetation should consider bushfire risk.

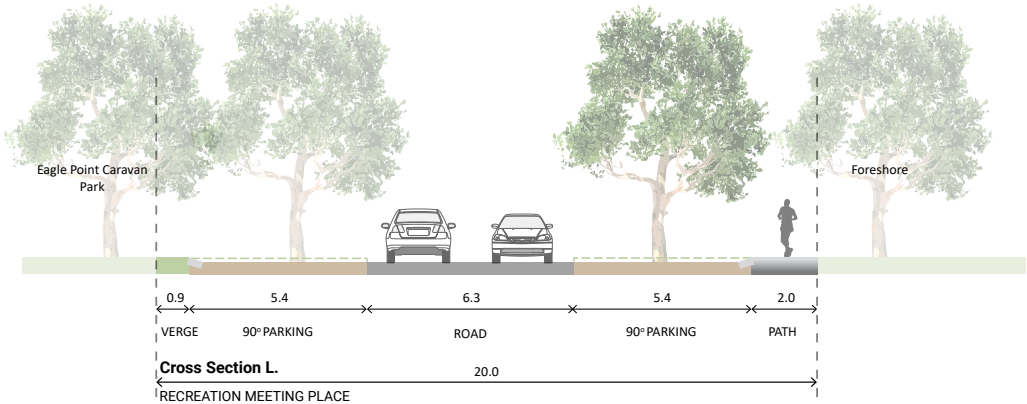


Cross Section K.

OPEN SPACE EDGE ROAD

Features:

- Provides space for native vegetation planting adjacent residential.
- Reduced road reserve width to allow for more investment in street amenity and open space.
- No footpath inside road reserve as a path will be provided within the open space.
- Street vegetation should consider bushfire risk.

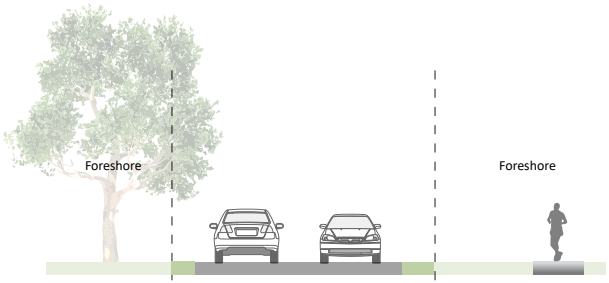


Cross Section L.

RECREATION MEETING PLACE

Features:

- Delineates the caravan park from the foreshore.
- Provides efficient parking for the foreshore.
- Street vegetation should consider bushfire risk.

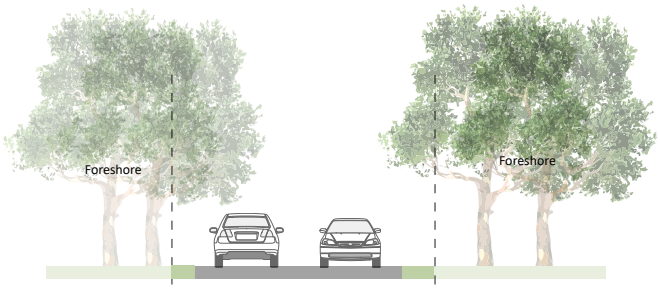


Cross Section M. 8.0

WATERSIDE STREETSCAPE

Features:

- Minimal cross-section providing simple road through foreshore areas
- Street vegetation should consider bushfire risk.



Cross Section N. 8.0

BUSH STREETSCAPE

Features:

- Minimal cross-section providing simple road through flora and fauna reserves
- Street vegetation should consider bushfire risk.

HOSKIN ST
Features:
- Protects existing significant vegetation.
- Continuous footpath along northern side of the reserve.
- Street vegetation should consider bushfire risk.

This page has been intentionally left blank

8. LANDSCAPE, OPEN SPACE AND ENVIRONMENT

8.1 Guiding Principle

Eagle Point's landscape setting and network of small scattered open spaces and reserves will be protected and enhanced for their contribution to the character and the environmental values of the township, provided there is no increased risk of bushfire to the settlement.

The foreshore precinct will be Eagle Point's primary recreation open space area, while the smaller, scattered network of open spaces will be well connected and enhanced through landscaping, provision of street furniture and signage.

Vegetation within the public realm including open spaces and streets will be protected in recognition of their contribution to Eagle Point's character and biodiversity system.

8.2 Key Issues/Considerations

- Eagle Point's network of scattered, informal open spaces provide the communities' passive and recreation open space
- Incremental removal of vegetation within the public and private realm erodes the nature-based character of the town and environment
- The foreshore precinct is Eagle Point's primary passive recreation and tourism asset; however, it is has potential for further enhancement
- Improve opportunities for nature-based play and informal recreation within existing and future open spaces

8.3 Objectives and Strategies

OS 1	**To protect and enhance areas of significant biodiversity, landscape value and cultural heritage**
OS 1.1	Require new development to be site responsive to avoid impacts to wildlife habitats, habitat movement corridors, natural features, drainage reserves, ridgelines, existing vegetation and views and vistas and to have regard to bushfire risk.
OS 1.2	Support opportunities for enhancing biodiversity and natural landscape and habitat design in open space areas.
OS 1.3	Conserve and protect existing trees, indigenous vegetation and significant landscape areas by applying appropriate planning controls.
OS 1.4	Encourage planning and development outcomes which incorporate quality environmental design outcomes.
OS 1.5	Protect the nominated environmental significant land as depicted within Figure 15 within a future conservation open space reserve.
OS 1.6	Encourage protection of cultural heritage sites and places.
OS 2	**To enhance Eagle Point's existing scattered and diverse open space network as a key part of the liveability and experience of the township**
OS 2.1	Enhance the function of existing passive open spaces by undertaking improvements such as landscaping, furniture (such as park benches), shade (constructed and tree planting) and signage to support informal recreation and enjoyment of these spaces.
OS 2.2	Facilitate connections to open space and other public reserves outside of the Township Boundary that also perform a role as part of Eagle Point's broader open space network.
OS 2.3	As part of future development within the township, require creation of future secondary recreation open spaces as indicatively shown in Figure 14 that provide for local open space needs, contribute to Eagle Point's scattered network of open spaces and which are landscaped to reflect the natural and informal character of the township.
OS 2.4	Support community groups and other activities within nature reserves and other open spaces which increase awareness and education around Aboriginal cultural heritage and the natural environment.
OS 2.5	Ensure the enhancement of open space networks consider bushfire risk and do not increase risk to existing residents and infrastructure.

OS 3	To identify new open space opportunities that will contribute to the liveability, character and environmental values of the Eagle Point
OS 3.1	Require future development to release drainage lines from private to public ownership which will facilitate recreation opportunities and linear pedestrian links within the township.
OS 3.2	Support secondary recreation meeting spaces as forming small passive open space opportunities which may contain small scale infrastructure such as signage, park benches and landscaping.
OS 3.3	Development in the township in identified locations that will make a positive contribution to the community, such as contributions to enhancements in the foreshore precinct, creation of new drainage open space and creation of smaller recreation meeting spaces.
OS 3.4	Protect the environmentally significant land abutting the foreshore precinct from further development in public open space as depicted in Figure 14.
OS 3.5	Discourage removal of existing vegetation in all streets including Forge Creek Road, Hoskin Street, Riley Street, Bay Road and along drainage lines.
OS 3.6	Limit incremental loss of trees and vegetation during consideration of planning permit/development applications which contribute to the character and environmental values of Eagle Point.
OS 3.7	Investigate opportunities to locate new active open space within proximity of the Community Precinct.
OS 3.8	Require new planting, landscaping and vegetation of open spaces to accord with CFA's bushfire requirements.

Figure 14 Open Space Network

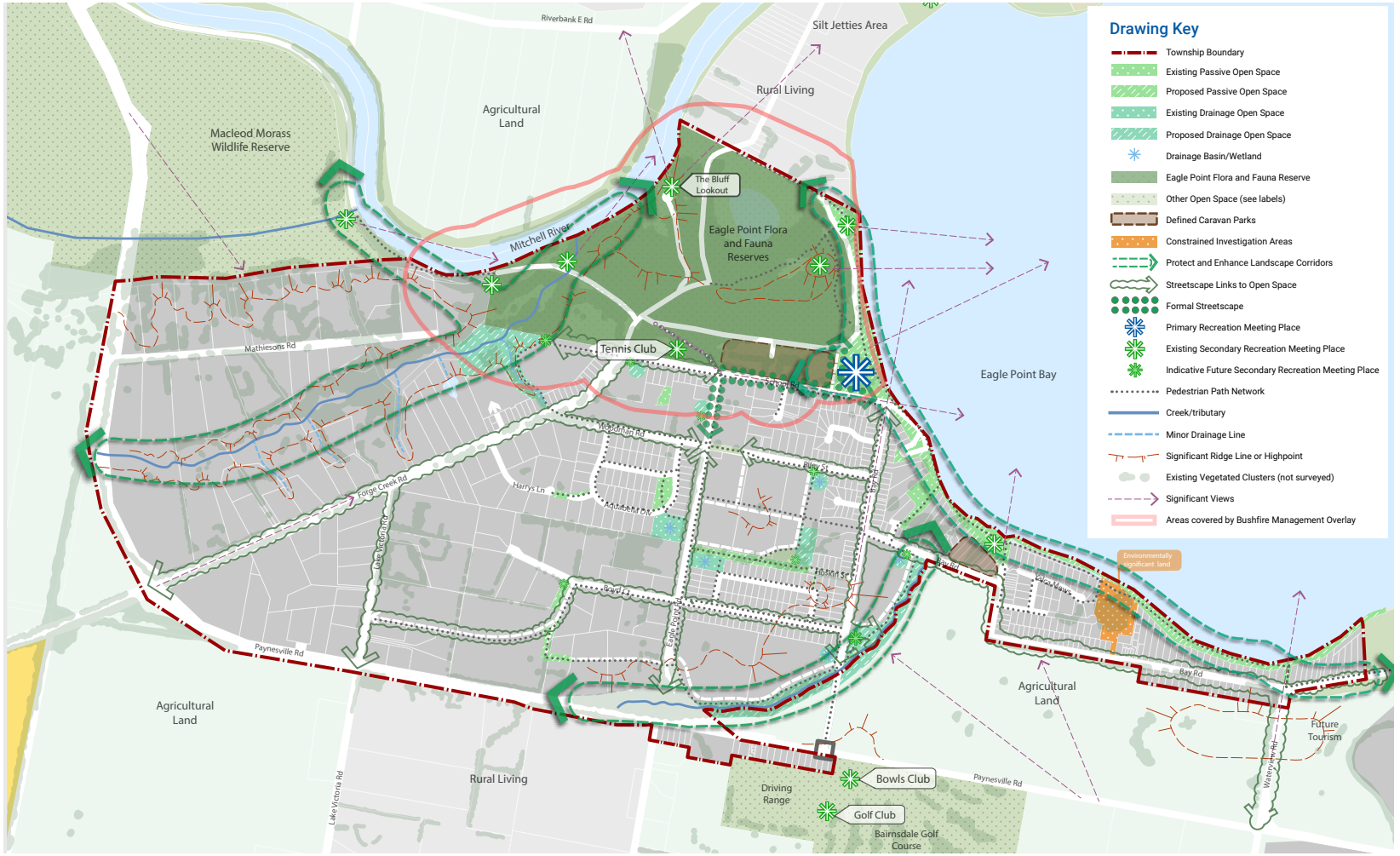
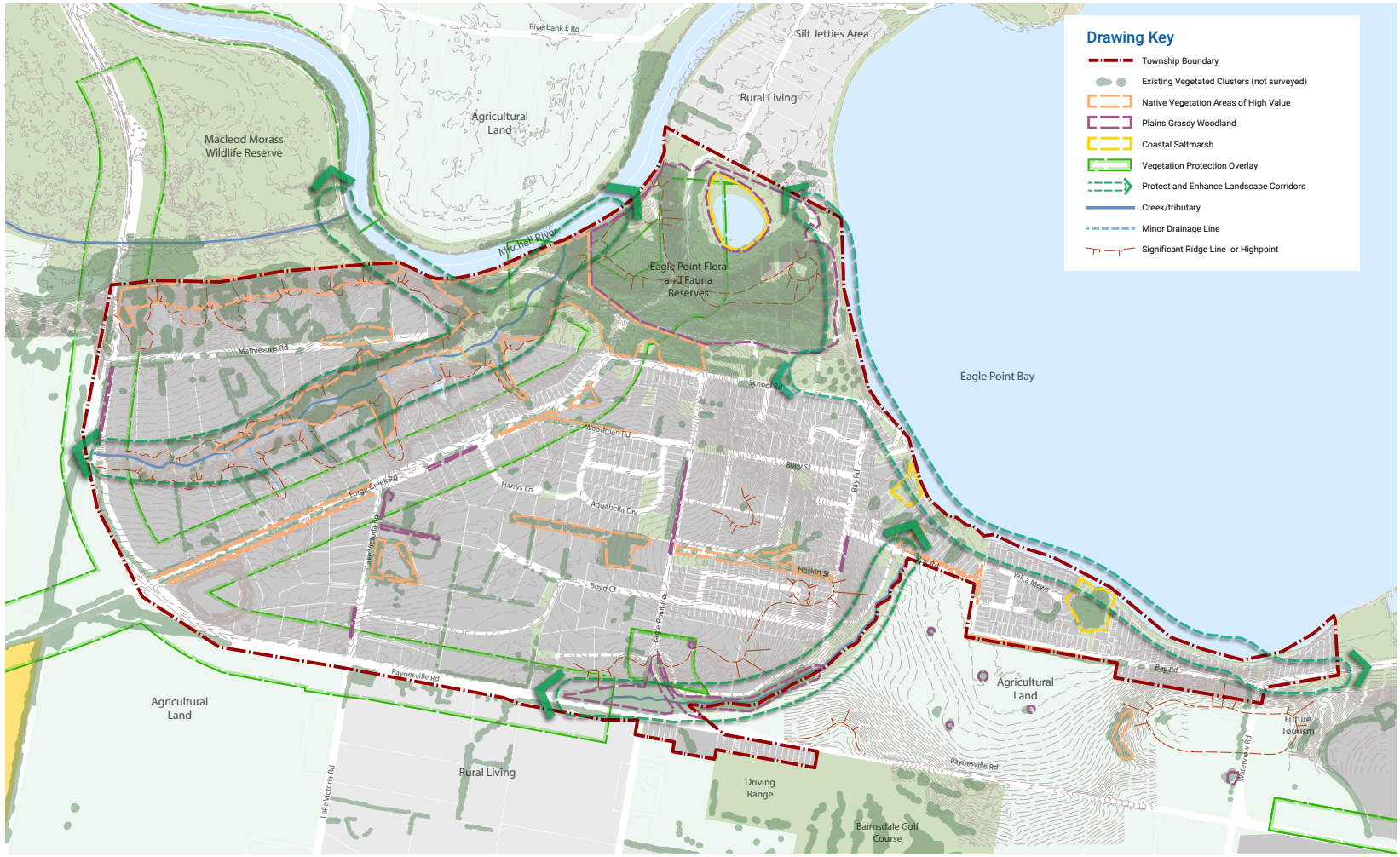


Figure 15 Environmental Values and Cultural Heritage



8.4 Actions

A19 Prepare an overall signage plan/strategy for the township that assists in way-finding and enjoyment of the township's diverse and distributed open space and precinct attractions.

A20 Investigate application of the Environmental Significance Overlay to Tyers Creek and the drainage/creek line north of Paynesville Road as required.

A21 Work with local community groups such as conservation groups, Landcare, schools, etc to implement management plans for conservation reserves and increase awareness and education around the natural environment both within private and public land.

A22 Work with other public land managers to improve connectivity between Eagle Point and reserves and open spaces in vicinity to Eagle Point.

A23 Work with the landowner of the identified environmentally significant site to release the land for public conservation/open space purposes.

9. NATURAL HAZARDS

9.1 Guiding Principle

Future development of Eagle Point will be appropriately managed to ensure the town is protected from the impact of natural hazards such as inundation and bushfire risk.

The structure plan area has not located new sensitive uses and development in areas known to be affected by coastal inundation or areas which present higher bushfire risk. Forward zoning has been directed to elevated land, away from likely flood areas where bushfire risk can be managed appropriately.

9.2 Key Issues/Considerations

> Protection, enhancement and management of vegetation abutting and within Eagle Point must consider bushfire risk.

> The need to mitigate flood risk to buildings and works associated with the foreshore landscape master plan.

> The impact of coastal inundation by the year 2100 will not affect change areas.

> Restricted growth is envisaged for Eagle Point to manage bushfire risk to the settlement and improve bushfire safety to existing residents.

9.3 Objectives and Strategies

NH 1	**To ensure bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future development or protection of vegetation.**
NH 1.1	Require lot sizes in heavily treed neighbourhood precincts to have regard to the desire to retain trees and to provide adequate clear zones to satisfy bushfire threat as demonstrated by a bushfire hazard site assessment and the application of building envelopes.
NH 1.2	Subdivision must provide a road network that enables at least two safe egres routes, away from fire hazard to minimise bushfire risk and ensure a permeable and accessible road network is available.
NH 1.3	Reduce the impact of bushfire on new subdivisions and adjacent to existing urban areas by providing appropriate defendable space, promoting bushfire safe landscape design within residential areas and constructing new dwellings to BAL 12.5 construction standard.
NH 2	**To manage the risk of flooding within Eagle Point.**
NH 2.1	Regulate development of land identified in the estimated 1% AEP flood extent (refer to Figure 16).
NH 2.2	Require land uses and new development to be appropriately sited away from flood risk areas to ensure protenction to life, property and community infrastructure is prioritised.
NH 2.3	Acknowledge and manage existing development in areas identified as flood risk areas.
NH 2.4	Consider planning permit applications within Land Subject to Inundation.

9.4 Actions

A24 **Work collaboratively with CFA to appropriately manage bushfire risk in Eagle Point.**

A25 **Work collaboratively with East Gippsland Catchment Management Authority to manage climate change risks such as flooding, sea level rise and erosion in Eagle Point.**

A26 **Incorporate bushfire considerations and requirements to Development Plan Overlays for Strategic Sites and relevant zone schedules for Incremental Change Areas to address bushfire risk appropriately.**

Figure 16 Natural Hazards

10. DRAINAGE AND INFRASTRUCTURE

10.1 Guiding Principle

Future development of Eagle Point will ensure that services and drainage is holistically planned for having regard to its close physical relationship to the Gippsland Lakes system.

Localised drainage issues will be resolved and storm water will be appropriately treated to protect the sensitive lakes system environment for future generations. Drainage lines will be enhanced in well-connected public open spaces which can be enjoyed by the community providing linkages to the nature-based open spaces present within the township.

10.2 Key Issues/Considerations

> The need to mitigate flooding risks and untreated storm water runoff into downstream areas of Eagle Point and the sensitive Gippsland Lakes system
> Existing drainage issues associated with informal points of storm water discharge through private properties require resolution between Council and affected land owners
> Lack of coordinated drainage strategy across the town has created a piecemeal approach to managing drainage outcomes and is causing local drainage reserve and management issues for Council
> Potential to leverage natural drainage lines and systems for their biodiversity and community recreational value and enduring boundary to the township
> The small scale and limited growth planned for Eagle Point and balance provision of reticulated services such as sewer and water.

