

**SOUTH GIPPSLAND PLANNING SCHEME**  
**AMENDMENT C88**  
**EXPLANATORY REPORT**

**Who is the planning authority?**

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

The amendment has been made at the request of Beveridge Williams & Co. acting on behalf of Woorayl Lodge Inc.

**Land affected by the amendment**

The amendment applies to 5 Boags Road, Leongatha and is contained in Certificate of Title Vol 8950, Folio 616 being L4, LP4340, Parish of Leongatha.

**What the amendment does**

The amendment rezones land from Farming Zone (FZ) to Low Density Residential Zone (LDRZ) for the purposes of establishing a Residential Aged Care Facility.

The amendment;

- Rezones land at L4, LP4340 from FZ to LDRZ
- Deletes Environmentally Significant Overlay Schedule 5 (ESO5) - *Areas Susceptible to Erosion*
- Deletes Environmentally Significant Overlay Schedule 6 (ESO6) - *Areas Susceptible to Flooding*

**Strategic assessment of the amendment**

**Why is the amendment required?**

An amendment is required to rezone the land to LDRZ and remove ESO5 and ESO6.

The amendment will provide suitably zoned land for aged care facilities in Leongatha subject to a planning permit. The current facilities are approaching capacity and there are limited opportunities to expand appropriate for residents under care.

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

The amendment implements the provisions of Clause 21.15 *Local Areas* which includes the Southern Leongatha Outline Development Plan (SLODP). The recommendations of the independent planning panel on PSA C76 and subsequent amended Leongatha Framework Plan support the application due to consistency with surrounding zones. The panel recommended that the land is designated for a future Residential Aged Care Facility on LDRZ.

The Amendment will provide for the fair, orderly, economic and sustainable use and development of land in the township of Leongatha.

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

The site is cleared pasture land with limited environmental values. The amendment will not alter or compromise any existing provisions in the Planning Scheme that seek to protect the environment.

There are no declared waterways on the site which is included within the Declared Tarwin River (Meeniyah) Water Catchment and is able to be connected to the available reticulated sewer lines. Approximately 300sqm of the north east corner of the property is contained within part of a dam, also included within part of neighbouring lots.

The provision of an aged care facility will provide a mix of residential dwellings and maintain a diverse housing mix that encourages residents to remain in town. This stabilises the population and provides facilities for families who wish to stay close together in the shire.

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

The surrounding area is predominantly cleared pasture, intended for residential and commercial purposes. There are few trees and the site is outside any identified Bushfire Management Overlay area and the minimal bushfire risk is able to be addressed by relevant Building standards at time of construction.

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

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The amendment is consistent with the Ministerial Direction 11 on the strategic assessment of amendments and follows Direction No. 15 - the planning scheme amendment process.

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

The amendment gives effect to Clauses;

- 11.02-1 Supply of urban land,
- 11.05-4 Regional planning strategies and principles (*'A network of integrated and prosperous regional settlements'* and *'Liveable settlements and healthy communities'*),
- 16.01-1 Integrated housing
- 16.02-3 Residential aged care facilities
- 16.02-4 Design and location of residential aged care facilities

Additional land supply for residential aged care is required to meet forecast demand, improves diversity, provides an economic benefit and access to town for older people. The location is significant because it supplies a mix of housing for older people with appropriate access to care and support services. Clause (16.02-4) is supported through locating the facility in a residential area close to services.

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

The rezoning supports the South Gippsland Municipal Strategic Statement as it facilitates future development of a residential aged care facility consistent with the Leongatha Framework Plan and Southern Leongatha Outline Development Plan. The Independent Panel which considered C76, Southern Leongatha Outline Development Plan, specifically identified this land as suitable for a residential aged care facility.

The Amendment gives effect to subclause 21.14-1 *Community Wellbeing*, Strategy 1.4 which is to *"Encourage quality service solutions that meet the diverse needs of older*

persons". The rezoning will ensure that the appropriate zoning to enable the use and development to commence when necessary is in place.

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

The Low Density Residential Zone is appropriate for this purpose and is consistent with neighbouring zones. The Southern Leongatha Outline Development Plan supports development of the subject land for a residential aged care facility. No changes to the MSS or LPPF are necessary.

There are no conflicting planning scheme provisions or policies relating to the subject land.

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

Details of the proposed rezoning were sent to West Gippsland Catchment Management Authority regarding the removal of ESO6.

Consultation with agencies was undertaken as part of Amendment C76 associated Independent Planning Panel hearing and supported the use of the site.

Consultation with other agencies will be sought from other referral agencies as part of the exhibition process. The proposed amendment will not introduce any new referral requirements and will delete unnecessary referral requirements required by ESO6.

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

The amendment is unlikely to have an adverse impact on the transport system as defined by section 3 of the Transport Integration Act 2010. At present there are no public transport services within Leongatha.

There are no statements of policy principles prepared under section 22 of the Transport Integration Act 2010 applicable to this amendment.

### **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 the resource and administrative costs of the responsible authority. The amendment follows on from extensive strategic work undertaken by Council over a number of years and simply seeks to implement the recommendations of the relevant strategic documents.

### **Where you may inspect this Amendment**

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

- South Gippsland Shire Council Offices, 9 Smith Street, Leongatha, 3953
- Leongatha Library, 2 Smith Street, Leongatha, 3953
- Leongatha Community House, 16 Bruce Street, Leongatha

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at <http://www.dpcd.vic.gov.au/planning/publicinspection>.

### **Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 19 May 2014.

A submission must be sent to: South Gippsland Shire Council Offices, Private Bag 4, Leongatha, 3953 or by email to [nicke@southgippsland.vic.gov.au](mailto:nicke@southgippsland.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: 18 June 2014
- panel hearing: 20 July 2014