10.3 Objectives and Strategies

DI 1	**To provide for co-ordinated provision of services and drainage infrastructure across Eagle Point.**
DI 1.1	Support continual improvements and upgrades to reticulated services in Eagle Point by authorities.
DI 1.2	Recognise the importance of the existing East Gippsland Water Facility site located on the corner of Forge Creek Road which caters for the water needs of the broader region.
DI 1.3	Ensure all new development demonstrates best practice regarding integrated drainage outcomes.
DI 2	**To improve Eagle Point's integrated water management systems that provides for treatment and conservation of water and enhances the environmental and recreational qualities of Eagle Point and the Gippsland Lakes**
DI 2.1	Support the retention and enhancement of natural waterways and drainage lines in public open space for their environmental value and role in treating storm water before discharging into the Gippsland Lakes.

DI 2.2	Balance the role of waterways for water treatment and enhancing environmental values with their role as important recreational and open space value for the community.
DI 2.3	Ensure all new development demonstrates best practice that will result in coordinated and integrated drainage outcomes to the environmental and recreational benefit of the township.
DI 2.4	Support the design of new development including roads and open spaces which incorporate water sensitive urban design measures to treat, harvest and/or infiltrate storm water where possible and reduce reliance on potable water and reduce volume of storm water discharging into the natural drainage system.
DI 3	**To recognise and improve the environmental and recreational value of existing drainage lines within the town**
DI 3.1	Support the release of the drainage line within an appropriate buffer area with future development that will define the southern extent of the township and will facilitate active land management and community recreation link for Eagle Point. See also development requirements set out in Section 7.3 for further details on development around the drainage line.
DI 3.2	Restrict further subdivision within Mathiesons Road and Forge Creek Road neighbourhood area to protect the environmental and drainage values of Tyers Creek.
DI 3.3	Support vegetated buffer zones of at least 30m on either side of major drainage corridors in accordance with Clause 14.02-1S of the Planning Policy Framework (PPF).
DI 4	**To minimise the environmental, visual and amenity impacts of service infrastructure**
DI 4.1	Require future provision of infrastructure services to be carefully considered to avoid impacts to natural features, drainage lines, ridgelines, existing vegetation and views and vistas.
DI 4.2	Support innovative and sustainable improvements and advancements of provision of storm water and services for Eagle Point.
DI 4.3	Resolve site-specific storm water discharge issues between Council and landholders as identified in Figure 17 to ensure private land and drainage outcomes are not compromised.
DI 4.4	Require applications for subdivision, new dwellings and uses to be accompanied by a storm water management report prepared by a suitably qualified expert demonstrating how storm water will be treated, generally in accordance with the Eagle Point Drainage Assessment prepared by Water Technology. See also development requirements set out in Chapter 11 for further details on drainage requirements for subdivisions.
DI 5	**To recognise and protect existing wastewater treatment facilities and infrastructure operated by East Gippsland Water.**
DI 5.1	Consider all development, use and subdivision planning permit applications in proximity to existing wastewater treatment facilities accordingly.
DI 5.2	Control new residential dwellings around the Paynesville Wastewater Treatment Plant to reduce risk of offensive odours.

10.4 Actions

A27 Incrementally improve existing drainage issues across the township.

A28 Work collaboratively with landholders to resolve site-specific drainage issues.

A29 Work collaboratively with service authorities to facilitate upgrades and maintenance of reticulated services including water, electricity, and sewerage.

A30 Work collaboratively with East Gippsland Water to introduce planning controls around Paynesville Waste Water Treatment Facility.

A31 Prepare a stormwater management plan for Eagle Point.

A32 Implement improvements and upgrades of stormwater drainage infrastructure as identified in the stormwater management plan, or on a case-by-case basis.

A33 Engage with affected landowners to resolve localised stormwater drainage issues.

Figure 17 Drainage

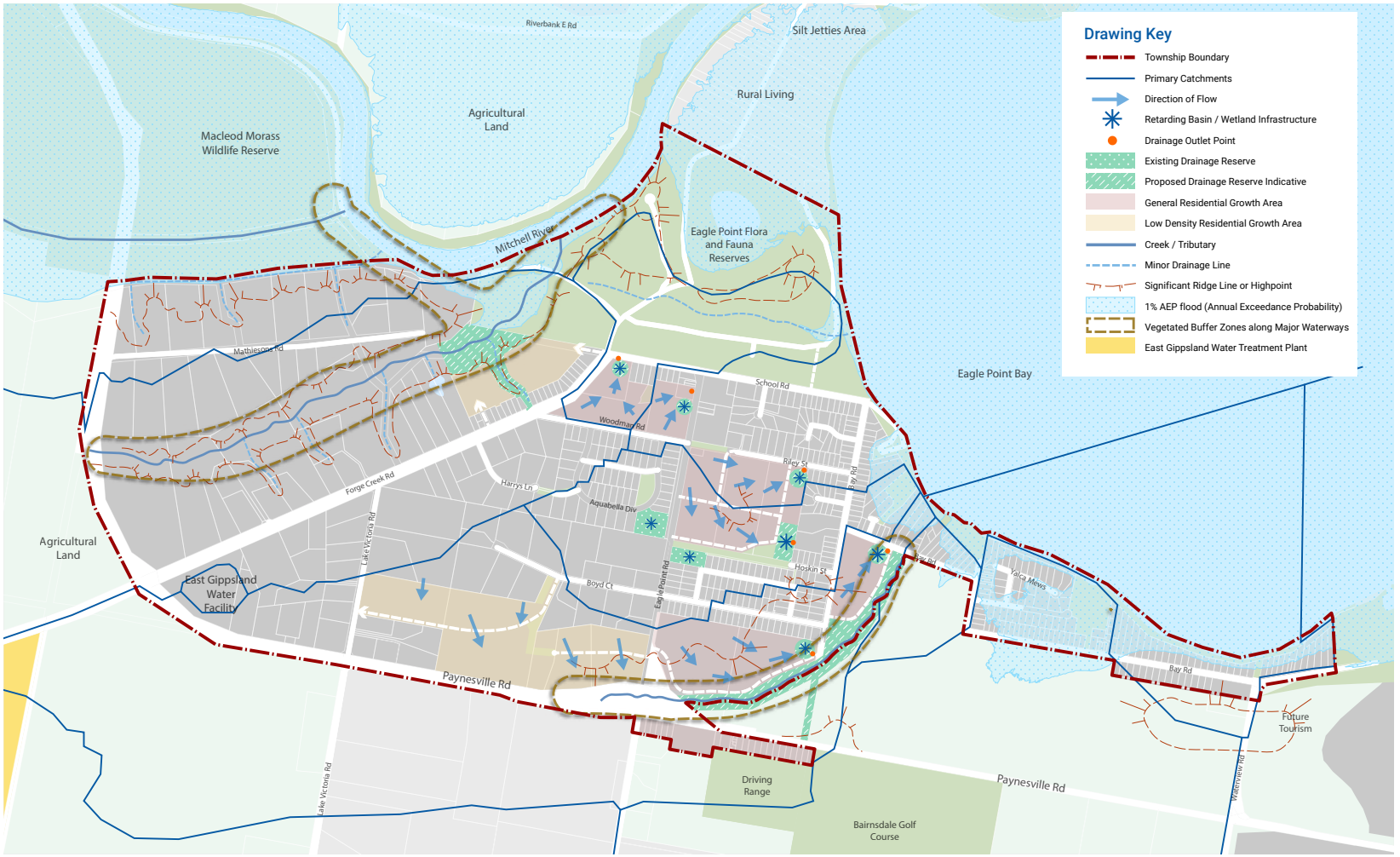
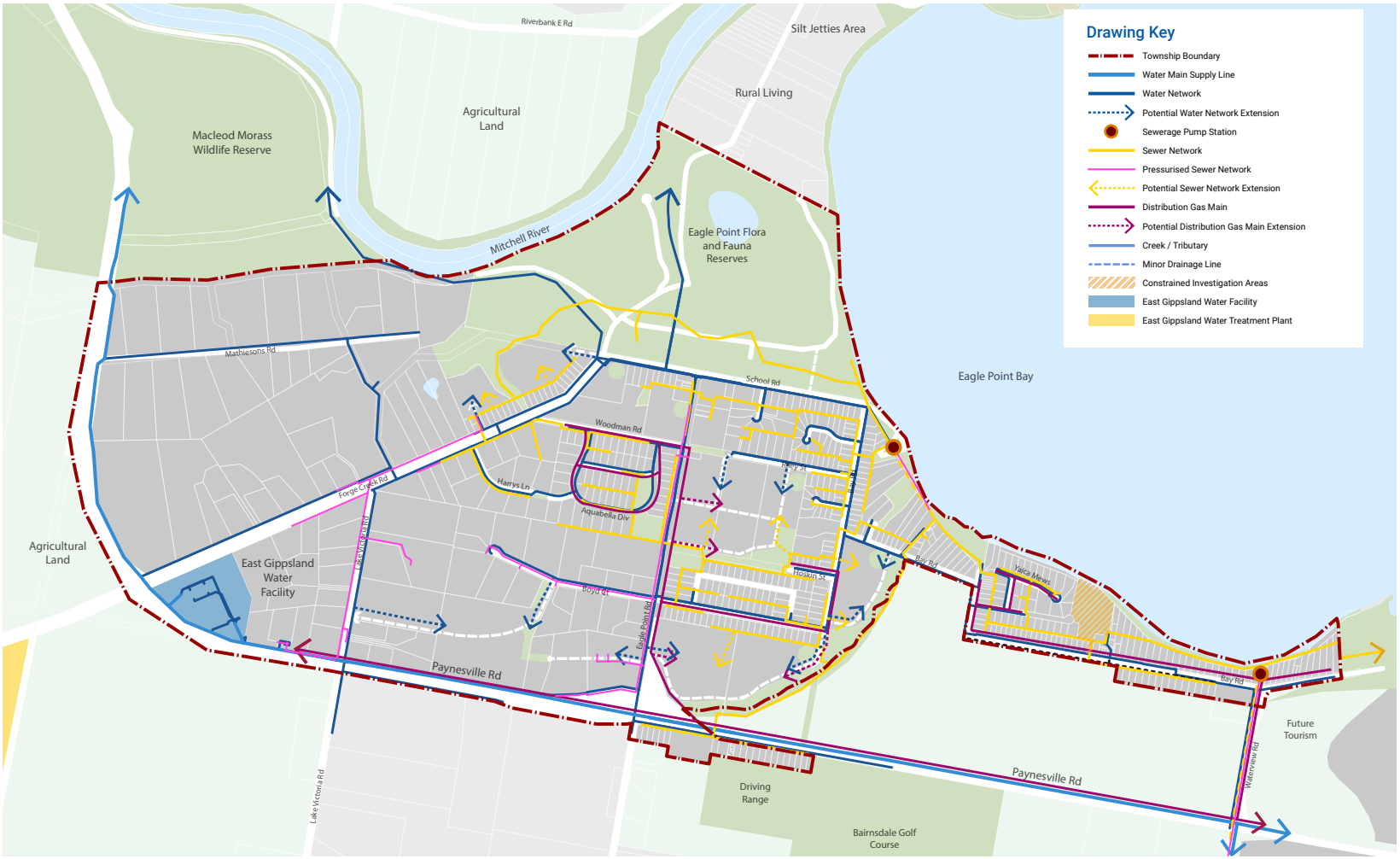


Figure 18 Servicing Infrastructure



11. IMPLEMENTATION PLAN

11.1 Introduction

This part of the Structure Plan sets out the following implementation matters as recommended by the Structure Plan:

- Action implementation plan, which brings together all the actions in Part 2
- Planning controls, summary of changes required to the East Gippsland Planning Scheme
- Pre-conditions and requirements for development, which must be reviewed and addressed prior to Council considering rezoning requests and development applications (where triggered)
- Summary of public realm and infrastructure improvements within Eagle Point.

11.2 Action Implementation Plan

The following tables sets out the Action Implementation Plan for the actions identified in the Structure Plan.

Each action is categorised by the type of action (in terms of Council's role in facilitating the action), the resources required to undertaken the action and the timeframe in which the action should be completed. A general indication of costs is provided to assist Council in allocation of funds.

Table 1

TYPE OF ACTION	Actions Council can implement alone
Council responsibility	Actions Council can implement alone
Council Advocacy	Actions where Council influences others to act
Council Collaboration	Actions where Council works with other stakeholders, such as landholders, proponents and Government agencies
RESOURCES	
OT	Officer Time. Council has existing resources to complete the action within the identified timeframe
$	Limited. Council can readily fund the action within the identified timeframe
$$	Moderate. Council will require and plan for additional funds to complete the action within identified timeframes
$$$	Significant. Council will require substantial planning to complete actions and likely require other funding sources.
TIMEFRAME	
Immediate	Within the next year, most likely as part of implementation of the Structure Plan
Short	Within the next 1-2 years
Medium	Within the next 2-5 years
Long	5+ years
Ongoing	Actions that will continue over time

Table 2 Action Implementation

ACTION		TYPE OF ACTION	TIMEFRAME	RESOURCES
TOWNSHIP BOUNDARY				
A1	Articulate and define the role of Eagle Point (including its township boundary) by incorporating the Eagle Point Structure Plan into the Municipal Strategic Statement.	Council responsibility	Immediate	OT + $
A2	Apply the Significant Landscape Overlay to the landholdings as shown in Figure 6.	Council responsibility	Immediate	OT + $
MANAGING RESIDENTIAL CHANGE AND CHARACTER				
A3	Insert the Overall Township Objectives into East Gippsland's Municipal Strategic Statement to guide future development outcomes within Eagle Point's residential neighbourhood areas.	Council responsibility	Immediate	OT + $
A4	Rezone the Mathiesons Road Neighbourhood Character Area to the Rural Living Zone and apply a minimum subdivision area of 2 hectares and review existing restrictive covenants.	Council responsibility	Short term	OT + $
A5	Include preconditions for 'Incremental Change Areas' as specified in Chapter 11.5 to all relevant zone schedules as shown in Figure 7 (excluding Strategic Sites).	Council responsibility	Short term	OT + $
A6	Apply the Development Plan Overlay to Strategic Sites identified in Figure 19 and include preconditions and requirements specified in Chapter 11.5.	Council responsibility	Medium term	OT + $
A7	Amend the General Residential Zone boundary for land at 25 Waterview Road to reflect alignment with the Structure Plan.	Council responsibility	Immediate	OT + $
A8	Rezone land identified as a new change area as depicted in Figure 7 subject to development preconditions and requirements listed within Chapter 11.	Council responsibility	Immediate	OT + $
A9	Work collaboratively with the Bairnsdale Golf Course to understand timing of future proposals and reinforce its tourism role and economic benefits to Eagle Point and the broader area, over the long term.	Council collaboration	Medium term	OT
A10	Rezone land at 30 Forge Creek Road to the Low Density Residential Zone as identified in Figure 19.	Council responsibility	Short term	OT + $
A11	Apply minimum subdivision areas (specified in Figure 26) to the existing Low Density Residential Zone land identified in Figure 19 through a schedule.	Council responsibility	Short term	OT + $
A12	Apply and amend schedules to all zones (as required) to reflect neighbourhood character summaries in Appendix 1.	Council responsibility	Short term	OT + $

Table 2 (cont.) - Action Implementation

ACTION		TYPE OF ACTION	TIMEFRAME	RESOURCES
THE COMMUNITY AND FORESHORE PRECINCTS				
A13	Exhibit and implement the Eagle Point Foreshore Management Plan and support its implementation within Eagle Point over time.	Ongoing	Short term	OT + $$
A14	Prepare a landscape masterplan for the primary recreation meeting place within the foreshore precinct which details a utilisation of space, improvement of existing facilities, new facilities and access arrangements for the community and clarification of the extent of camping.	Ongoing	Immediate	OT + $
A15	Investigate options for the existing tennis courts and associated buildings by exploring future uses and multiplicity of use to maximise community benefit.	Council collaboration	Medium term	OT + $
MOVEMENT NETWORK				
A16	Work collaboratively with VicRoads to locate, design and construct a pedestrian crossing/refuge that will facilitate safe pedestrian access across Paynesville Road and improve bus stop safety.	Council collaboration	Medium term	$$$
A17	Work collaboratively with VicRoads, Public Transport Victoria and private bus operators to improve bus routes within the town, including formalising a stop in proximity to the Eagle Point Primary School.	Council collaboration	Medium term	$$$
A18	Investigate intersection treatment options at School Road and the foreshore consistent with the Eagle Point Foreshore Management Plan.	Council responsibility	Long term	$$$
LANDSCAPE, OPEN SPACE AND ENVIRONMENT				
A19	Prepare an overall signage plan/strategy for the township that assists in way-finding and enjoyment of the township's diverse and distributed open space and precinct attractions.	Council responsibility	Short term	OT + $
A20	Investigate application of the Environmental Significance Overlay to Tyers Creek and the drainage/creek line north of Paynesville Road as required.	Council responsibility	Short term	OT + $
A21	Work with local community groups such as conservation groups, Landcare, schools, etc to implement management plans for conservation reserves and increase awareness and education around the natural environment both within private and public land.	Council collaboration	Medium term	$$
A22	Work with other public land managers to improve connectivity between Eagle Point and reserves and open spaces in vicinity to Eagle Point.	Council collaboration	Long term	$$
A23	Work with the landowner of the identified environmentally significant site to release the land for public conservation/open space purposes.	Council advocacy	Medium term	OT

Table 2 (cont.) - Action Implementation

ACTION		TYPE OF ACTION	TIMEFRAME	RESOURCES
NATURAL HAZARDS				
A24	Work collaboratively with CFA to appropriately manage bushfire risk in Eagle Point.	Council collaboration	Immediate	OT
A25	Work collaboratively with East Gippsland Catchment Management Authority to manage climate change risks such as flooding, sea level rise and erosion in Eagle Point.	Council collaboration	Immediate	OT
A26	Incorporate bushfire considerations and requirements to Development Plan Overlays for Strategic Sites and relevant zone schedules for Incremental Change Areas to address bushfire risk appropriately.	Council collaboration	Short term	OT
DRAINAGE AND INFRASTRUCTURE				
A27	Incrementally improve existing drainage issues across the township.	Council collaboration	Long term	$$$
A28	Work collaboratively with landholders to resolve site-specific drainage issues.	Council advocacy	Medium term	OT
A29	Work collaboratively with service authorities to facilitate upgrades and maintenance of reticulated services including water, electricity, and sewerage.	Council collaboration	Long term	OT
A30	Work collaboratively with East Gippsland Water to introduce planning controls around Paynesville Waste Water Treatment Facility.	Council collaboration	Immediate	OT
A31	Prepare a stormwater management plan for Eagle Point.	Council responsibility	Medium term	OT + $$
A32	Implement improvements and upgrades of stormwater drainage infrastructure as identified in the stormwater management plan, or on a case-by-case basis.	Council responsibility	Long term	$$$
A33	Engage with affected landowners to resolve localised stormwater drainage issues.	Council collaboration	Medium term	OT

11.3 Planning Controls

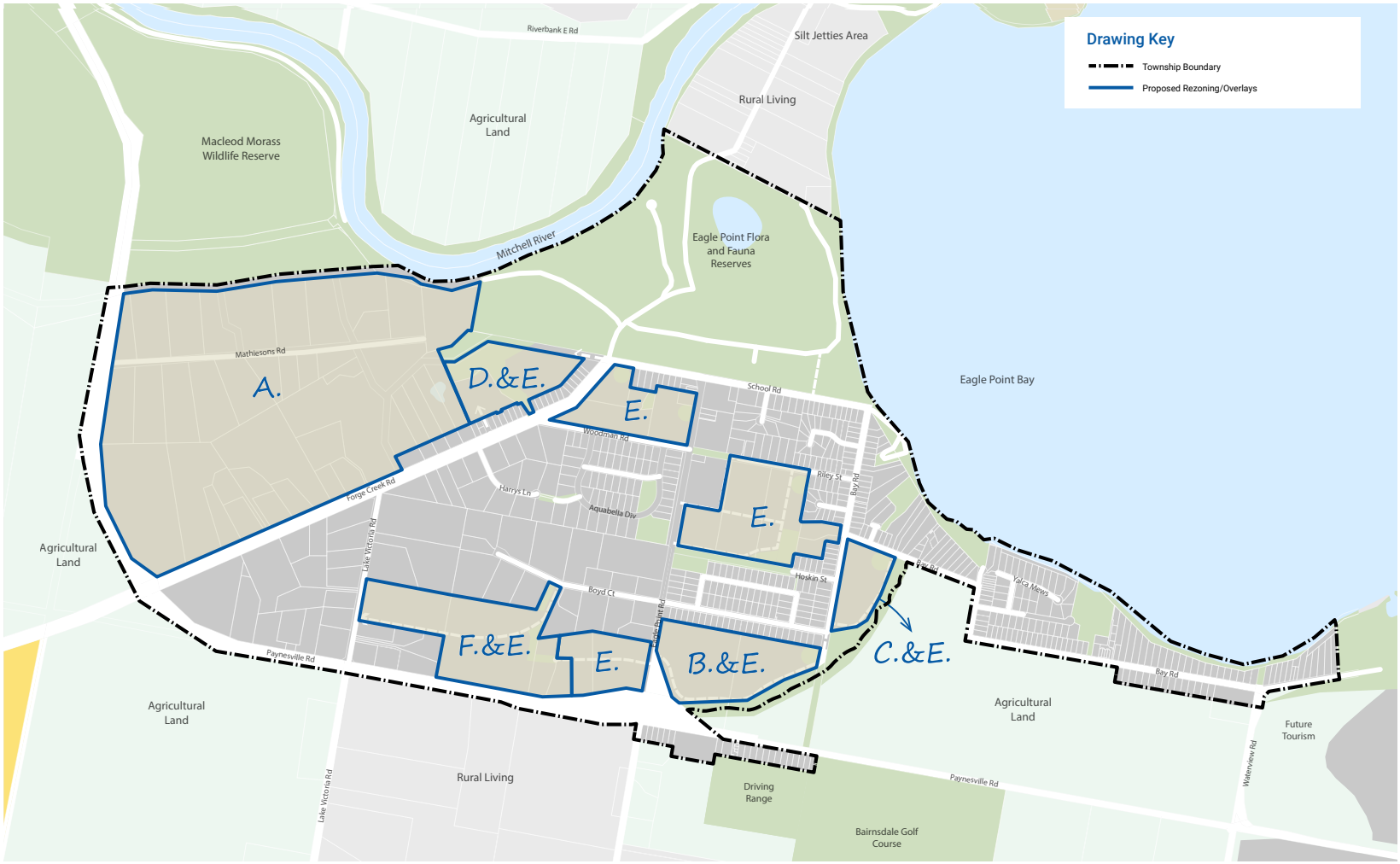
To implement the vision and strategies of the Eagle Point Township Structure Plan into the East Gippsland Planning Scheme, including the below planning controls:

- Amend the Municipal Strategic Statement to include specific objectives, strategies and actions from the Structure Plan, including:
  - Clause 21.12 - Strategies for Sub-Regions, Towns and Localities
  - Clause 21.03 - Settlement
  - Introduce a new local policy for Eagle Point
- Introduce the Structure Plan (plan) into the MSS as a means of formalising the township boundary
- Apply Planning Scheme Zone/Overlay changes in accordance with Table 3

Table 3 Proposed Planning Controls

PLAN REFERENCE	PLANNING PROVISION	TIMEFRAME / PRIORITY
A	Rural Living Zone	Short
B	General Residential Zone	Immediate (subject to S173 agreement identifying contributions to boardwalk, community infrastructure and open space)
C	General Residential Zone (boundary adjustment)	Immediate (subject to S173 agreement identifying contributions to boardwalk, community infrastructure and open space)
D	Low Density Residential Zone	Short
E	Development Plan Overlay	Short term (preparation of Development Plan Overlay Schedules for each Strategic Site to provide on design and preferred planning outcomes)
F	Low Density Residential Zone (schedule)	Short (specify minimum lot sizes in schedule to Low Density Residential Zone)

Figure 19 Proposed Planning Controls



11.4 Preconditions and Requirements for Development

The Eagle Point Township Structure Plan sets out the planning and development framework that articulates the role of the township and ensures future change protects and enhances the township's natural character and community values.

In providing for these growth opportunities, planning tools can be used to effectively guide intended outcomes for high quality development that enhances the character of the town. For this reason, the Structure Plan identifies a series of development preconditions/ requirements to be met prior to subdivision/development of land or rezoning of land for residential purposes.

11.5 Incremental Change Areas (existing zoned land)

Where planning permits are required for subdivision, development and/or buildings and works including a single dwelling on a lot, applications must include the following information (where relevant), and any other information to support the application as required by the East Gippsland Planning Scheme:

- Site analysis and design response plan and/or report demonstrating how development of the site responds to:
  - Site features including vegetation to be removed and retained, topography, views, adjoining development conditions, etc
  - Response to the Neighbourhood Character Guidelines as they relate to the relevant precinct detailed in Appendix 1.
- A landscape plan which details landscaping within the lot and streetscape enhancements for the frontage to the lot.
- Schedule of colours and materials for dwellings.
- A response to relevant bushfire policy and bushfire planning provisions.
- A bushfire hazard site assessment.

11.6 Established Change Areas - Strategic Sites (existing zoned land)

Chapter 1 identifies strategic sites within the township boundary that have the potential to accommodate additional residential development. Where planning permits are triggered for subdivision, development and/ or buildings and works including a single dwelling on a lot applications must include the following information (where relevant), and any other information to support the application as required by the East Gippsland Planning Scheme:

- Background reports for the entire site including but not limited to:
  - Flora and fauna assessment
  - Cultural heritage assessment
  - Traffic impact assessment
  - Servicing and infrastructure response including detail on how drainage will be accommodated having regard to the overall township drainage strategy
  - A bushfire hazard site assessment
- Site analysis and design response plan and/or report demonstrating how development of the site responds to:
  - Design guidance for each change area as set out in Appendix 2
  - Site features including vegetation to be removed and retained, topography, views, adjoining development conditions, etc
  - Response to the Neighbourhood Character Precinct Guidelines as they relate to the relevant precinct detailed in Appendix 1
- Local street level concept plan showing a connected street and pedestrian path network both internal to the site and adjacent to it
- Street cross-sections guided by Chapter 7.5
- Landscape masterplan for public streets and all public reserves/open spaces
- Provision for and delivery of infrastructure including roads, paths, open space/linear links, drainage corridors as detailed for the site within Chapter 11.9 (can be implemented via Section 173 Agreement).
- A response to relevant bushfire policy and bushfire planning provisions.

11.7 New Change Area

Figure 1 identifies a New Change Area within the township boundary which is nominated for new residential development. Prior to rezoning of the land to General Residential Zone and application of planning controls as required by this Structure Plan, the following must be provided to Council's satisfaction:

- Land supply analysis by a suitably qualified expert demonstrating the land is required to meet residential demand
- An agreement (Section 173 or similar) that details provision of key infrastructure to be delivered as part of the development and/or payment of contributions, in accordance with that nominated in Chapter 11.9
- Detailed planning has been undertaken as justification for future rezoning request, including preparation of background reports identified in Chapter 11.6.
- A response to relevant bushfire policy and bushfire planning provisions.

11.8 Long-term Development Opportunity

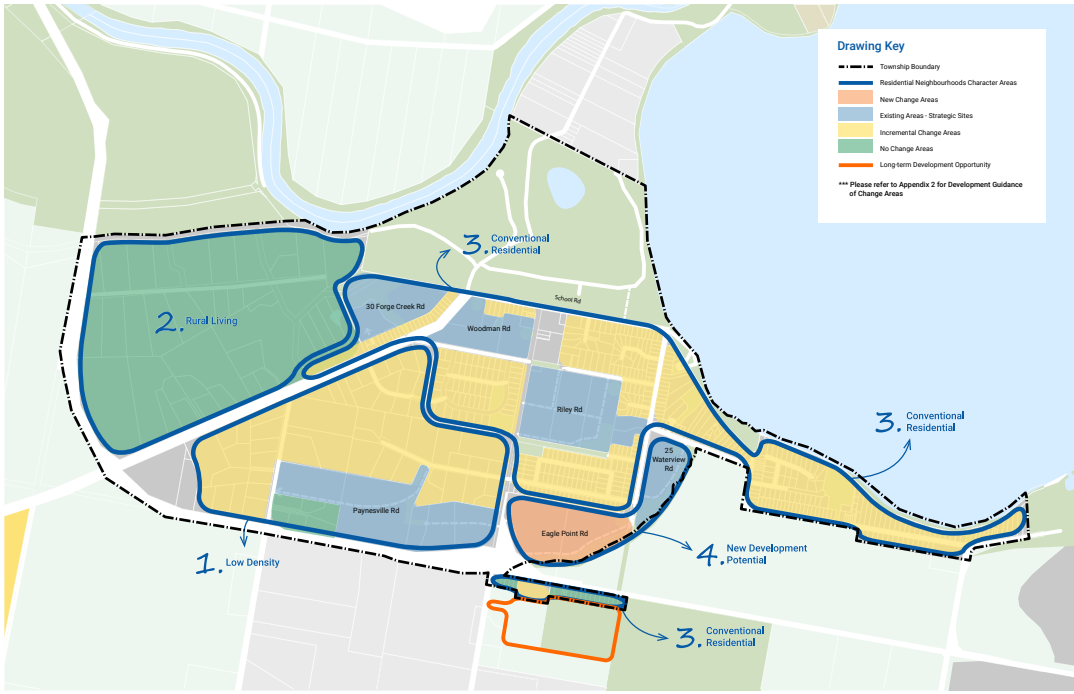
As identified within the Structure Plan, based on available land supply and strategic consideration of the township and economic merits as a whole, partial rezoning will not be contemplated for the site (identified as a long term development opportunity in Figure 20) in the short term. Council will consider rezoning requests for the identified part of the Bairnsdale Golf Course based on an assessment of it's potential to achieve a net community benefit.

Should the net community benefit criteria be demonstrated to the satisfaction of Council, the planning process as indicated in the Established Change Areas - Strategic Site section can be undertaken.

Net Community Benefit Criteria:

- Satisfactory evidence provided to Council that rezoning and development of the identified part of the Bairnsdale Golf Course will contribute to upgrading and retention of the Golf Course
- The land can be appropriately provided with reticulated services and a satisfactory drainage solution
- Land supply analysis by a suitably qualified expert demonstrating the land is required to meet residential demand
- Detailed planning has been undertaken as justification for future rezoning request, including preparation of background reports identified in Chapter 11.6.
- A low density subdivision proposal that contains:
  - a high quality urban and landscape design response to the site conditions and surrounds;
  - appropriate site access;
  - provision for staged, orderly development of land;
  - a willingness to enter into s173 agreements (or equivlent) with Council to ensure the coordinated delivery of key shared infrastructure (such as delivery of one or more missing road or pedestrian path links in the movement network within Eagle Point, including, but not limited to those identified in Figure 11 and 12).

Figure 20 Residential Neighbourhoods, Character and change areas



Implementation

- It is anticipated that rezoning of the long term development opportunity will be accompanied by applications of one or more overlays such as a Development Plan Overlay.

11.9 Public Realm and Infrastructure

Several infrastructure items have been identified in the Structure Plan to enable successful delivery of the vision of Eagle Point. The table below provides a summary of the key infrastructure items, who will be responsible for delivery and the priority in terms of delivery.

Table 4 Public Realm and Infrastructure Identification

PLAN REFERENCE	PLANNING PROVISION	DELIVERY RESPONSIBILITY	TIMEFRAME/PRIORITY
A	Conservation Open Space	Council in collaboration with landowner	Medium
B	Drainage line linear reserve	Developers	As development occurs
C	Community facility	Council	Medium
D	Eagle Point Primary School Expansion	Department of Education	High
E	Pedestrian Paths	Council/ Developers	High
F	Pedestrian Paths	Developers	As development occurs
G	New road connections	Developers	As development occurs
H	Foreshore precinct upgrades (various)	Council/ Developers	As indicated in the Eagle Point Foreshore Management Plan
I	Tennis courts upgrade	Council	Medium
J	Community precinct gateways	Council	Medium
K	Community precinct streetscape works	Council	Medium
L	Drainage works/open space	Developers	As development occurs
M	Passive open space in Hoskins Street for a tree reserve	Developer	As development occurs
N	Wayfinding signage (outside of foreshore precinct upgrades) – not mapped	Council	Medium
O	Open Space Reserve (Recreation) - not mapped	Council in collaboration with landowner	Long term

Figure 21 Public Realm and Infrastructure Plan

12. APPENDIX 1 – NEIGHBOURHOOD CHARACTER SUMMARIES

12.1 Rural Living Neighbourhood

Relationship to Landscape and Environment

Close relationship to diverse landscape forms consisting of ridgeways, valleys and Tyers Creek. Dwellings generally located on the side of the valley to capture views of the surrounds whilst not dominating the ridgeline.

Significant tree planting along the northern edge of neighbourhood and Tyers Creek.

Edges and Interfaces

Enduring natural and environmental values on northern interface to MacLeod Morass Wildlife Reserve, Mitchell River and Eagle Point Flora and Fauna reserve to the north.

Neighbourhood feels physically “separated” from Eagle Point because of its highly vegetated and hidden nature of its edges and interfaces

Streetscapes and Development Pattern

Mathiesons Road and Forge Creek Roads are wide and informally vegetated with large native trees along straight roads. No footpaths contribute to the rural feel.

Large and heavily vegetated irregular-shaped lots typically conform the to the topography of the land and presence of Tyers Creek meanders through private property.

Dwelling are large homesteads and outbuildings set within exotic and native gardens in proximity to dwellings.

Lot sizes

Maintain large lot sizes which reflect rural living character with minimum lot size of 2ha.

Type of Change

No change.

12.2 Low Density Neighbourhoods

Relationship to Landscape and Environment

The land is undulating and the precinct is clear of vegetation aside from remnant and planted sections in streetscapes and on lot boundaries.

Edges and Interfaces

Edges defined by Forge Creek Road and Eagle Point Road which are wide and informally vegetated with large native trees. Lots typically back onto standard density housing (the conventional residential neighbourhoods).

Streetscapes and Development Pattern

Minimalistic streetscapes that are wide and sparsely vegetated with a variety of tree species that are informally planted.

Typically, streetscapes have no constructed kerbs with paths.

Lake Victoria Road has a rural feel characterised by unpaved surfaces with soft edges and tree and shrub plantings along its edges framing the straight road.

Lots are largely clear of vegetation with tree windrows along most boundaries.

Dwellings are generally setback significantly from the street but are still visible and often have wide facades. Dwellings are mostly single storey with modest articulation and materiality.

Private front setbacks in some areas are heavily vegetated and contribute to the streetscape.

Lot sizes

Currently lot sizes vary significantly from 4000m2 to over 8,000m2 reflecting the lifestyle character

Maintain low density living attributes with a minimum lot size of 2,000m2 - 4,000m2, unless specified otherwise in Appendix 2 -

Type of Change

Incremental change to a minimum lot size of 4000m2, unless specified otherwise in Appendix 2 - Development Guidance For Change Areas

12.3 Conventional Residential Neighbourhood

Relationship to Landscape and Environment

The conventional residential neighbourhoods of Eagle Point vary across the township. Some areas capture significant views to the Gippsland Lakes/Eagle Point Bay, some interface with rural and low density land, and contain remnant canopy trees.

Typically the landscape character is borrowed from landscaping within the lots.

Edges and Interfaces

Neighbourhood interfaces with the open character of the Eagle Point Caravan Park and Foreshore to the north, and large trees within existing road reservations frame the edges of the neighbourhood to the south. Abutting land is generally open rural land or low density.

Streetscapes and Development Pattern

Streetscapes vary in character depending on their era of development.

In some areas, local streets form into cul-de-sacs, with limited pedestrian paths and informal tree and shrub planting.

In the more recent developments, modern urban style streetscapes are provided with footpaths constructed on both sides of the road and a median treatment defines entry into new subdivision.

Recent development has retained large existing native canopy trees within the subdivision design but otherwise pre-existing native vegetation and other site features have been removed.

Lot sizes

Lot sizes vary across the neighbourhood. In more central parts of the neighbourhood (in proximity to the community and foreshore precincts) smaller lot sizes can be accommodated.

New residential subdivision with lots varying in size from 900 to 2000m2.

Type of Change

Incremental change primarily in the form of construction of dwellings on existing subdivided lots, redevelopment of older housing stock and some medium density housing in central parts of the neighbourhood.

Strategic development sites may undergo more substantial change.

12.4 New Development Potential Neighbourhoods

Relationship to Landscape and Environment

Currently the land is vacant and used for agricultural purposes.

An existing drainage line forms an obvious natural characteristic and is heavily vegetation along its length. Land is undulating and prominent from the neighbourhood's interfaces.

Edges and Interfaces

An existing drainage line forms the southern extent of the neighbourhood and defines Eagle Point's physical limit and entry into the neighbourhood and township.

Rural land defines the east of the neighbourhood.

Streetscapes and Development Pattern

Eagle Point Road is a long rural character road with soft edges remnant canopy tree plantings.

The Structure Plan provides guidance on preferred streetscape and development outcomes having regard to the existing site features and capturing the overall character of Eagle Point.

Lot sizes

Currently undeveloped however larger allotments ranging from 600m2 with larger allotments that respond to site characteristics is encouraged.

Type of Change

Change is supported that responds to the landscape and visual importance of this future neighbourhood.

13. APPENDIX 2 - DEVELOPMENT GUIDANCE FOR CHANGE AREAS

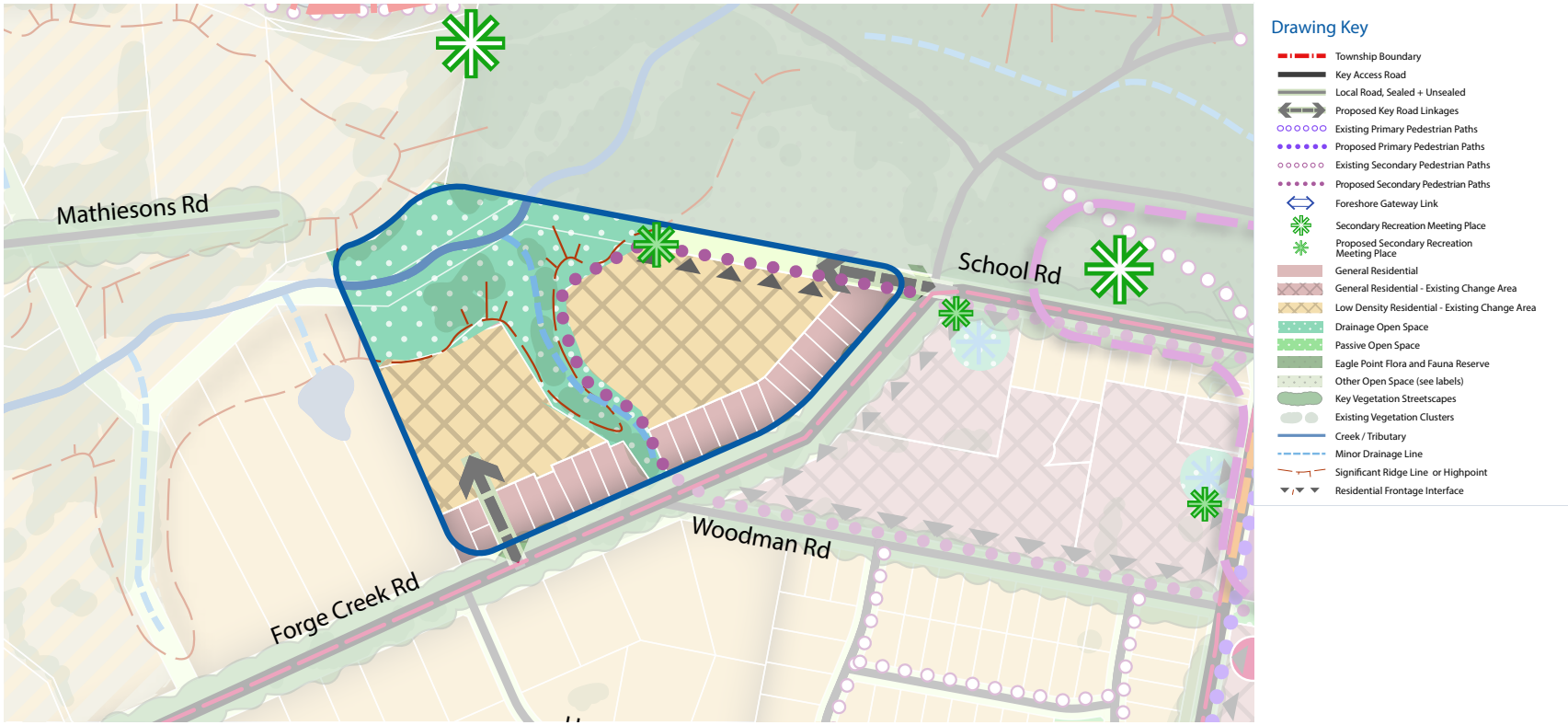
13.1 30 Forge Creek Road

This site is currently constrained due to drainage, bushfire risk and other site-specific issues, however is identified for future development in the Low Density Residential Zone, supported by its proximity and accessibility to the community and foreshore precincts.

Design Guidance:

- Improve public access to Tyers Creek through extension of School Road and footpaths.
- A perimeter road interfacing with the bushfire hazard with two connected points of access and egress must be provided to the site to address bushfire safety and to achieve a maximum of BAL12.5.
- Development must be contained above the Tyers Creek valley to protect public views and access to the creek
- Natural drainage lines through the site must be retained and incorporated into an appropriate drainage design.
- Provide a footpath network designed to connect into the wider township network.
- Provide a recreational meeting place with views of Tyers creek and surrounded by natural features must be incorporated into the design. This may include picnic or bench seating, landscaping, gazebo/shelter, art or decking/decorative paving.
- Residential development must address open space where possible to provide passive surveillance and contribute towards amenity.

Figure 22 Change Area - 30 Forge Creek Road



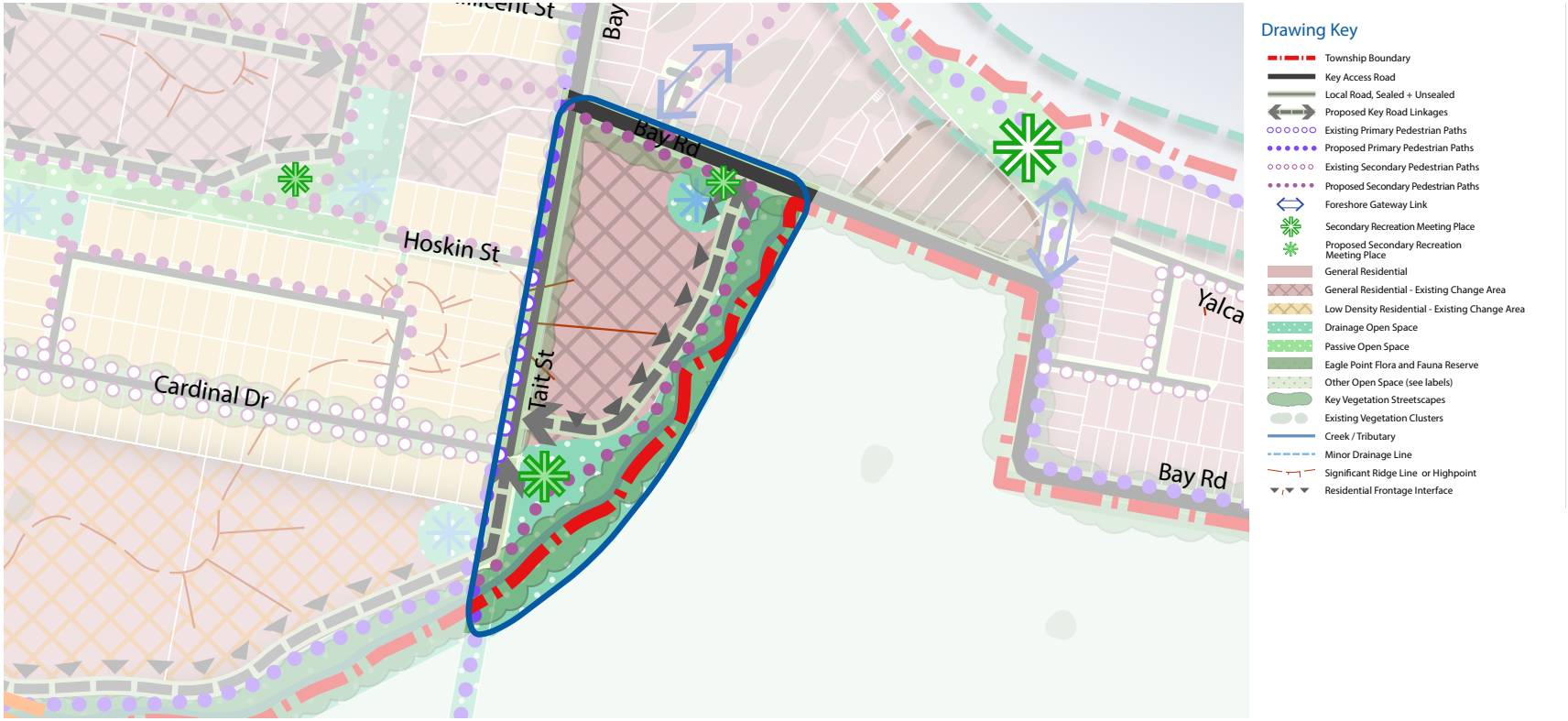
13.2 25 Waterview Road

This site is currently zoned for residential development. Development of the site provides an important opportunity that will release the creek line as public open space, providing a linear pedestrian link along the southern township boundary and protecting the creek and its natural and environmental values.

Design Guidance:

- Retain and enhance the natural drainage line inside a linear drainage open space reserve forming the township boundary.
- Provide a footpath along the linear open space.
- Provide missing sections to the primary footpath network along Tait Street.
- Residential development must address open space where possible to provide passive surveillance and contribute towards amenity.
- Bushfire mitigation measures will include an edge road to the drainage reserve; and landscaping of open space that is responsive to the bushfire risk (see cross sections in Chapter 7.5).
- Provide multiple recreational meeting place along the linear open space. This may include picnic or bench seating, landscaping, gazebo/shelter, art or decking/ decorative paving.

Figure 23 Change Area - 25 Waterview Road



13.3 Woodman Road

Design Guidance:

> Residential development must address existing primary streetscapes where possible to contribute towards amenity.

> Development must contribute towards the upgrade of Woodman Road to include a path and enhanced landscaping.

> Provide multiple recreational meeting places co-located with drainage open spaces reserves. This may include picnic or bench seating, landscaping, gazebo/ shelter, art or decking/decorative paving.

> Development must be responsive to bushfire risk.

Figure 24 Change Area - Woodman Road

13.4 Riley Road

Design Guidance:

> Retain and protect trees inside the Hoskin Street road reserves. Path must be aligned to avoid tree removal where possible.

> Provide key local links to improve accessibility.

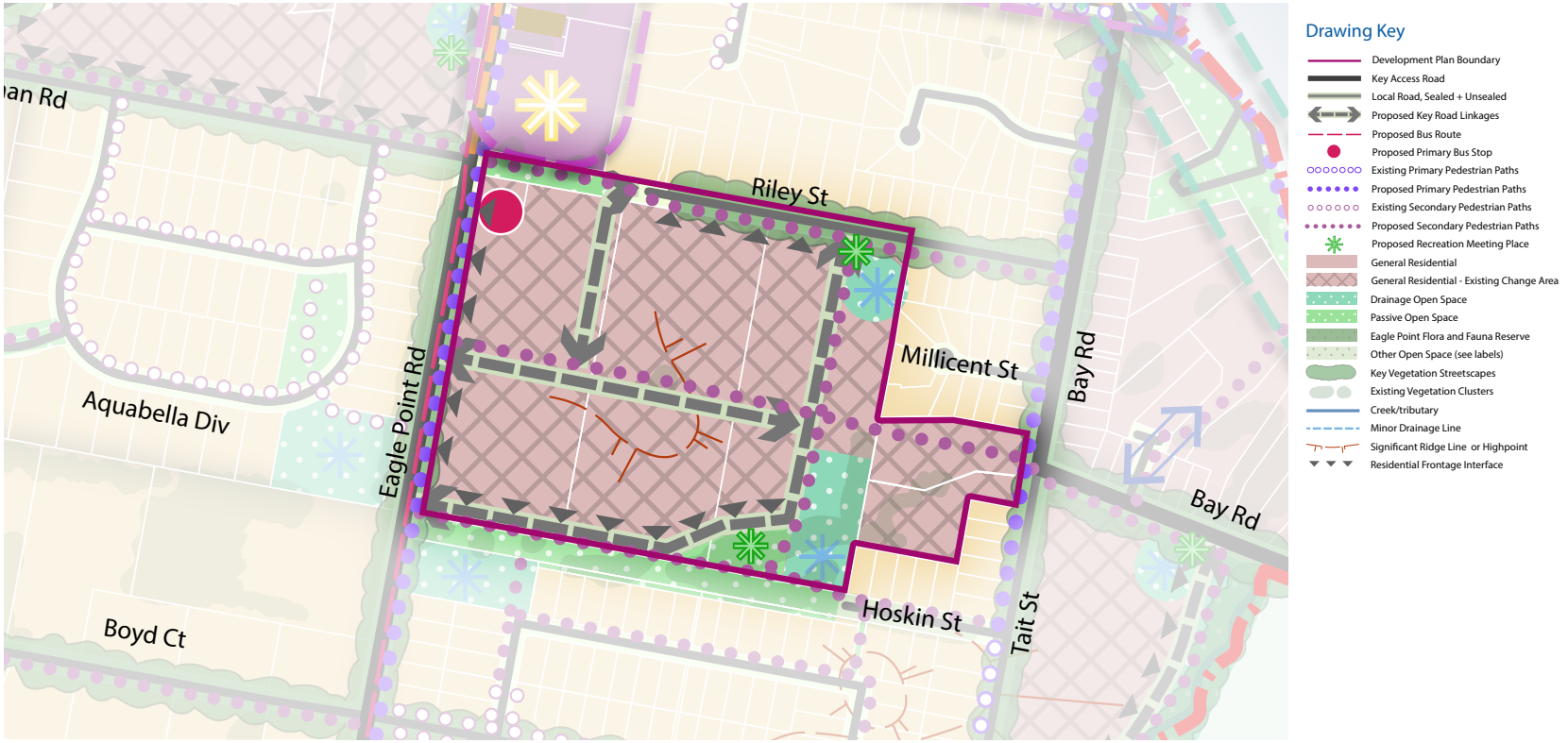
> Residential subdivision should be designed to respond to topography and benefit from views to the east.

> Residential development must address drainage and active open space where possible to provide passive surveillance and contribute towards amenity.

> Development must contribute to the primary path along Eagle Point Road and others adjacent to and internal to the area.

> Provide multiple recreational meeting places co-located with drainage open spaces reserves. This may include picnic or bench seating, landscaping, gazebo/ shelter, art or decking/decorative paving.

Figure 25 Change Area - Riley Road



13.5 Paynesville Road

Design Guidance:

> Development plan must provide a central road that connects Lake View Road to Eagle Point Road and Boyd Court to improve township connectivity. The alignment of the road must be designed to incorporate existing buildings unless otherwise agreed by landowner.

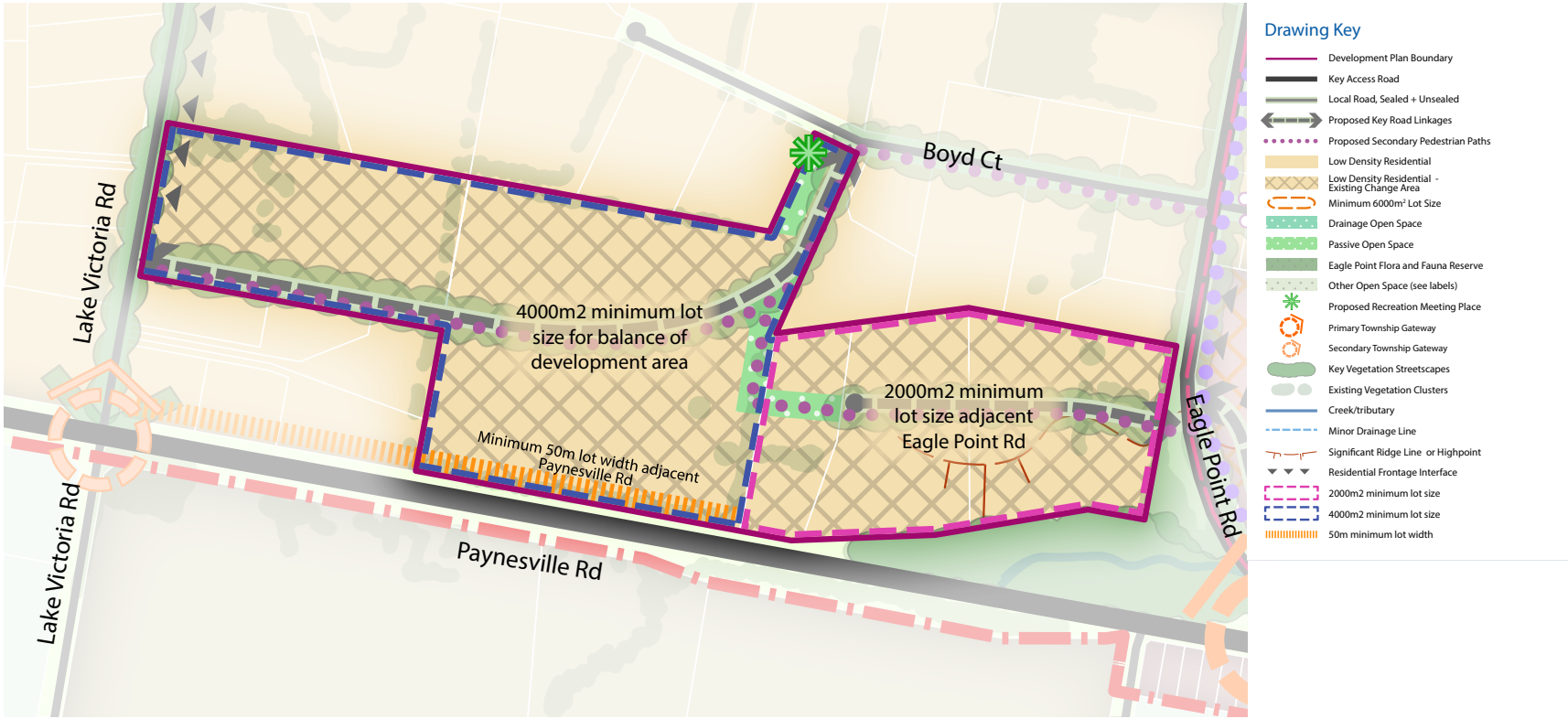
> Lots adjacent to Paynesville Road must have a minimum lot width of 50m.

> Land screened behind existing vegetation on the East side of the site may develop to a minimum of 2000 m^2, the balance of the site must be a minimum of 4000 m^2.

> A small entrance open space should be provided at the intersection with Boyd Court which will include a recreational meeting places co-located with drainage open spaces reserves. This may include picnic or bench seating, landscaping or art.

> Development must be responsive to bushfire risk using bushfire mitigation measures such as building envelopes, open space management and road layout.

Figure 26 Change Area - Paynesville Road



13.6 Eagle Point Road New Residential Area

Design Guidance:

- Retain, augment and enhance the natural drainage line inside a linear drainage open space reserve forming the township boundary.
- Two connected points of access and egress must be provided to the site for bushfire safety.
- Bushfire mitigation measures will include an edge road to the drainage reserve, and landscaping of open space that is responsive to bushfire risk.
- Provide a walking track (gravel) along the linear open space.
- Provide extension to the primary footpath network along Tait Street and Eagle Point Road.
- Residential development must address open space where possible to provide passive surveillance and contribute towards street amenity.
- The drainage reserve must have an edge road (see cross sections in Chapter 7.5).
- Residential subdivision should be designed to respond to topography and benefit from views to the east.
- Community contribution to infrastructure
- Public open space linear and vegetation corridor
  - Pedestrian link
  - Arrange link as a reserve
- Contribution to footpath to Paynesville Road
- No connection to Tait Street to Paynesville Road

13.7 Long-term Development Opportunities

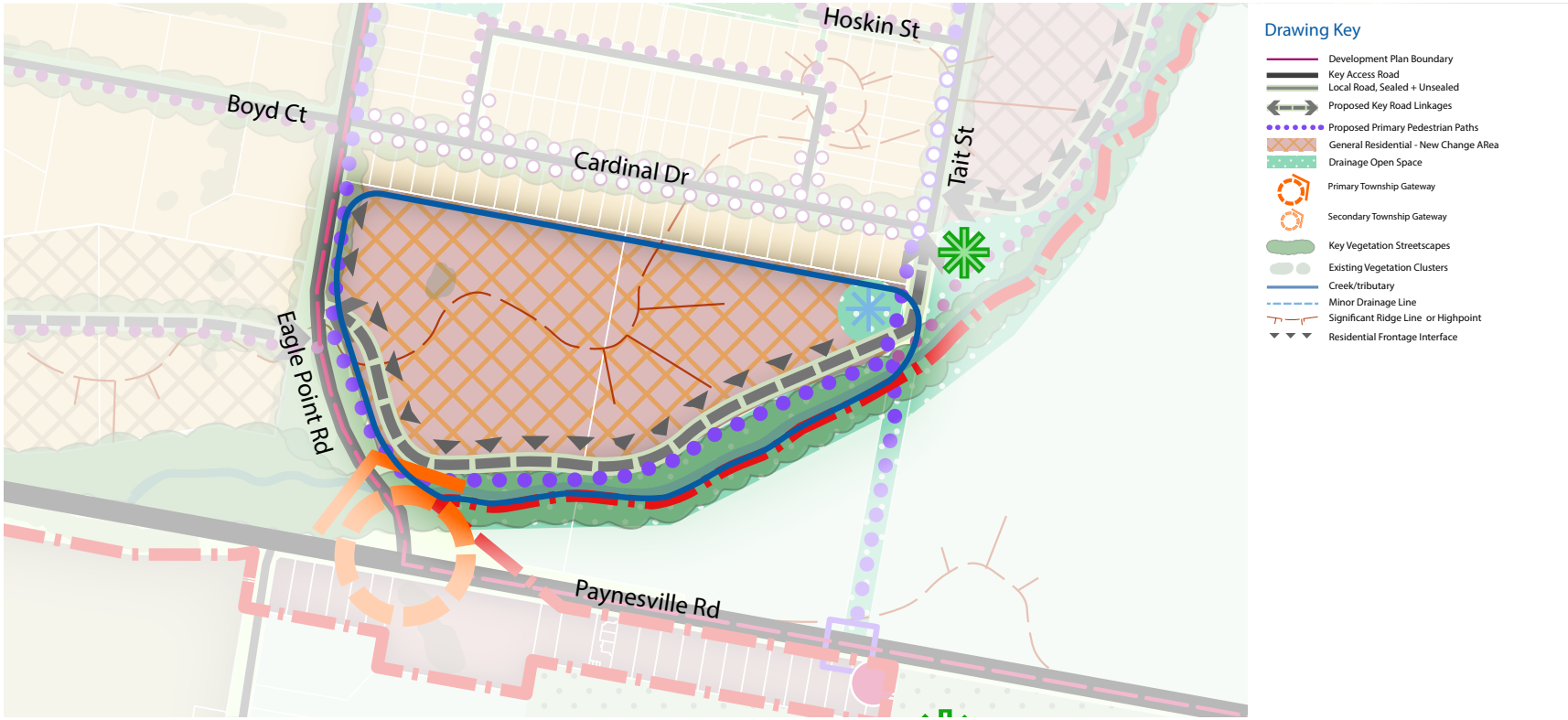
The Structure Plan supports the role of Bairnsdale Golf Course and the role it plays in terms of its tourism and wider economic benefits to Eagle Point and the region. Whilst not located within the formal township boundary, the Golf Course is strategically located in proximity to the Gippsland Lakes, and has close synergies with the tourism opportunities of the foreshore precinct within Eagle Point and the broader area.

In this context, Council will continue to work closely and collaboratively with the Golf Course management committee to understand future plans that will establish its longevity and success in the region.

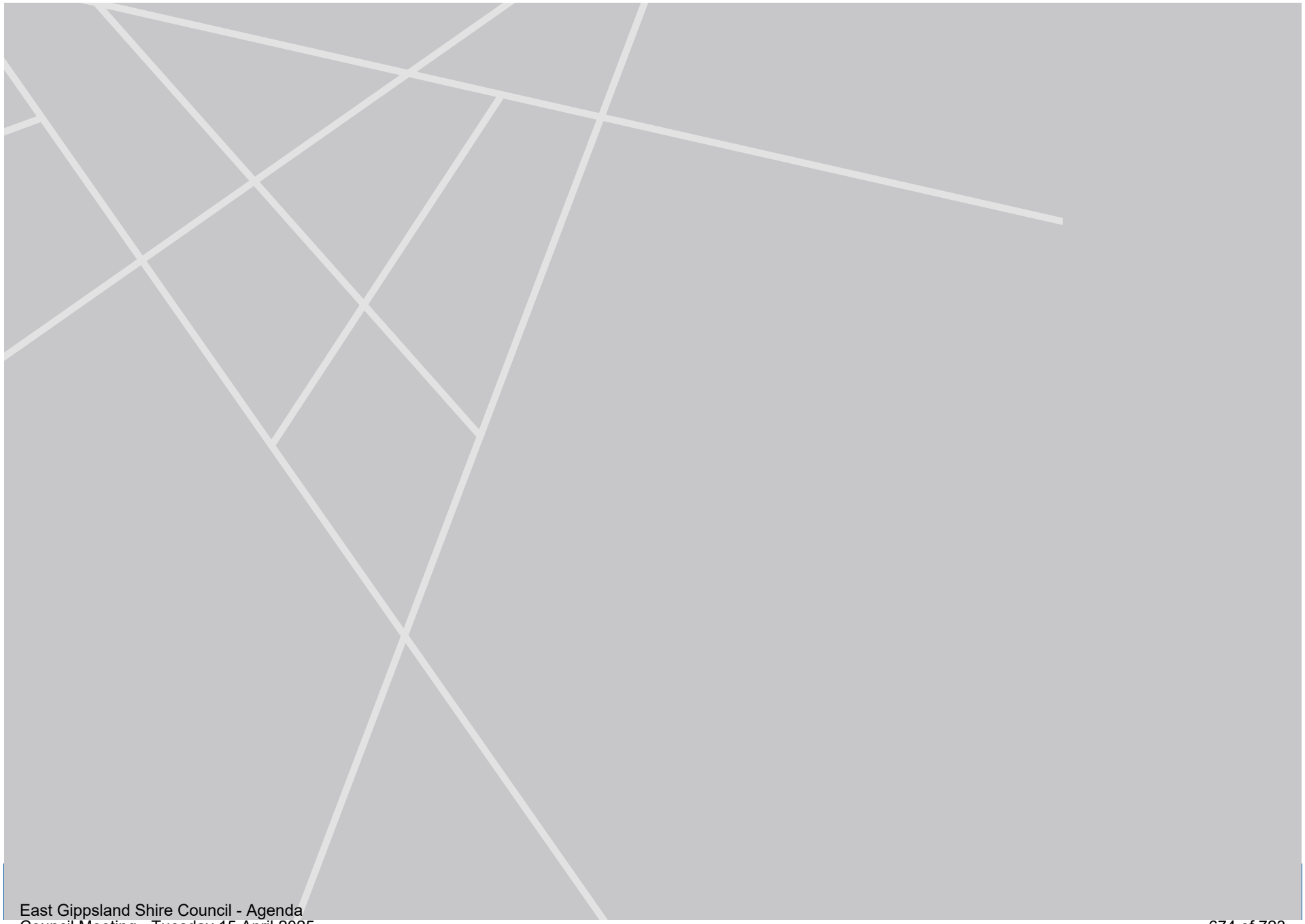
To date, the Golf Course has identified a potential of surplus of land which could be developed for low density residential purposes and contribute to upgrading facilities within the Golf Course. In turn, such investment will support the Golf Course's aspirations as a key tourism generator.

Council supports rezoning and development of the land as shown in Figure 20 subject to satisfying a net community benefit criteria. Such community benefits could include the construction of missing infrastructure links, such as pedestrian paths within Eagle Point which can promote connectivity between the Golf Course, Eagle Point Township and foreshore precinct.

Figure 27 Change Area - Eagle Point Road New Residential Area



** This page has been intentionally left blank*



Mesh Livable Urban Communities Pty Ltd

Level 2, 6 Riverside Quay
Southbank VIC 3006

T 03 9695 3025
F 03 9695 3001

www.meshplanning.com.au

Engagement Report

Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan

Public Consultation Period - 25 November 2024 to 31 January 2025 (10 weeks)

February 2025

EAST GIPPSLAND SHIRE COUNCIL

Table of contents

1 Executive summary 3
2 Engagement design overview 4
2.1 Methodology 4
2.2 Engagement Design and Communication Tools 5
3 Feedback received 7
3.1 Written submissions 7

1 Executive summary

Originally to run from 25 November 2024 to 10 January 2025, the consultation period was extended to 31 January 2025 to further allow for the Christmas/New Year and School Holiday period.

537 letters were sent to landowners in Eagle Point, resulting in 19 submissions over the 10-week period. The majority of the submissions were from or on behalf of Eagle Point landowners, along with a community group and referral agencies.

Two face to face sessions were conducted in Eagle Point and the team met face to face with various landowners at their request.

Within the submission, there was some support for the amendment however the following key areas of concern were raised:

- Engagement (concern regarding quality, timing and duration)
- Traffic (existing and future impacts)
- Medical Services (existing and future lack of services)
- Background reports (outdated or lacking detail)
- Stormwater drainage (existing and future issues)
- Justification of rezoning (lacking)
- Environmental considerations (coastal risk, impact on wildlife)
- Bushfire (risk and one-road in/one road out)

2 Engagement design overview

2.1 Methodology

Council's *Community Engagement Policy* applies the International Association of Public Participation's (IAP2) "Public Participation Spectrum" which establishes five levels of engagement.

The engagement design targeted a "Consult" level of public consultation within the IAP2 Spectrum (refer ***Error! Reference source not found.***).

	Inform	Consult	Involve	Collaborate	Empower
Our Goal	To provide balanced and objective information to make our community aware of something that has happened or will happen	To listen to our community's feedback on ideas, alternatives, and proposals to inform our decision making	To seek input to identify issues, concerns, and aspirations to inform decision making and show how that input has informed the decision	To work with our community to develop a detailed understanding of all the issues and opportunities and identify agreed solutions at every step of the process	To build the capacity of our community to identify solutions and/or lead change
Our promise to the community	We will keep you informed	We will listen to and acknowledge your concerns	We will work with you to exchange information, ideas, and concerns	We will seek advice and innovation from amongst the various stakeholder groups	We will work with you to identify options that will influence the final decision
Role of community and/or stakeholders	Listen	Contribute	Participate	Partner	Lead
Examples of Methods	Signs Advertisements Fact sheets Newsletter Public Notices Social media Websites	Focus groups Public exhibition Surveys (online and hard copy) Ideas boards Creative projects Online pin dropping map tools Face-to-face interviews and discussions	Workshops • Community panels • Advisory groups • Online forums • Co designing • Detailed online mapping, ranking and prioritising tools • Regularly reporting back to the community across multiple stages of engagement • Elements of deliberative engagement processes		Independently governed reference groups Citizens juries Representative deliberative panels Deliberative budgeting

Figure 1: East Gippsland Shire Council's Spectrum of Engagement

2.2 Engagement Design and Communication Tools

The period for public consultation was 25 November 2024 to 31 January 2025.
Table 1 below documents each activity undertaken as part of the consultation process.

Engagement Tool	Total No.	Date and engagement details	Success measures
Newspaper **Shire ad**	4	Shire ad 11 Dec 2024, 8 Jan 2025 and 22 Jan 2025 Public Notice section 11 Dec 2025	Circulation: Bairnsdale Advertiser: 6,450
EGSC Socials	1	11 Dec 2024	Awareness only Difficult to measure reach or success
Meetings and communication with key stakeholders (External)	537 3 3	25 November 2025 - Landowners with property affected, abutting or adjacent were informed through direct mail and email Meetings Jan/Feb 2025 Letters sent to relevant Ministers	Postal addresses subject to change *Council records may show multiple email addresses for a single property Difficult to measure reach or success
Drop-in session	47	12 Dec 2024 at Eagle Point Foreshore Hub 2-4pm and 5-7pm	Informed Difficult to measure reach or success
External Referrals	6	Emails sent 25 Nov 2024	Awareness only Difficult to measure reach or success
Meetings and communication with key stakeholders (Internal)	3	Prior to commencement of exhibition: Advised Statutory Planning team Advised Customer Service and Media teams Advised Councillors	Awareness only *Further distribution to team, difficult to measure reach or success
Hardcopies		Hardcopies of all documents available on request via Customer Service	Difficult to measure reach or success with hard copy engagement tools
YourSay East Gippsland webpage **(Source: YourSay Report)**	1	Live from 25 Nov 2024	776 visits

Table 1 - Communications activity undertaken as part of the consultation process

Figure 2 below summarises and measures the success of the communication channels and engagement methods for this round of engagement.

	19 **'ENGAGED'** markers of active participation in and contribution to the process	 	**19** Written submissions
	348 **'INFORMED'** markers of interaction		**276** People visited multiple project pages, downloaded a document, or viewed the key dates.
			25 Contacted the Planning team
			47 Attendees at drop-in sessions
	581 **'AWARE'** markers of awareness of the proposal		**581** Visits to the YourSay project page

Figure 2 - Communication channels and engagement methods summary

3 Feedback received

3.1 Written submissions

19 submissions were received.

The redacted submissions have been provided with the report to Councillors and were made available via the project YourSay page.

There was some support for the amendment however the following key areas of concern were raised:

- Engagement (concern regarding quality, timing and duration)
- Traffic (existing and future impacts)
- Medical Services (existing and future lack of services)
- Background reports (outdated or lacking detail)
- Stormwater drainage (existing and future issues)
- Justification of rezoning (lacking)
- Environmental considerations (coastal risk, impact on wildlife)
- Bushfire (risk and one-road in/one road out)

5.1.3 Economic Development Advisory Committee Unconfirmed Minutes of meeting held 12 September 2024

Authorised by General Manager Place and Community

Purpose

This report provides Council with the unconfirmed minutes of the Economic Development Advisory Committee (Committee) meeting held on 12 September 2024, provided at **Attachment 1** for noting.

Key Points

The Committee provides advice, guidance, and recommendations to Council on matters that affect Economic Development in East Gippsland and its communities.

The roles and responsibilities of the Committee are set out in the Economic Development Advisory Committee Charter (2023).

Key agenda items for discussion at the 12 September 2024 meeting included a discussion with the Department of Energy, Environment and Climate Action (DEECA) on the Victorian Governments Forestry Transition Program. Council's Manager Economic Development provided an update on activities and deliverables under Focus Area 1 of the Economic Development Strategy – Fostering Business.

Committee members drew attention to East Gippsland's engagement with emerging renewable energy opportunities, particularly in offshore wind and the need to increase its involvement in these conversations to ensure East Gippsland can capture benefits from these developments.

The following advice for Council was minuted as:

1. Increase visibility of the Forestry Transition Program through active promotion and the coordination of business events and forums.
2. Develop resources, such as decision trees and simple guides to assist businesses in navigating funding pathways and application processes.
3. Establish a forum for driving long-term economic planning and strategies at a regional East Gippsland level.
4. Enhance communication with business to ensure awareness of support and funding opportunities.
5. Determine an evidenced based approach to the allocation of funding to support existing businesses and potential investment.
6. Increase East Gippsland's involvement in renewable energy forums and engagement with offshore wind proponents. Finalise the New Energy Opportunity Study to effectively capitalise on emerging opportunities and guide future actions.

Recommendation

That Council receives and notes this report and all attachments pertaining to this report.

Strategic Alignment

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 4: 4.3 Council's work with stakeholders fosters entrepreneurship and new business opportunities, particularly with communities facing change.

Strategic Objective 5: 5.2 Strong relationships with government, partners and stakeholders are maintained and strengthened to advocate for the community.

Climate change

This report is assessed as having no direct impact on climate change.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. Unconfirmed Minutes EDAC 12 September 2024 [**5.1.3.1** - 5 pages]

East Gippsland Shire Council
Economic Development Advisory Committee

Unconfirmed Minutes

For meeting held on
Thursday 12 September 2024
9.00am to 11.00am Council Chambers 273 Main Street Bairnsdale

1. Procedural

Attendees: Chloe Ward (DEECA), Chris Stephenson, Cr Trevor Stow, David Roberts (RDV), Fiona Weigall, Gabby Moore, Liz Mitchell, Mayor Cr Tom Crook, Michelle Brooker, Prue McTaggart, Stephen Angus, Steve Holmes

Online: Cr Jane Greacen, Tanya Taylor

Chair: Mayor, Cr Tom Crook

Minute taker: Andie McCullagh (EGSC)

Item 1.1 **Acknowledgement of Country**

Item 2.2 **Welcome:** Mayor Cr Tom Crook opened the meeting and welcomed everyone. Chris Stephenson introduced himself as the new General Manager of Place and Community. Guest speaker Chloe Ward was introduced as the Director of Industry and Community Strategy for the Victorian Forestry Transition Program, Department of Energy, Environment, and Climate Change. Additionally, guest observer David Roberts Regional Manager from Regional Development Victoria was acknowledged.

Apologies: Andrea Lane, Angela Hutson, Chris Savige, and Nicholas Kavadis

Item 1.3 **Confirmation of previous minutes**
Moved: Steve Holmes
Seconded: Michelle Brooker

Item 1.4 **Declaration of conflict of interest**
It was noted Stephen Angus is on the panel for the Small Business Voucher program.

2. Discussion

Item 2.1 **Forestry Transition Discussion**
Chloe Ward, Director, Industry and Community Strategy, Victorian Forestry Transition Program, Department of Energy Environment and Climate Action

Chloe Ward presented on the Victorian Forestry Transition Program, outlining the funding opportunities available for businesses transitioning out of the forestry sector.

Chloe emphasised the need for collaboration, particularly by referring businesses to members of the forestry transition team, for a quick eligibility assessment. Industries such as civil construction, tourism, and small businesses have already been identified as key areas for support. Given East Gippsland's significant impact from the forestry transition, Chloe called for ensuring the community receives its fair share of the available funding.

During the discussion, there was a focus on building stronger business networks and encouraging attendees to suggest events or forums where Chloe's team could promote the program. Tanya Taylor raised a point about connecting the council's business networking programs in Gunaikurnai Country with the Victorian Forestry Transition Program, particularly to support First Nation businesses. Additionally, another member pointed out the complexity of navigating multiple funding streams and proposed that the council play a more active role in helping businesses identify which programs they are eligible for. A broader concern was raised about the long-term economic outlook for the region, recognising that transforming the local economy will take decades, not years.

Council Actions:

1. ***Increase visibility of the Forestry Transition Program through active promotion and the coordination of business events and forums.***

2. ***Develop resources, such as decision trees and simple guides to assist businesses in navigating funding pathways and application processes.***

3. ***Establish a forum for driving long-term economic planning and strategies at a regional East Gippsland level.***

Gabby Moore entered the meeting at 9.42am

Item 2.2 Economic Development Strategy Update

Prue McTaggart, Manager of Economic Development and Tourism, provided a presentation centred on Focus Area 1: Fostering Business

The presentation focused on fostering business in East Gippsland as part of the ongoing economic development strategy. It highlighted the importance of using local resources to attract businesses, especially from Southeast Melbourne, and highlighted collaboration between the economic development and planning teams to support investment projects and develop industrial and commercial land in priority areas, like Lakes Entrance and transitioning towns.

Monthly investment facilitation meetings have been introduced to streamline project management, and the Bairnsdale 2050 project was highlighted as key to long-term economic planning. The presentation stressed balancing the attraction of new businesses with supporting the growth of existing ones, ensuring small businesses in transitioning towns receive adequate support.

Efforts to streamline planning processes, such as appointing a Business Improvement Officer, were discussed, alongside the lifestyle and workforce benefits of attracting businesses to relocate to East Gippsland. The overall message was a focus on both innovation and enhancing existing business strengths to drive long-term economic growth.

Council Actions:

4. ***Enhance communication with business to ensure awareness of support and funding opportunities.***
5. ***Determine an evidenced based approach to the allocation of funding to support existing businesses and potential investment***

Cr Trevor Stow left the meeting at 9.55am
Tanya Taylor left the meeting online at 9.57am spruik
Cr Jane Greacen entered the meeting online at 10.05am

3. General Business

Item 3.1 Membership Tenure

It was noted that the committee currently has four vacancies following Adam Guillot's resignation. As this is the final meeting of the calendar year before entering a caretaker period, and with a meeting scheduled for February next year, the membership terms are approaching their end. Members are being asked to indicate within the next month whether they wish to extend their membership for another two years. In the new year, an Expression of Interest (EOI) process will be launched to fill both the existing and any new vacancies that may arise. Members are encouraged to suggest potential candidates who could contribute positively to the committee.

The discussion also highlighted a desire for feedback on the committee's format and its effectiveness in representing business interests. There is a recognition of the need to improve regional representation and ensure that meetings are beneficial for all involved. Challenges such as the difficulty of traveling long distances to meetings were mentioned, suggesting a need for meetings to be held in other locations to accommodate broader participation. Additionally, there were concerns about frequent changes to meeting dates, which have caused issues with attendance and consistency.

Overall, there was a positive sentiment about the committee's progress and the contributions of its members. The tone of the meetings was appreciated, and there is a shared desire to see continued growth and effective representation of business interests.

Item 3.2 Matters from Economic Development Advisory Committee members

A member raised concerns about East Gippsland's engagement with emerging renewable energy opportunities, particularly in offshore wind. They noted a significant gap in the region's presence at the Gippsland New Energy Conference and suggested that East Gippsland needs to increase its involvement in these conversations, as the industry is rapidly expanding and is expected to continue growing for decades. They highlighted the need for a broader and more proactive approach to capitalise on the potential benefits of these developments.

Council Action:

6. Increase East Gippsland's involvement in renewable energy forums and engagement with offshore wind proponents. Finalise the New Energy Opportunity Study to effectively capitalise on emerging opportunities and guide future actions.

Item 3.3 Council Update
Chris Stephenson, General Manager Place and Community

Chris provided an update on the upcoming Council elections and the associated caretaker period. The elections are scheduled for October 26, with nominations currently open until September 17. This will trigger a caretaker period, during which certain decisions and actions will be restricted. Advisory committees will be unable to meet during this period.

Given that some council members will not be re-standing, there will be new vacancies and a need for an induction period for the incoming councillors. To accommodate this, advisory committee meetings are proposed to resume in February, allowing time for the new council members to undergo their induction and better understand their roles and responsibilities.

Item 3.4 Economic Development and Tourism Department Update
Prue McTaggart Manager Economic Development and Tourism

Prue updated the committee on the Economic Development and Tourism Department's activities. Key points include the promotion of the Business Voucher Program, collaboration with EGMI on their service agreement, and the interim appointment of Liz Whitehill as executive officer. The department is focusing on enhancing the "live, work, and invest" aspects of the region, creating a new resident pack, and expanding the Young Professional Network. Additionally, they are working with Happy Changemakers to improve consistency and efficiency among local Business and Tourism Associations. A new Tourism Recovery Projects Officer has been hired to manage tourism recovery projects, and efforts are underway to update the visitor guide, revamp the website, and boost eco-tourism certification.

Item 3.5 Actions from Previous Meeting

In reviewing actions from the previous meeting, Prue noted that the proposed financing arrangement with Patties for solar energy investment has been paused. This program, which allowed Patties to fund solar initiatives through rates with administrative support from a middleman, is no longer feasible due to the middleman going into administrative closure. Council is exploring alternative solutions with other local governments and will revisit the topic once a viable option is found. Despite the current pause, there is still interest in pursuing this initiative for its potential benefits, particularly for the manufacturing sector.

4. Meeting Close

Item 4.1 Meeting closed at 10:46am

Cr Greacen expressed her gratitude to the committee members and Council officers for their contributions and support. She appreciated the committee's efforts and the progress made in economic development for the Shire. Cr Greacen acknowledged the committee's potential as a strong support for the Council and Shire and announced that this would be her last meeting, as she is not standing for council again.

2025 meeting dates:

- Thursday 27 February 2025
- Thursday 29 May 2025
- Thursday 28 August 2025
- Thursday 27 November 2025

5.2 Assets and Environment

5.2.1 CON2025 1722 Sarsfield Recreation Reserve and Community Hall Revitalisation Project

Authorised by General Manager Assets and Environment

Confidentiality Notice

The information contained in **Confidential Attachment 1** is confidential under section 3(1) of the *Local Government Act* 2020 because it relates to: (g) Private Commercial Information, being information provided by a business, commercial or financial undertaking that—(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to section 66(5)(b) of the *Local Government Act* 2020, if released, the information discussed or considered in relation to **Confidential Attachment 1** of this agenda item would unreasonably expose the business, commercial or financial undertaking to disadvantage, by disclosing financial information to competitors.

Purpose

This report is to secure a contract with an experienced contractor to deliver the Sarsfield Recreation Reserve and Community Hall Project.

Key Points

The Sarsfield Community Hall community project commenced almost 60 years ago using a relocated school shelter shed and a disused kiosk. The Sarsfield Recreation Reserve Committee of Management (SRRCoM) recently commissioned an engineer's report which has confirmed that this structure is no longer fit for purpose and will need replacing or significant rebuilding work within the next five years.

As the only public building in the Sarsfield district, the hall situated on the Sarsfield recreation reserve is the heart of this community. After the bushfires, the Sarsfield Community Association (SCA) undertook extensive consultation with residents, including six surveys that gathered 254 responses and input from 40 agency interviews, meetings, and workshops. This consultation highlighted that while the facility is tired and run down, the community values it as critical infrastructure and as the districts only public place where they can gather for social, recreational, and support activities.

The SRRCoM and SCA are confident that the upgrade of the Sarsfield Recreation Reserve will provide the local community with a welcoming, modern, and long-lasting facility which will result in a strong and connected community in the future.

Council is managing this project at the request of the SRRCoM. The broad scope of works identified in the original funding application includes construction of a multi-purpose community centre with flexible meeting and activity spaces to host large functions. This will include a new commercial kitchen and some general upgrades to the recreational precinct. The architect's render is displayed as **Attachment 2.**

Recommendation

That Council:

1. ***accepts the tender submitted by _____ for CON2025 1722, Sarsfield Recreation Reserve and Community Hall Revitalisation Project for the contract amount $_____ exclusive of GST;***

2. ***authorises the Chief Executive Officer or delegate to finalise the terms and to sign the contract in the form proposed; and***

3. ***resolves that Confidential Attachment 1 to this report and all discussions relating to the attachment remain confidential.***

Strategic Alignment

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.2 Infrastructure provision and maintenance supports a diverse range of current and future user needs and activities and is both environmentally and financially sustainable.

Collaborative Procurement

Pursuant of section 109(2) of the *Local Government Act* 2020, this contract has not been prepared in collaboration with other agencies given the bespoke nature of the contract.

Consultation/Community Engagement/Impacts

Following the extensive community consultation, the Sarsfield 2030 Community Plan was developed by the SCA. The redevelopment of the hall and recreation reserve is a key activity in the plan, and will provide a location for other bushfire recovery, community strengthening, and future disaster preparation activities to take place.

The SRRCoM and SCA are confident that the upgrade of the Sarsfield Recreation Reserve will provide the local community with a welcoming, modern, and long-lasting facility which will result in a strong and connected community in the future.

Opportunities and Risks

Financial

The project is supported by a grant from the Commonwealth Government through the Department of Infrastructure, Transport, Regional Development, Communications, and the Arts Community Developments Grants Program.

Economic

By making the hall more user friendly, and suitable for larger events and functions the not-for-profit Committee of Management anticipates a higher income from the hall rental fee. This increased income will be used to cover the ongoing maintenance costs of the hall and may also be an opportunity to fund new and diverse types of events and functions benefitting the whole community.

Social

By delivering a fit for purpose, modern community, and information hub this project will create a place for community to reconnect and build such social support networks. It will enable a greater range of mutual interest and self-help groups to come together locally, building the social capacity of the community. This facility also has the Strengthening Telecommunications against Natural Disasters (STAND) satellite communications service installed.

Climate change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

Category

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts noting that this facility is Crown Owned however receives an annual allocation from council to assist with the asset needs.

Options

This report considers the awarding of Contract CON2025 1722 Sarsfield Recreation Reserve and Community Hall Revitalisation Project. The Tender Evaluation Panel evaluated all submissions to arrive at a preferred tenderer recommendation as outlined in **Confidential Attachment 1**.

A Probity Auditors Report is provided as **Attachment 3**

Council has the option to award a contract in accordance with the Tender Evaluation Panel's recommendation, or to not proceed with the procurement.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. CONFIDENTIAL - CON2025 1722 TEP Report and Pricing [**5.2.1.1** - 14 pages]
2. Sarsfield Recreation Reserve render [**5.2.1.2** - 1 page]
3. Probity Review Report - CON2025 1722 [**5.2.1.3** - 2 pages]

SARSFIELD RECREATION RESERVE COMMUNITY HALL
20 SCHOOL ROAD, SARSFIELD, VICTORIA 3875

DRAWING INDEX

ARCHITECTURAL

A-0000	B	11/02/25	COVER SHEET
A-0100	B	11/02/25	GENERAL NOTES
A-0300	B	11/02/25	EXISTING AND DEMOLITION PLAN
A-0500	B	11/02/25	SITE PLAN
A-0700	B	11/02/25	SITE WORKS
A-0701	B	11/02/25	SITE WORKS
A-0702	B	11/02/25	SITE WORKS
A-0900	B	11/02/25	PRICING SCHEDULE PLAN -SEPARABLE PORTION A
AA1000	B	11/02/25	GROUND FLOOR PLAN
AA1400	B	11/02/25	REFLECTED CEILING PLAN
AA1500	B	11/02/25	ROOF PLAN
AA1700	B	11/02/25	FURNITURE AND EQUIPMENT PLAN
AA1800	B	11/02/25	FLOOR FINISHES PLAN
AA2000	B	11/02/25	ELEVATIONS - 01
AA2001	B	11/02/25	ELEVATIONS - 02
AA2200	B	11/02/25	BUILDING SECTIONS
AA3000	B	11/02/25	PLAN DETAILS - 01
AA3001	B	11/02/25	PLAN DETAILS - 02
AA3100	B	11/02/25	WALL SECTIONS - 01
AA3101	B	11/02/25	WALL SECTIONS - 02
AA4100	B	11/02/25	INTERNAL ELEVATIONS
AA4200	B	11/02/25	KITCHEN DETAILS
AA4300	B	11/02/25	WET AREA DETAILS
AA4400	B	11/02/25	JOINERY
AA4401	B	11/02/25	JOINERY
AA4402	B	11/02/25	JOINERY
AA6000	B	11/02/25	FITTINGS & FIXTURES DIAGRAM
AA6001	B	11/02/25	TYPICAL MOUNTING HEIGHTS
AA6100	B	11/02/25	AS1428.1 DIAGRAMS
AA6200	B	11/02/25	COMPLIANCE CHECK PLAN / WALL TYPE PLAN
AA7000	B	11/02/25	SCHEDULE - FITTINGS AND FIXTURES
AA7001	B	11/02/25	SCHEDULE - FITTINGS AND FIXTURES 02
AA7100	B	11/02/25	SCHEDULE - MATERIALS/FINISHES
AA7200	B	11/02/25	DOOR SCHEDULE
AA7201	B	11/02/25	WINDOWS & GLAZING SCREEN SCHEDULE

CIVIL

Prepared by: Chris O'Brien & Company P/L (P: 03 135 2540)

C1	EXISTING SITE DRAINAGE PLAN
C2	PROPOSED SITE DRAINAGE - SHEET 1
C3	PROPOSED SITE DRAINAGE - SHEET 2
C4	TYPICAL PIT AND PAVEMENT DETAILS
C5	TYPICAL PIT AND PAVEMENT DETAILS - SHEET 2

ELECTRICAL

Prepared by: Thomas Consulting Group

E0	COVER SHEET, DRAWING LIST, LIGHTING & POWER LEGEND & NOTES
E1	EXISTING AND PROPOSED SITE PLANS
E2	PROPOSED LIGHTING LAYOUT
E3	PROPOSED POWER LAYOUT
E4	SINGLE LINE DIAGRAMS

SITE AND FEATURE SURVEY

Prepared by: Crowther & Sadler P/L (P: 03 5152 5011)

F1	PLAN OF FEATURES

HYDRAULIC

Prepared by: Thomas Consulting Group

H1	GENERAL NOTES, LEGEND, MATERIALS AND SCHEDULES
H2	PROJECT NOTES
H3	EXISTING SITE PLAN EXTERNAL SERVICES LAYOUT
H4	PROPOSED SITE PLAN EXTERNAL SERVICES LAYOUT
H5	PROPOSED FLOOR PLAN SANITARY & SEWER DRAINGE LAYOUT
H6	PROPOSED FLOOR PLAN WATER SERVICES LAYOUT
H7	DETAILS

LANDSCAPE

Prepared by: Andrea Proctor Landscapes

L1	COVER AND SITE ACCESS PLAN
L2	MATERIALS PLAN
L3	LEVELS PLAN
L4	SETOUT PLAN
L5	PLANTING PLAN
L6	DETAILS 1 - NATURE PLAY SPACE
L7	DETAILS 2 - GENERAL

MECHANICAL

Prepared by: Thomas Consulting Group

M0	COVER SHEET, DRAWING LIST, MECHANICAL LEGEND & NOTES
M1	PROPOSED FLOOR PLAN MECHANICAL LAYOUT

STRUCTURAL

Prepared by: Chris O'Brien & Company P/L (P: 03 135 2540)

S1	SLAB / FOOTING PLAN
S2	FOOTING DETAILS
S3	PAVING AND RAMP DETAILS
S4	ROOF FRAMING PLAN
S5	TRUSS SECTIONS AND CONNECTION DETAILS
S6	ELEVATIONS AND CONNECTION DETAILS
S7	WALL BRACING PLAN AND DETAILS

LEGEND

NOTES

1. DO NOT SCALE - USE FIGURED DIMENSIONS ONLY. VERIFY ALL LEVELS AND DIMENSIONS ON SITE BEFORE COMMENCING CONSTRUCTION, FABRICATION, OR SHOP DRAWINGS.
2. REFER SHEET A0X100 FOR GENERAL NOTES & ABBREVIATIONS
3. ALL EXTERNAL LEVELS TO BE CONFIRMED BY CIVIL ENGINEER
4. LIGHTING AND ELECTRICAL LAYOUTS INDICATIVE ONLY (REFER TO ELECTRICAL PLANS)
5. VERIFY ACCESSIBILITY CONSTRAINTS WITH THE ACCESSIBLE REPORT
6. REFER TO LANDSCAPE DRAWINGS FOR LANDSCAPE SPECIFICATIONS
7. THIS DOCUMENT HAS BEEN PREPARED IN COLOUR, PLEASE PRINT IN COLOUR FOR BEST LEGIBILITY

NO.	DATE	DESCRIPTION	BY
B	11/02/25	TENDER ISSUE	DF
A	24/01/25	TENDER REVIEW	DW

TENDER ISSUE

NORTH

Member Australian Institute of Architects

vias

Variosec Town Architects Pty Ltd
S.216, L.2, 838 Collins. Street Docklands VIC 3008
T. +61 3 9826 0220
E. email.me@vias.com.au
Nominated Architect Austin Town (ARC 26160)
COPYRIGHT. © ALL RIGHTS RESERVED

PROJECT
Sarsfield Recreation Reserve and Hall Revitalisation

ADDRESS
20 SCHOOL ROAD, SARSFIELD, VICTORIA 3875

CLIENT
EAST GIPPSLAND SHIRE COUNCIL

DRAWING TITLE
COVER SHEET

SCALE: @ A1 | JOB NO. M2303
DRAWN: PT | CHECKED: NM | APPROVED: NM
DATE: 11/02/25 | DRAWING NO: A-0000 | ISSUE NO: B

Crowe Audit Australia
ABN 13 969 921 386
75 MacLeod Street
Bairnsdale VIC 3875
Main +61 (03) 5153 1222
Fax +61 (03) 5152 4372
www.crowe.com.au

2 April 2025

Ms Tania Courtier
Acting Procurement Co-Ordinator
East Gippsland Shire Council
PO Box 1618
BAIRNSDALE VIC 3875

Dear Tania

Probity Review – CON2025 1722 – Sarsfield Recreation Reserve & Community Hall Revitalisation Project

You have sought probity services in relation to the CON2025 1722 – Sarsfield Recreation Reserve & Community Hall Revitalisation Project. These services have now been completed in accordance with our letter of engagement dated 2 April 2025.

Scope of Services

We have now completed our review and assessment of the governance, probity and compliance aspects of the:

- Tender advertising process,
- Tender documentation,
- Tender evaluation criteria,
- Tender receipt and recording process, and;
- Tender evaluation process and development of Officer's Recommendation.

Purpose

The purpose of this review was to assess the probity of the processes undertaken from the commencement of the procurement process through to the development of a report to Council recommending a tender be accepted.

Key Observations

From a review of Council documentation it was possible to conclude:

- The tender documentation was clear, with evaluation criteria and weightings identified in advance;
- The tender was advertised appropriately;
- The tender opening was undertaken in accordance with the procurement requirements,
- Applicants were evaluated in accordance with the documented evaluation criteria and weightings; and
- The report to Council reflects the outcome of the evaluation process.

Some of the Crowe personnel involved in preparing this document may be members of a professional scheme approved under Professional Standards Legislation such that their occupational liability is limited under that Legislation. To the extent that applies, the following disclaimer applies to them. If you have any questions about the applicability of Professional Standards Legislation to Findex's/Crowe's personnel involved in preparing this report/advice/document/email, please speak to your Findex/Crowe adviser.

Liability limited by a scheme approved under Professional Standards Legislation.

The title 'Partner' conveys that the person is a senior member within their respective division and is among the group of persons who hold an equity interest (shareholder) in its parent entity, Findex Group Limited. The only professional service offering which is conducted by a partnership is external audit, conducted via the Crowe Australasia external audit division and Unison SMSF Audit. All other professional services offered by Findex Group Limited are conducted by a privately-owned organisation and/or its subsidiaries.

Findex (Aust) Pty Ltd, trading as Crowe Australasia is a member of Crowe Global, a Swiss verein. Each member firm of Crowe Global is a separate and independent legal entity. Findex (Aust) Pty Ltd and its affiliates are not responsible or liable for any acts or omissions of Crowe Global or any other member of Crowe Global. Crowe Global does not render any professional services and does not have an ownership or partnership interest in Findex (Aust) Pty Ltd. Services are provided by Crowe Audit Australia, an affiliate of Findex (Aust) Pty Ltd.

© 2025 Findex (Aust) Pty Ltd

Review Conclusion

From the procedures we have undertaken no matter was noted that would indicate that the procurement process, to date, has not been conducted with an appropriate level of probity.

Please do not hesitate to contact me on (03) 5940 2033 or via email gordon.robertson@crowe.com.au should you have any queries.

Yours Sincerely,
Crowe Audit Australia

Gordon Robertson
Partner

5.3 Business Excellence

5.3.1 Award Geographic Information System (GIS) Panel of Providers contract (collaborative procurement with Wellington Shire)

Authorised by General Manager Business Excellence

Confidentiality Notice

The information contained in **Confidential Attachment 1** is confidential under section 3(1) of the *Local Government Act* 2020 because it relates to: (g) private commercial information, being information provided by a business, commercial or financial undertaking that: (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to section 66(5)(b), if released, the information discussed or considered in relation to **Confidential Attachment 1** would unreasonably expose the business, commercial or financial undertaking to disadvantage, by disclosing financial information to competitors.

Purpose

The purpose of this report is to seek approval for the issuing of contracts to the preferred tenderers, provided at **Confidential Attachment 1**, of a collaborative tender between East Gippsland Shire Council and Wellington Shire Council (WSC) for the Geographical Information System (GIS) Services Panel of Providers Contract 2025-064.

The GIS Panel of Providers (rather than a single vendor contract) is being established for the supply of suitably qualified vendors to support and assist East Gippsland and Wellington Shire Councils in the provision of multiple Geographical Information System services (Mapping services). A panel arrangement is designed to mitigate the risk of the Councils being “vendor locked “and dependent on a single GIS provider for the life of the contract. It also allows Council to use differing vendors for different aspects of the overall upgrade of council’s GIS service.

Key Points

Council has partnered with WSC in a shared services type arrangement since 2015, that has delivered improved Information and Communication Technology (ICT) services, cost efficiencies, streamlined services, processes and functions, for both Councils.

A collaborative procurement was undertaken between Wellington and East Gippsland for the provision of an upgraded GIS and is aligned with Local Government Victoria’s Rural Council’s Transformation Program which encourages the sharing of knowledge, costs, and resources at a regional scale so that local governments can deliver more efficient, effective and sustainable services for their communities.

Councils current GIS system is end of life and using a significantly outdated software. This was identified as part of the ICT strategy. This is part of our digital transformation, and the benefits offered by moving to a modern GIS platform will include:

- real time spatial data availability to support improved strategic planning and decision making;
- improved mapping functionality including public facing mapping services; and

- integration with Councils core applications including Property, Rating, Finance and Customer Request Management systems which will ensure greater efficiencies and improved customer response.

The GIS Services Panel is being established for the supply of suitably qualified vendors to support and assist East Gippsland and Wellington Shire Councils in the provision of Geographical Information System services.

We are leveraging our partnership with Wellington to undertake this procurement which will enable efficiencies across both Councils by securing the appropriate skill and expertise, in the most cost-effective manner, to provide suitable GIS solutions, hosting and consulting services for the next three-year period with two 1-year extensions.

The lead Council for this collaborative tender has been WSC. The confidential Tender Evaluation Report, provided at **Confidential Attachment 1**, is in WSC's format and the tender was assessed by staff members, who worked together to assess.

Recommendation

That Council:

1. ***approves Wellington Shire Council to award Contract No 2025-064 Geographical Information System (GIS) Services – Panel of Providers on behalf of East Gippsland Shire for a three-year period to the following:***

    - ***_____;***
    - ***_____;***
    - ***_____;***
    - ***_____; and***
    - ***_____.***

2. ***approves and authorises the Chief Executive Officer or delegate to execute such documents as are necessary to give effect to the arrangements of the Geographical Information System (GIS) Services – Panel of Providers Contract 2025-064;***

3. ***delegates power to the Chief Executive Officer to exercise the two extension options of one year on the basis that all contractual requirements have been met by the suppliers; and***

4. ***resolves that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential.***

Strategic Alignment

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 5: 5.4 Continuous improvement systems are strengthened, and organisational efficiency enhanced.

Strategic Objective 5: 5.5 Resources are managed to meet current and future needs and priorities.

Collaborative Procurement

Pursuant of section 109(2) of the *Local Government Act 2020*, this report has been prepared in collaboration with Wellington Shire Council.

Consultation/Community Engagement/Impacts

A public tender process has been completed.

Climate change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

Category

This report is assessed as having no direct impact on climate change.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. CONFIDENTIAL - Confidential Tender Evaluation Report Contract 2025-064 [**5.3.1.1** - 7 pages]

5.3.2 Endorse Revised Audit and Risk Committee Charter

Authorised by General Manager Business Excellence

Purpose

This report seeks Council endorsement of proposed changes to the Audit and Risk Committee Charter (Charter).

Key Points

Council is required, under section 54(1) of the *Local Government Act 2020* (the Act), to adopt a Charter that specifies the functions and responsibilities of the Audit and Risk Committee (the Committee). The Charter outlines the functions and responsibilities of the Committee in assisting Council to fulfil its oversight and corporate governance responsibilities. Section 1.6 (m) of the Charter requires the Committee to formally review its Charter within 12-months of a general election or otherwise as required.

Following the Committee's annual performance review in 2021, which indicated that the Committee's role and responsibilities could be better defined in the Charter, an extensive review of the Charter was undertaken in 2022. This review addressed the clarity on the roles and responsibilities of the Committee. The revised Charter was endorsed by Council at its meeting on 16 August 2022.

The Committee, at its meeting held on 24 February 2025, undertook a review of the Charter and is recommending one minor change to the Charter relating to Section 1.4 Chair. Section 53(4) of the Act prescribes that the Chair of the Audit and Risk Committee must not be a Councillor of the Council. The proposed amendment is to delete of Section 1.4 (b) being:

1.4 (b) An independent member may be appointed to serve as Chair:

- *for no more than four, 12-month terms; and/or*
- *for no more than two consecutive 12-month terms in a three-year period.*

This clause is considered restrictive, as it limits the number of terms for the Chair. Officers reviewed Charters from several other Councils and their Charters did not contain any such restrictions. A tracked change copy of the Charter is provided at **Attachment 1**.

It is also worth noting that Council's current Charter is published on the Local Government Inspectorate's website as a 'good practice example for other Councils to follow'.

Recommendation

That Council endorses the revised Audit and Risk Committee Charter, provided at Attachment 1.

Strategic Alignment

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 5: 5.5 Resources are managed to meet current and future needs and priorities.

Consultation/Community Engagement/Impacts

The revised Charter was discussed at the Committee meeting held on 24 February 2025. The only proposed amendment relates to the removal of Clause 1.4 (b), which is deemed restrictive as it limits the number of terms for the Chair.

Opportunities and Risks

If Council does not endorse the proposed Charter amendment, there is a risk that the Committee (and Council) will not be able to comply with its statutory requirements under the Act, which state that the Chair of the Committee must be an independent member. This risk could be realised as there was only one nomination for Chair from amongst the independent members at the Committee meeting held on 24 February 2025.

Climate change

This report is assessed as having no direct impact on climate change.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. Revised Audit and Risk Committee Charter [**5.3.2.1** - 18 pages]

Version number: 12~~1~~
Authorised by: General Manager Business Excellence

Audit and Risk Committee Charter

TABLE OF CONTENTS

Purpose **1**

Scope **1**

Policy Context **1**

Policy Statement **1**

1.1 Authority 1
1.2 Objectives 2
1.3 Membership 2
1.4 Chair 4
1.5 Principles 5
1.5.1 Values 5
1.5.4 Misuse of Position 6
1.5.5 Confidentiality 6
1.5.6 Governance Rules 7
1.6 Charter and Duties 7
1.7 Meetings 9
1.8 Internal Control and Internal Audit 10
1.9 General and Legal Advice 10

Roles and Responsibilities **11**

References and Supporting Documents **13**

Applicable Legislation: 13
Supporting Documents: 13

Privacy and Human Rights Consideration **13**

Definitions **14**

Revision History and Review **16**

Purpose

The Audit and Risk Committee Charter (the Charter) outlines the functions and responsibilities of the Audit and Risk Committee (the Committee) in assisting the East Gippsland Shire Council (the Council) fulfil its oversight and corporate governance responsibilities. The Charter provides for the structure and operation of the Committee.

The Committee is an independent advisory committee to Council established under section 53 of the *Local Government Act* 2020 (the Act). The Committee does not have any delegated powers, including executive powers, management functions or delegated responsibility.

The Committee's role is to monitor, review and advise Council on the standard of its financial control, risk management and corporate governance.

Scope

This policy applies to all Audit and Risk Committee members, Councillors who are members of the Committee, the Internal and External auditors and relevant Council officers as defined in Roles and Responsibilities section.

Policy Context

The Committee has been established pursuant to section 53 of the *Local Government Act 2020* (the Act). The Council is required, under section 54 of the Act, to adopt a Charter that specifies the functions and responsibilities of the Committee as including:

a) monitoring compliance of Council policies and procedures with the overarching governance principles[1], the Act and regulations and any Ministerial directions;
b) monitoring Council financial and performance reporting;
c) monitoring and providing advice on risk management and fraud prevention systems and controls; and
d) overseeing internal and external audit functions.

The Audit and Risk Committee Charter has been developed having regard to Victorian Auditor General's report 'Audit Committee Governance' of August 2016 (including Standing Directions of the Minister for Finance 2016).

Policy Statement

1.1 Authority

The Committee is an advisory committee and does not have any delegated powers, executive powers, management functions, or delegated financial responsibility.

The Act states that the Audit and Risk Committee is not a delegated committee as per the provisions under section 53(2) of the Act.

[1] Section 9 of the *Local Government Act* 2020 included in the definitions.

The East Gippsland Shire Council authorises the Committee, within its functions and responsibilities to:

- endorse key documents and reports that must be approved by Council, including annual financial reports, annual performance statements;
- monitor policies and procedures compliance with the overarching governance principles in the Act, the Act and regulations and any ministerial directions;
- oversee internal and external audit plans, including internal audit plans with an outlook of greater than one year;
- provide advice and make recommendations to Council on matters within its areas of responsibility;
- retain counsel of relevant independent experts where it considers that it is necessary in order to execute its responsibilities, subject to prior agreement with the Chief Executive Officer;
- seek any relevant information it requires from Council, Council officers and external parties;
- meet with Council Officers, internal and external auditors and other parties as required to discharge its responsibilities.

1.2 Objectives

The Audit and Risk Committee's primary role is to provide oversight, advice and guidance on Council's frameworks, systems and controls relating to:

- legislative and good governance compliance
- financial and performance reporting
- risk management with a focus on strategic risks
- internal and external audit.

The purposes of the Charter is to guide the operation of the Committee.

1.3 Membership

(a) The Committee will comprise seven members: four independent members - one of whom will be Chair[2]; the Mayor of the day; and two other councillors appointed by Council. The majority of Committee members must be independent members (as per section 53(3)(b) of the Act). The Committee must not include any person who is a member of East Gippsland Shire Council's staff.[3]

(b) Independent external members will be sought by way of public advertisement seeking expressions of interest.

Appointment of external independent members will be by Council resolution following receipt of a recommendation from a panel comprising the Audit and Risk Committee Chair (Or Committee member), the Mayor (or Committee Councillor) and the Chief Executive Officer (or delegate).

The Panel will evaluate candidates on the basis of their expertise and experience and likely their ability to apply appropriate analytical and strategic management skills, as well as the 'fit' of their skills within the overall skillset of the Committee.

[2] The chairperson of an Audit and Risk Committee must not be a Councillor of the Council (s53(4) of the *Local Government Act* 2020)
[3] Section 53(3)(c) of the *Local Government Act* 2020

Having regard to Council's Workforce Plan 2021-2025 the Diversity and Inclusion Statement is relevant for all Committees of Council:

East Gippsland Shire Council is committed to promoting and supporting diversity in the workplace and recognises that our success depends upon our people with their diverse views, abilities, skills, languages, cultures, and backgrounds, as well as differences in race, religion and/or belief, gender and sexual orientation. We respect, value, and encourage diversity in the workplace. We are an inclusive organisation that values fairness, respect, equity, and diversity consistent with our policies and the Gender Equality Act 2020.

As part of an induction process, newly appointed members will meet with the Audit and Risk Committee Chair, Mayor, and Chief Executive Officer to discuss the functions of the Committee including coverage of the Charter, Council Governance Rules, the Committee's annual work plan and Annual Performance Review.

(c) Terms for independent members will be a maximum of three years; however, members may re-apply at the end of their term and may be re-appointed for further terms up to a maximum of two (2), three-year terms (i.e. no more than six years in total). The position must be advertised after an independent member has completed two consecutive terms. The independent member may apply as part of the competitive process.

(d) Terms of appointment will be arranged to ensure an orderly rotation and continuity of membership and will be made despite changes to Council's elected representatives.

(e) The Act under section 53(3)(b) specifies that independent Committee members have, collectively, expertise in financial management and risk and experience in public sector management.

Further, the Committee should, collectively, possess sufficient knowledge and strategic skills in the areas of:

- Audit
- Governance
- Control
- Compliance

It is preferable that at least one of the independent members should be a member of CPA Australia (CPA status), the Institute of Chartered Accountants Australia (CA status) and/or the Institute of Internal Auditors.

As the focus and responsibilities of the Committee respond to emerging needs and regulatory, economic, and reporting developments, members' competencies and the overall balance of skills on the Committee will be re- evaluated in the appointment of new and returning members.

(f) Members of the Committee will be covered by Council's professional indemnity insurance for the service they undertake on the Committee.

(g) The four external independent members of the Audit and Risk Committee will be remunerated for the performance of their duties at Committee meetings in accordance with the rate determined by Council from time to time, indexed annually. The four external independent members will be remunerated for attendance at additional meetings such as workshops at 50% of the rate.

(h) An independent member may resign or retire before the expiry of their term by notifying Council of their intention in writing.

In the event of an independent member resigning or retiring before the expiry of their term, the vacancy will be filled at the discretion of the Council provided the composition requirements of the Committee can be met.

If the resignation and/or retirement of two or more of the independent members coincide, the Council may extend one sitting member's term by one year to provide a level of continuity on the Committee.

(i) The Committee may make a recommendation to Council to terminate a member's appointment. The recommendation must be accompanied by specific rationale that may include that the member:

- failed to comply with the provisions of the Act;
- has not upheld the intent of this Charter and its Principles;
- failed to comply with Council's Values, Governance Rules and expectations of conduct;
- has been absent from three consecutive meetings without notification of leave of absence.

If Council decides to progress with the termination of a Committee member prior to the expiry of their term, the following steps must occur:

- consultation with the Chair of the Committee;
- the Committee member will be provided with written notice; and
- the Committee member will be given the opportunity to be heard at a meeting of Councillors.

Council will then make a final determination based on the outcomes of the aforementioned steps. A Council resolution will be required if the termination of a Committee member is to proceed.

1.4 Chair

(a) The Chair of the Committee must be an independent member (section 53(4) of the Act). The Chair is appointed annually at the Committee's February meeting. At that meeting the Chief Executive Officer will open the meeting, assume the Chair and ask for nominations from among the four independent members. If there is only one nomination, that member will be declared elected. If there is more than one nomination the Chief Executive Officer will ask for a show of hands, with a simple majority of members present determining the result. The member newly elected as Chair will assume the Chair immediately.

~~(b) An independent member may be appointed to serve as Chair:~~
- ~~for no more than four, 12-month terms; and/or~~

~~for no more than two consecutive 12-month terms in a three-year period.~~

(c) In the absence of the Chair, the Committee will elect another independent member in attendance as Acting Chair.

1.5 Principles

1.5.1 Values

The Committee will conduct itself in accordance with Council's organisational values:

Respect – We treat all with courtesy and dignity

Collaboration – We build and maintain productive relationships

Integrity – we focus on taking correct the course of action

Accountability – We are responsible for our actions and outcomes

1.5.2 Members of the Audit and Risk Committee will:

1. Strive to attend all meetings, sending apologies to the Chair for necessary absences;
2. Prepare for the meeting by reading the agenda, papers and any emails before the meeting;
3. Talk to the Chair before the meeting if you need to clarify anything;
4. Arrive on time. Stay to the end;
5. Participate fully in the meeting;
6. Listen to what others have to say and keep an open mind;
7. Contribute positively to the discussions;
8. Try to be concise and avoid long drawn-out explanations;
9. Help others concentrate on the meeting. Discourage side conversations;
10. Have the best interests of the organisation/beneficiaries in mind at all times;
11. Draw attention to any potential conflicts of interest that may arise in the meeting;
12. Fulfil any responsibilities assigned to you at the meeting and be prepared to report back on your progress at the next meeting;
13. Treat all Committee Members and Council officers with respect and courtesy at all times;
14. Not interrupt or speak over another person speaking;
15. Direct all questions through the Chair;
16. Direct any requests for Council officers to provide information or perform an action through the Chair to the CEO;
17. Not criticise, chastise or insult an officer or the Council during the meeting; and
18. Provide constructive feedback which will not offend, imply incompetence of an officer or humiliate an officer attending the meeting.

1.5.3 Conflict of Interest

In accordance with section 130 of the Act (Disclosure of Conflict of Interest) and Council's Governance Rules, Committee members must make a full disclosure of all conflicts of interest prior to discussion of the matter for which the conflict of interest has arisen.

It is the responsibility of a Committee member to make their own determination about whether to declare a conflict of interest, consistent with the Definitions outlined in section 126, General Conflict of Interest in section 127, Material Conflict of Interest in section 128 and the exemptions in section 129 of the Act.

Further, having declared such a conflict on a matter, the committee member must exclude themselves from the decision-making process in relation to the matter, including any discussion or vote on the matter, and any action in relation to the matter. [4]

1.5.4 Misuse of Position

The provisions of section 123 of the Act in relation to the misuse of position apply to Committee members. Members must not intentionally misuse their position to gain or attempt to gain directly or indirectly, an advantage for themselves or for any other person, or cause, or attempt to cause, detriment to Council or another person.

The misuse of position provisions include:

- Making improper use of information
- Disclosing information that is confidential information
- Exercising or performing (purporting to) a power, duty or function that the Committee member is not authorised to exercise or perform
- Participating in a decision on a matter in which the Committee member has a conflict of interest.

1.5.5 Confidentiality

Confidential information is defined in section 3 of the Act.

Committee members must comply with the requirements of sections 53 and 125 of the Act in relation to confidential information.

Committee members must not intentionally or recklessly disclose information that they know, or should reasonably know, is confidential information and commit to ensuring the safekeeping and disposal of confidential information.

Independent members will be required to sign a Confidentially Agreement upon commencement of their initial term.

[4] As per Section 130 (2) (b) of the Act

Failure to comply with the provisions of the Act and this Charter with regard to confidentiality may result in prosecution and the member's appointment being terminated by Council.

1.5.6 Governance Rules

Committee members must be familiar with and comply with the provisions of Council's Governance Rules in their conduct at Committee meetings and all other meetings that Committee members may attend from time to time.

1.6 Charter and Duties

The Committee is required to adopt an annual work program[5]. The work program will include activities that will assist the Committee to meet its objectives and responsibilities as defined in this Charter. The following activities are to be included in the work program:

(a) Review Council's draft financial report and performance statement on an annual basis and:
- in consultation with the external auditor, consider whether they are complete and consistent with information known to Committee members, and reflect appropriate accounting principles; and
- if appropriate, recommend approval *in principle* to Council.

(b) Review the external auditor's Final Management Letter (annual audit report) with the external auditor and management and if appropriate, frame recommendations for Council's consideration.

(c) Review annually, the framework in place to ensure Council's risk exposure is managed appropriately. As a minimum, this will include:
- a review of Council's risk management policies and procedures;
- review of Council's risk registers in accordance with the reporting regimen documented in the Risk Management Policy, and consideration of the adequacy of actions taken to mitigate Council's risk; and
- monitor and provide advice on risk management prevention systems and controls.

(d) Review Council's Fraud Prevention policies and controls, including the Fraud Control Plan and fraud awareness programs at least every two years, this will include:
- receiving reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event;
- reviewing reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies; and
- monitor and provide advice on fraud prevention systems and controls.

[5] Section 54(3) of the *Local Government Act* 2020

(e) Review Council's reporting against the Local Government Performance Reporting Framework. The Audit and Risk Committee is responsible to:

- receive and consider performance reports;
- annually review draft service performance indicators and other performance information disclosures and consider the results in the context of the reports received throughout the year, challenging any unusual or unexpected results;
- review the internal control framework and level of assurance received around the accuracy and completeness of the information reported; and
- provide a recommendation to Council.[6]

(f) In respect of Council policies and procedures:

- review annually, the systems and processes in place to ensure Council policies and procedures comply with the overarching governance principles, the Act and regulations and Ministerial directions (e.g. in respect of risk, finance, business continuity, delegation, equal employment opportunity, workplace health and safety, privacy, etc.); and
- receive reports from the Chief Executive Officer and other Council officers relevant to Council's compliance with relevant legislation, policies and procedures and if appropriate, make recommendations for Council's consideration.

(g) In consultation with the internal auditor and management:

- through a process of mapping against Council's risk registers, prepare a draft three to five-year Internal Audit Plan for consideration by Council;
- annually review the delivery of the Internal Audit Plan and if required, make a recommendation to Council on any amendments; and
- review internal audit reports and monitor progress on actions required to achieve rectification of any identified issues.

(h) Review written reports on significant insurance and legal claims that may impact on Council's financial performance or otherwise expose Council to a high or extreme degree of risk, and mitigation action being taken in response.

(i) Where such matters fall within the Committee's Charter:

- receive reports on specific projects and investigations deemed necessary by the Chief Executive Officer and/or Council, including suspected or actual cases of fraud or any corrupt activity by Council officers or others having business with Council, and if deemed appropriate make recommendations for Council's consideration; and
- address issues referred for the attention of the Committee, including requests from Council for advice.

[6] Included as per Audit Committee Minutes Dec 17: The Roles and Responsibilities of the East Gippsland Shire Council Audit Committee referenced at p4-5 of the draft Local Government Performance Reporting Framework Policy and derived from p 11 of the extract (provided as Attachment 3) of the Local Government Better Practice Guide 2016-17 Performance Statement be incorporated in the next iteration of the Audit Committee Terms of Reference.

(j) Conduct annually, an evaluation of the performance of the Audit and Risk Committee against the Audit and Risk Committee Charter[7] and provide an assessment to the Chief Executive Officer for tabling at the next Council meeting.[8]

(k) Review management's responses to any findings identified in the investigation reports of regulatory agencies (e.g. Independent Broad-Based Anti-Corruption Commission (IBAC), Local Government Inspectorate, Victorian Auditor-General's Office, Victorian Ombudsman's Office) and monitor any management actions arising from those reports.

(l) Review quarterly, a management report detailing the expenses and reimbursement of out-of-pocket expenses of Councillors and members of delegated committees[9] and if appropriate, make recommendations for Council's consideration.

(m) Review and assess the adequacy of the Audit and Risk Committee Charter and if appropriate, present recommendations to Council for amendment. As a minimum, this review to occur once every four years, within 12-months after a general municipal election or otherwise is required.

(n) Prepare a report to Council on the Committee's activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, such a report indicating how the Committee has discharged its responsibilities as set out in the Charter for the previous year.

1.7 Meetings

(a) The Council's Governance Rules will apply to the conduct of meetings unless alternate procedures are stipulated in this Charter.

(b) The Committee will hold an ordinary committee meeting once each quarter.

(c) A joint meeting with East Gippsland Shire Councillors will be held in September each year to discuss Council's audited draft financial report and performance statement; the Committee's performance evaluation for the previous financial year and any other matters identified by the Mayor and/or Committee Chair.

(d) Additional meetings may be convened at the discretion of the Chief Executive Officer or at the written request of any member of the Committee, the external auditor, or the internal auditor.

(e) A quorum will exist if four or more Committee members are present and the number of external independent members present is equal to or greater than the number of internal Councillor members present.

[7] Section 54(4)(a) of the *Local Government Act* 2020
[8] Section 54(4)(b) of the *Local Government Act* 2020
[9] Section 40(2) of the *Local Government Act* 2020

(f) The Committee will make every effort to arrive at its decisions by consensus. If consensus is not possible, matters will be resolved by a majority of votes cast by members in attendance. The Chair will have the casting vote if the votes are equal.

(g) Councillors who are not members of the Committee may attend meetings of the Committee as observers. Through the Chair, non-member Councillors may ask questions in relation to matters listed on the agenda but may not participate in discussion.

(h) The external auditor, internal auditor, General Manager Business Excellence and Chief Executive Officer will, when practicable and appropriate, attend all meetings of the Committee. Other members of Council staff may be invited to attend at the discretion of the Committee to provide advice and information when required.

(i) As the Audit and Risk Committee is an advisory committee of Council meetings are not open to the public.

1.8 Internal Control and Internal Audit

Where appropriate, the Audit and Risk Committee and Council will actively support the work of the contract internal auditor. Line managers are responsible for managing the internal control processes in their respective departments, as recommended by the internal auditor, and will report to the Chief Executive Officer about compliance with internal control measures.

1.9 General and Legal Advice

Through the Chief Executive Officer, the Committee may obtain information and advice on any Council matter that falls within the Committee's Charter.

Roles and Responsibilities

Roles and responsibilities with respect to Committee function, as well as the implementation, communication and compliance monitoring of this Charter, are as follows:

Party / Parties:	Roles and responsibilities:
Chief Executive Officer	Overall responsibility for policy implementation and compliance. Ensure compliance with the Charter by all Audit and Risk Committee members. While not a member of the Committee, when practicable and appropriate will attend all meetings of the Committee and provide guidance and advice. Will also: • ensure that an appropriate agenda is formulated for scheduled Committee meetings and circulated to members in a timely fashion; • facilitate meetings by arranging for members of management, auditors or others to attend to provide pertinent information, as necessary; • provide secretariat services in respect of matters before the Committee; • after meetings of the Committee, ensure that a report describing the activities of the Committee and explaining any recommendations or key findings is tabled at the next Council meeting; • table other reports of the Committee at meetings of the Council when required by the Act and when requested by the Committee; • ensure that accurate minutes of scheduled Committee meetings are taken, circulated to Committee members, Councillors and others in a timely fashion and once confirmed, stored securely in Council's electronic document record management system; • coordinate the selection process for independent external Committee members and together with the Committee Chair and the Mayor, comprise the interview panel for these positions; and • together with the Committee Chair, address any matters of concern arising in respect of a Committee member's performance or conduct.
General Manager Business Excellence	Responsible for review, updating and implementing the Charter.
Chair	Conduct meetings efficiently to ensure all matters listed for consideration are afforded appropriate time and attention. Exercise a casting vote where: (a) consensus cannot be reached; (b) a formal vote is required to resolve the matter; and (c) voting numbers are equal. Approve the unconfirmed minutes of each meeting for circulation to Committee members, Councillors and others as determined by the Committee. Together with the Mayor and the CEO, participate in the selection process for independent external Committee members. Together with the Chief Executive Officer, address any matters of concern arising in respect of a Committee member's performance or conduct.
Committee Members	Actively participate in and contribute to the work of the Committee as outlined in clause 1.5. Complete a self-assessment survey and contribute actively to the

Party / Parties:	Roles and responsibilities:
	annual evaluation of the performance of the Audit and Risk Committee against the Committee Charter. Make every effort to attend scheduled meetings of the Committee. In accordance with section 130 of the Act (Disclosure of Conflict of Interest), make a full disclosure of all conflicts of interest prior to discussion of the matter for which the conflict of interest has arisen. Further, having declared such a conflict, leave the room and remain outside the room and any gallery or other area in view or hearing of the room until the matter has been concluded. As prescribed by section 123 of the Act, members must not misuse their position on the Committee to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or cause, or attempt to cause, detriment to Council or any person. In accordance with section 125 of the Act (Confidential Information) members must not intentionally or recklessly disclose information that the person knows or should reasonably know to be confidential.
Internal Auditor	Under contract to Council, the internal auditor reports to the Committee on a quarterly basis on the outcomes of a range of audits of Council's operations including: • internal control systems, policies and procedures and their effectiveness; • compliance with Council policies and procedures and any relevant government legislation; • financial systems and processes; • areas of risk exposure and the way in which these are managed; and • special investigations or assignments as requested by the Committee. The focus of audits undertaken will be documented in a three to five-year internal Audit Plan adopted by Council. The plan will be formulated through a consultative process involving (as a minimum) the internal auditor, the Committee and management. The internal auditor will meet with the Committee at least once a year without management being present, to discuss any issues arising from internal audits carried out during the year. Unless determined otherwise by the Committee, this will occur at the meeting at which the Committee reviews the Internal Audit Plan for the coming year (April). The role of the internal auditor is independent of and separate to that of the external auditor.
External Auditor	As an agent of the Victorian Government Auditor-General, the external auditor forms an opinion on Council's financial report and performance statement and provides a copy of their Final Management Letter (audit report) to Council and the responsible Minister. The external auditor reports to a joint meeting of Council and Audit and Risk Committee annually on the completed draft financial report and performance statements for that year. At this meeting the findings of the external audit are discussed with the external auditor, focusing on issues such as: • any major issues that arose during the audit; • any accounting and audit judgements; and • levels of errors identified during the audit. At least annually, an opportunity will be provided for the external auditor to meet with the Committee without management being

Party / Parties:	Roles and responsibilities:
	present, to discuss their remit and any other relevant issues. The Committee may request a meeting with the external auditor at any other time during the year, as/if required. From time to time the external auditor may request and will be provided with copies of final reports prepared by the internal auditor.
Mayor	Together with the Committee Chair and the Chief Executive Officer, participate in the selection process for independent external Committee members.
Officers in Attendance	General Manager and/or Manager responsible for corporate governance, Manager responsible for finance and Manager responsible for risk will attend all meetings of the Committee where practicable and appropriate. Other members of Council's staff will attend Committee meetings from time to time to present a range of recurring and one-off reports and when requested to do so by the Committee Chair, provide advice and information.

References and Supporting Documents

Applicable Legislation:

Local Government Act 2020
Local Government Amendment (Performance and Reporting Accountability) Act 2014 and Local Government (Planning and Reporting) Regulations 2014 – prescribes financial and non-financial reporting required of Local Government.

Supporting Documents:

Conflict of Interest - A Guide for Members of Council Committees, October 2020
Audit Committee Governance, August 2016 (Victorian Auditor-General's Office Report)

Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council relating to the work of the Audit and Risk Committee will be handled in accordance with all applicable privacy legislation and will be used only for investigating audit matters.

The Audit and Risk Committee Charter has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006.*

Definitions

Term:	Meaning:
Chief Executive Officer	Person appointed by Council to the position of Chief Executive Officer.
Committee Member	Member of East Gippsland Shire Council Audit and Risk Committee
Conflict of Interest	As defined in Part 6 Division 2 of the *Local Government Act 2020* (sections 126-131).
Councillor	Person who has been elected to the office of Councillor of East Gippsland Shire Council.
Council officer	A current member of East Gippsland Shire Council staff with the authority to engage in activities on behalf of Council.
External Auditor	Audit professional appointed by the Victorian Auditor-General who performs an audit in accordance with specific laws or rules on the financial statements of a company, government entity, other legal entity or organisation, and who is independent of the entity being audited.
Internal Auditor	A company (or its representative) charged with providing independent and objective evaluations of Council's financial and operational business activities, including its corporate governance.
Mayor	Councillor elected by Councillors to the role of Mayor.
Officers in Attendance	Council officers attending Audit and Risk Committee meetings to provide information or respond to queries. Officers do not hold membership of the Committee.
Overarching governance principles	Overarching governance principles outlined in section 9(2) of the *Local Government Act 2020* are: a) Council decisions are to be made and actions taken in accordance with the relevant law; b) priority is to be given to achieving the best outcomes for the municipal community, including future generations; c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risk, is to be promoted; d) the municipal community is to be engaged in strategic planning and strategic decision making; e) innovation and continuous improvement is to be pursued; f) collaboration with other Councils and Governments and statutory bodies is to be sought; g) the ongoing financial viability of the Council is to be ensured; h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making; i) the transparency of Council decisions, actions and information is to be ensured. Section 9(3) requires in giving effect to the overarching governance principles Councils must take into account the following supporting principles: a) the community engagement principles; b) the public transparency principles; c) the strategic planning principles; d) the financial management principles; e) the service performance principles.

Term:	Meaning:
Responsible Officer	An officer of East Gippsland Shire Council who has responsibility for the general area/subject matter to which a record pertains.
Risk Management	The culture, process and structures that are directed towards realising potential opportunities while managing adverse effects. (AS/NZS ISO 31000:2018)
Shire	The geographic area of East Gippsland Shire Council.
Staff	All staff engaged by East Gippsland Shire Council, including all full-time, part-time and casual employees, labour hire agency staff.

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	12/11/2003	Council		
2	Approved	02/11/2007	Management		
3	Approved	03/2011	Audit Committee, Council		
4	Approved	07/2011	Audit Committee, Council		
5	Approved	07/2013	Audit Committee, Council	5523080	
6	Approved	05/05/2015	Council (endorsed by Audit Committee 28/04/15)	6288081	
7	Approved	10/05/2016	Council (endorsed by Audit Committee 26/04/16)	6752661	
8	Approved	05/06/2018	Council and Audit and Risk Committee	7648150	
9	Approved	18/02/2020	Council (endorsed Audit and Risk Committee 22/10/19)	8404863	Converted to new template. Inclusion of provisions for election of Chair, maximum terms for Chair and independent members; recognition of specific obligations proposed by Local Government Bill 2018 Exposure Draft; administrative updates for clarity and readability.
10	Approved	25/08/2020	Council	8618745	Updated to reflect the requirements of the *Local Government Act* 2020. Under the Act the Charter has to be adopted by Council prior to 1 September 2020. Included a change to two consecutive terms as a member.
11	Approved	16/08/2022	Council (endorsed Audit and Risk Committee 25/07/22)	9613854	Updated to reflect feedback received by the Audit and Risk Committee members as part of the review of the Charter.
12					2025 Committee Review undertaken. Recommendation to remove section 1.4(b).

5.3.3 Proposal for establishment of Local Government Commissioner role – Rural Councils Victoria

Authorised by General Manager Business Excellence

Purpose

This report outlines a proposal to establish a Local Government Commissioner role (Commissioner), as advocated by Rural Councils Victoria (RCV).

It responds to Council's resolution of 17 December 2024, which:

- requested that a report be prepared about writing to the Federal Government in support of RCV's position on the formation of a Commissioner; and
- that the role should be mandated to operate from a rural area and have a deep connection to rural issues and community.

Key Points

RCV is advocating for the establishment of a Commissioner that would advocate for rural communities to ensure their unique issues and specific needs are represented appropriately at the federal level.

The Commissioner would help bridge the gap between rural Councils and the Australian Government by facilitating better communication and a deeper understanding of rural issues. This would help ensure that the views and insights of rural Councils are factored into policy discussions and represented in decision-making processes.

As envisaged by RCV, the Commissioner would also:

- collaborate with and assist rural Councils to connect with Federal Government programs and departments;
- work to streamline processes important to rural communities, including simplifying the Disaster Recovery Funding Arrangements (DRFA) and reducing red tape to facilitate quicker and more effective disaster response and recovery efforts; and
- provide funding to local government organisations to conduct research, deliver training and facilitate greater collaboration between the sector and the Federal Government.

The proposal to require that the role operate from a rural area is based on the belief that living and working in a rural community will help to maintain and grow the incumbent's already strong connection to rural issues. It will also foster a deeper understanding of the challenges and opportunities unique to rural communities, which will lead to more effective advocacy and support.

The establishment of a Commissioner would be a significant step towards strengthening representation at the national level on matters that are important to rural Councils. By adding its voice to RCV's advocacy on this initiative, Council has an opportunity to contribute to achieving better advocacy and support for rural communities right across Australia.

Given the Resolution of Council in December 2024 Officers also incorporated this desire into the advocacy platform developed for the forthcoming Federal election. This advocacy document, refer **Attachment 1**, was also presented by One Gippsland representatives in a visit to Canberra on 18 March 2025.

Recommendation

That Council:

1. ***writes to the Australian Government post the May 2025 election, expressing its support for Rural Councils Victoria's call for a new Local Government Commissioner role to be established and further, advocating that the position-holder be required to be based in a rural area and have a deep connection to rural issues and community; and***

2. ***notes the advocacy effort taken to date on this issue.***

Strategic Alignment

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 5: 5.2 Strong relationships with government, partners and stakeholders are maintained and strengthened to advocate for the community.

Consultation/Community Engagement/Impacts

RCV's proposal is one of a suite of initiatives detailed in its 2025 Federal Election Platform, on which RCV has been advocating with Members of Parliament and Senior Advisors since it was launched in November last year. RCV developed the Election Platform in consultation with its membership, which includes 33 rural Councils across Victoria.

No community engagement was conducted in developing this report due to the engagement undertaken by RCV with its member Councils.

Council has incorporated this position into its own advocacy effort and has presented the advocacy sheet, provided at **Attachment 1**, to a range of Federal Ministers and Shadow Ministers in recent months.

Opportunities and Risks

The proposed establishment of a Commissioner represents an opportunity for rural Councils to strengthen the relationship between rural Councils and the Australian Government. This has the potential to bring about greater alignment between the work of the Federal Government and local Councils which in turn, would lead to improved services and better outcomes for rural communities.

Climate change

This report is assessed as having no direct impact on climate change.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. East Gippsland - Local Government Commissioner for rural councils 2025 [**5.3.3.1** - 1 page]

Local Government Commissioner for rural councils

- Better outcomes for communities -

Effective communication across all levels of government results in faster decisions, reduced red tape, and more responsive policymaking and delivery - to better meet the needs of rural and regional communities.

We seek

- The appointment of a Local Government Commissioner to facilitate direct communication and relationships between rural communities and the Australian Government, resulting in better council services and outcomes for residents, and greater alignment between the two levels of government.

Opportunity

The call to appoint a Local Government Commissioner is supported by Rural Councils Victoria – representing 33 small rural councils in Victoria – to help councils navigate the complexity of federal departments and programs.

The commissioner could also assist with the administration of Commonwealth disaster recovery funding, meaning quicker outcomes for people following disasters.

This would benefit rural residents and communities across Australia.

More information

- Mayor Cr John White
  - 03 5153 9500 / 0498 001 531
  - cr.white@egipps.vic.gov.au

- Chief Executive Officer Fiona Weigall
  - 03 5153 9500 / 0427 539 509
  - fionaw@egipps.vic.gov.au

6 Urgent Business

7 Confidential Business

7.1 Contract Matter

The information contained in this report is confidential under section 3(1) of the *Local Government Act* 2020 because it relates to: (g) Private Commercial Information, being information provided by a business, commercial or financial undertaking that—(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to section 66(5)(b) of the *Local Government Act* 2020, if released, the information discussed or considered in relation to this agenda item prejudice the commercial position of Council as the information is commercially sensitive.

8 Close of Meeting